

IN THE SUPREME COURT OF CALIFORNIA

DEPARTMENT OF FINANCE et al.,)	
)	
Plaintiffs and Respondents,)	
)	S214855
v.)	
)	Ct.App. 2/1 B237153
COMMISSION ON STATE MANDATES,)	
)	Los Angeles County
Defendant and Respondent;)	Super. Ct. No. BS130730
)	
)	
COUNTY OF LOS ANGELES et al.,)	
)	
Real Parties in Interest)	
and Appellants.)	
_____)	

ORDER MODIFYING OPINION AND DENYING PETITION FOR REHEARING

THE COURT:

The opinion in this matter filed on August 29, 2016, and appearing in the California Official Reports at 1 Cal.5th 749, is modified as follows:

On page 768 of the published opinion, a footnote is inserted at the end of the sentence that reads: “The board’s legal authority to administer the CWA and its technical experience in water quality control would call on sister agencies as well as courts to defer to that finding.” The new footnote, which is numbered as footnote 15,

reads: “Of course, this finding would be case specific, based among other things on local factual circumstances.”

On page 771 of the published opinion, current footnote 15 is renumbered as footnote 16.

On page 772 of the published opinion, the word “fatally” is deleted from the sentence that reads: “The fact the EPA itself had issued permits in other cities, but did not include the trash receptacle condition, fatally undermines the argument that the requirement was federally mandated.”

This modification does not affect the judgment.

The request for judicial notice and the petition for rehearing, both filed on September 13, 2016, are denied.