

ITEM 8
TEST CLAIM DISMISSAL
PROPOSED STATEMENT OF DECISION

Los Angeles Regional Water Quality Control Board Order 01-182, Permit CAS004001; Parts 1;
2; 4.C2.c; 4.F.5.a; 4F.5.b; and 4.F.6.

Stormwater Pollution Control Requirements

Cities of Bellflower, Covina, Downey, Monterey Park, and Signal Hill, Claimants

03-TC-21

EXECUTIVE SUMMARY

On November 13, 2008, claimants requested withdrawal of portions of the test claim filing (Parts 1; 2; 4.C2.c; 4.F.5.a; 4F.5.b; and 4.F.6) on *Stormwater Pollution Control Requirements*, 03-TC-21.¹ Claimant's request was served in writing, and a sixty-day notice of this withdrawal and dismissal was provided pursuant to California Code of Regulations, title 2, section 1183.08.²

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties, on or before January 11, 2009.

Therefore, the sole issue before the Commission on State Mandates (Commission) is whether the Commission adopts the Proposed Statement of Decision, dismissing the above-named portions of this test claim.³

Recommendation

Staff recommends that the Commission adopt the Proposed Statement of Decision, dismissing Parts 1; 2; 4.C2.c; 4.F.5.a; 4F.5.b; and 4.F.6 of the *Stormwater Pollution Control Requirements* test claim.

¹ Exhibit A. Claimant's withdrawal request letter.

² Exhibit B. Commission's notice of withdrawal and dismissal hearing.

³ California Code of Regulations, test claim, section 1188.1, subdivision (g).

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM:

California Regional Water Quality Control Board, Los Angeles Region, Executive Order Number 01-182, Permit Number CAS004001 (December 13, 2001), Parts 1 & 2, Pages 16-18; Part 4C & E, Pages 27-34 and 42-45; and Part 4F(5) & (6), Pages 48-51.

Originally filed on September 30, 2003;

And

Re-filed on October 3, 2007 pursuant to Peremptory Writ of Mandate Issued by the Los Angeles County Superior Court (Case Nos. BS089769 and Bs089785) and Affirmed in *County of Los Angeles v. Commission on State Mandates* (2007) 150 Cal.App.4th 898;

Parts 1; 2; 4.C2.c; 4.F.5.a; 4F.5.b; and 4.F.6 withdrawn on November 13, 2008,

By Cities of Bellflower, Covina, Downey, Monterey Park, and Signal Hill, Claimants.

Case No.: 03-TC-21

Stormwater Pollution Control Requirements

PROPOSED STATEMENT OF DECISION
PURSUANT TO GOVERNMENT CODE
SECTION 17500 ET SEQ.; CALIFORNIA
CODE OF REGULATIONS, TITLE 2,
DIVISION 2, CHAPTER 2.5, ARTICLE 7

(Proposed for Adoption on January 30, 2009)

PROPOSED STATEMENT OF DECISION

On November 13, 2008, the claimants requested withdrawal of portions of the test claim filing (Parts 1; 2; 4.C2.c; 4.F.5.a; 4F.5.b; and 4.F.6) on *Stormwater Pollution Control Requirements (03-TC-21)*. Claimants' request was served in writing, and a sixty-day notice of this withdrawal and dismissal was provided pursuant to California Code of Regulations, title 2, section 1183.08.

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties, on or before January 11, 2009.

CONCLUSION

IT IS HEREBY ORDERED that Parts 1; 2; 4.C2.c; 4.F.5.a; 4F.5.b; and 4.F.6 of the test claim filing, *Stormwater Pollution Control Requirements (03-TC-21)*, is dismissed, without prejudice, pursuant to California Code of Regulations, title 2, section 1183.08.

Any claimant may file a new test claim on the above-referenced test claim legislation. However, any such claim shall be subject to a new filing date and to the statute of limitations pursuant to Government Code section 17551.