

ITEM 8

EXECUTIVE DIRECTOR'S REPORT

Workload Update and Tentative Agenda Items for the January and March 2021 Meetings (info)

I. WORKLOAD¹ (info)

A. COMPLETED WORKLOAD SUMMARY

Type of Caseload	Completed in 2019/2020	Completed in 2020/2021
Test Claims	2	2
Parameters & Guidelines	2	1
Parameters & Guidelines Amendments	2	0
Requests for Reconsideration	0	0
Statewide Cost Estimates	2	1
Request to Review Claiming Instructions	0	0
Requests for Mandate Redetermination²	2	0
Requests for Mandate Redetermination to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	1	0
Requests for Mandate Redetermination Reconsideration Based on Court Action	1	0
Incorrect Reduction Claims	1	2
Appeal of Executive Director Decisions	0	0
Order to Set Aside a Test Claim, Parameters and Guidelines or Incorrect Reduction Claim Decision	1	0

¹ As of November 1, 2020.

² Requests for Mandate Redetermination require a two-hearing process.

B. COMMISSION WORKLOAD REPORT

Type of Action	Pending on 7/1/2020	Filed Since 7/1/2020	Completed Since 7/1/2020	Pending on 11/1/2020
Test Claims	42	0	2	40 ³
Parameters and Guidelines	2	1 ⁴	1	2 ⁵
Joint Reasonable Reimbursement Methodologies	0	0	0	0
Pending Requests To Jointly Develop Legislatively Determined Mandates	0	0	0	0
Requests for Reconsideration	0	0	0	0
Requests to Review Claiming Instructions	0	0	0	0
Statewide Cost Estimates	3	1 ⁶	1	3 ⁷
Test Claim Reconsiderations or Reinstatements Based on Court Action	0	0	0	0
Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	1	0	0	1
Proposed Amendments to Parameters and Guidelines	1 ⁸	0 ⁹	0	1

³ 39 of the 40 pending local agency claims are regarding National Pollutant Discharge Elimination System (NPDES) permits. There are no school district test claims currently pending.

⁴ Proposed parameters and guidelines may be filed by the test claimant or expedited and issued by Commission staff upon the adoption of an approved test claim or upon the expiration of a joint reasonable reimbursement methodology.

⁵ One of these Parameters and Guidelines is on inactive status pending the outcome of litigation on the underlying Test Claim Decision.

⁶ Statewide cost estimates are not filed, but are issued by the Commission after claiming instructions have been issued and initial claims have been received by the State Controller's Office.

⁷ One of these Statewide Cost Estimates is on inactive status pending the outcome of litigation on the underlying Test Claim Decision.

⁸ This Amendment to Parameters and Guidelines is again on inactive status pending the outcome of litigation.

⁹ Proposed parameters and guidelines amendments may be filed by an affected local or state agency for any of the reasons specified by section 1183.17 of the Commission's regulations or

Type of Action	Pending on 7/1/2020	Filed Since 7/1/2020	Completed Since 7/1/2020	Pending on 11/1/2020
Requests for Mandate Redetermination ¹⁰	0	0	0	0
Requests for Mandate Redetermination to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0	0	0
Requests for Mandate Redetermination Reconsideration Based on Court Action	0	0	0	0
Incorrect Reduction Claims	7	2	2	9
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	0	0	0
Appeals of Executive Director's Decisions	0	0	0	0
Order to Set Aside a Test Claim, Parameters and Guidelines or Incorrect Reduction Claim Decision	0	0	0	0
Regulatory Actions Pending	0	0	0	0
Applications for Findings of Significant Financial Distress	0	0	0	0

II. TENTATIVE AGENDA ITEMS (info)

The tentative agenda items are subject to change based on, among other things, Commission workload, staffing, litigation, requests for extensions of time to file comments on draft proposed decisions, hearing postponements, informal conferences, and the complexity of the matters.

January or March Meetings

A. TEST CLAIMS

1. *California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2009-0030, 09-TC-03*
County of Orange, Orange County Flood Control District, Cities of Anaheim, Brea, Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Huntington Beach, Irvine, Lake Forest, Newport Beach, Placentia, Seal Beach, and Villa Park, Claimants

they may be issued by Commission staff upon the adoption of new test claim decision under the redetermination process.

¹⁰ Requests for Mandate Redetermination require a two-hearing process.

2. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002*, 10-TC-11
County of Orange, Orange County Flood Control District, Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, and San Juan Capistrano, Claimants

B. INCORRECT REDUCTION CLAIMS

1. *Crime Statistics Reports for the Department of Justice (DOJ)*, 17-0240-I-01
City of San Marcos, Claimant
2. *The Stull Act*, 19-9825-I-03
Fairfield-Suisun Unified School District, Claimant