



January 13, 2021

Ms. Lisa Kurokawa  
State Controller's Office  
Compliance Audits Bureau  
3301 C Street, Suite 700  
Sacramento, CA 95816

*And Parties, Interested Parties, and Interested Persons (See Mailing List)*

**Re: Notice of Extension Request Approval**

*Municipal Storm Water and Urban Runoff Discharges, 20-0304-I-07*

Los Angeles Regional Quality Control Board Order No. 01-182,  
Permit CAS004001, Part 4F5c3

Fiscal Years: 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008,  
2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013

City of Lakewood, Claimant

Dear Ms. Kurokawa:

On January 11, 2021, the Commission on State Mandates (Commission) received the State Controller's Office's (Controller's) request for a two-and-a half-month extension of time to file written comments and supporting documentation on the above-captioned Incorrect Reduction Claim (IRC), currently due on February 2, 2021.

Specifically, the request states that the Controller requires an extension of time due to delays and reprioritizations due to the COVID-19 crisis in order to adequately address the concerns of the claimant, City of Lakewood.

Section 1187.9(a) of the Commission's regulations provide that so long as a postponement of a hearing would not be required, there is no prejudice to any party or interested party, and there is no other good reason for denial, the request shall be approved.

However, Government Code section 17553(d) provides that the Controller shall have no more than 90 days after the date the claim is delivered or mailed to file any rebuttal to an IRC. The failure of the Controller to file a rebuttal to an IRC shall not serve to delay the consideration of the IRC by the Commission.

We find the request states good cause and Commission staff is empathetic to the Controller as the Commission is itself suffering from similar operational impacts due to delays and reprioritizations due to the COVID-19 crisis. However, the Commission has not been granted any reprieve from timely performing its duties due to the operational impacts of COVID-19 by any statute or executive order and has in fact been directed to increase the number of matters heard this fiscal year over the prior year. If the *Municipal Stormwater and Urban Runoff Discharges* IRCs are consolidated for hearing, as requested by one of the claimants, approving a 75-day extension, may delay the consideration of those claims which make up the Commission's IRC caseload and that would violate Government Code section 17553(d).

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Therefore, a 30-day extension from the original due date is approved for good cause shown and the Controller's comments are now due **by 5:00 p.m. March 4, 2021**. If the Controller is unable to file comments prior to a draft proposed decision being issued for this matter, it will have an opportunity to file its comments on the draft proposed decision.

This matter remains tentatively set for hearing on **May 27, 2022**, but may be heard as early as May 28, 2021 if consolidated with other pending claims.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey", written in a cursive style.

Heather Halsey  
Executive Director

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On January 13, 2021, I served the:

- **Notice of Extension Request Approval issued January 13, 2021**
- **Controller's Request for Extension of Time filed January 11, 2021**

*Municipal Storm Water and Urban Runoff Discharges, 20-0304-I-07*

Los Angeles Regional Quality Control Board Order No. 01-182,

Permit CAS004001, Part 4F5c3

Fiscal Years: 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013

City of Lakewood, Claimant

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 13, 2021 at Sacramento, California.



Jill L. Magee

Commission on State Mandates

980 Ninth Street, Suite 300

Sacramento, CA 95814

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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 1/4/21

**Claim Number:** 20-0304-I-07

**Matter:** Municipal Storm Water and Urban Runoff Discharges

**Claimant:** City of Lakewood

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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