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June 3, 2026

Via Drop Box

Juliana F. Gmur
Executive Director
Commission on State Mandates
980 9th Street, Ste. 300
Sacramento, CA 95814



Re: Request for Extension of June 12, 2026 Deadline to Respond to December 23, 2025 Proposed Draft Decision regarding San Francisco Bay Regional Water Quality Control Board Order No. R2-2015-0049 Pending Test Claim No. 16-TC-03

Dear Ms. Gmur:

Our office represents the Alameda Countywide Clean Water Program and its members as well as claimant Union City, who have incurred costs related to the San Francisco Bay Regional Water Quality Control Board's municipal regional stormwater permit, Order No. R2-2015-0049, which is the second municipal regional permit ("MRP 2") that regulates the discharge of stormwater runoff from the municipal separate storm sewer systems ("MS4s") within the jurisdiction of Bay Area regional stormwater programs. The Program and Claimant request a 60-day extension of the June 12, 2026 deadline through August 11, 2026 to submit comments to Draft Proposed Decision ("DPD") on the above-referenced test claim ("2016 Test Claim"). Normally, an extension of time of up to 60 days is permissible. (See Cal. Code Regs., tit. 2 § 1183.18(b)(1) and Commission's Jan. 13, 2026 letter.)

Section 1187.9(a) of the Commission's regulations provides that any party or interested party to a matter may request an extension of time by filing a request with the executive director before the date set for filing of comments with Commission staff on that matter. The request shall fully explain the reasons for the extension, propose a new date for filing, and be certified, filed, and served in accordance with section 1181.3 of these regulations.

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Juliana F. Gmur
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Section 1187.9(b) of the Commission's regulations provides that while postponements are disfavored and, pursuant to Government Code section 17530, the executive director has a duty to expedite all matters before the Commission, a request for postponement filed by an interested party may be approved by the executive director for good cause. (2 C.C.R. § 1187.9(b)(1)-(2) and (b)(3).)

This request is supported by good cause because of the number and complexity of the issues and our inability to obtain essential testimony, documents, or other material evidence. The Draft Proposed Decision raises a number of complex issues that the Program and the Claimant have been reviewing since the DPD's issuance during the holiday season. Additionally, Test Claim No. 16-TC-03 has not been active since May 2018 and the legal landscape has changed since that time, requiring additional legal analysis. Claimant and the Program are attempting to concentrate their efforts on Test Claim No. 16-TC-03 while formulating legal strategy and legal analysis related to the first MRP (Order No. R2-2009-0074), which is the subject of Consolidated Test Claims, Nos. 10-TC-02, 10-TC-03, and 10-TC-05 and Test Claim No. 22-TC-07 associated with MRP 3 (Order No. R2-2022-0018). Claimant and the Program are handling high levels of activities for MRPs 1, 2, and 3 and require time to meaningfully present the issues and arguments related to 2016 Test Claim.

We submit this document, under penalty of perjury, and hereby declare that the information in this correspondence is true and correct to the best of our personal knowledge, information, or belief of the undersigned. The undersigned's title, address, telephone number, and email address are reflected on page one.

Sincerely,

DUANE MORRIS LLP



Viviana L. Heger
Special Counsel

Juliana F. Gmur
June 3, 2026
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VLH
cc: Service List (via Commission Drop Box, [CSM Dropbox](#))

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 June 5, 2026, I served the:

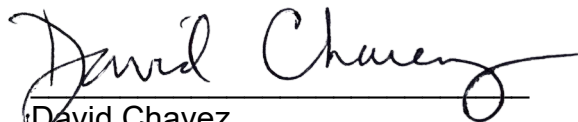
- **Current Mailing List dated May 4, 2026**
- **Notice of Partial Approval of Extension Request dated June 5, 2026**
- **Request for Extension of June 12, 2026 Deadline to Respond to December 23, 2025 Proposed Draft Decision regarding San Francisco Bay Regional Water Quality Control Board Order No. R2-2015-0049 Pending Test Claim No. 16-TC-03**

California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2015-0049, 16-TC-03

California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2015-0049, Provisions C.3.j, C.8., C.10.a., C.10.b., C.11.a., C.11.b., C.11.c., C.12.a., C.12.c., C.12.d., and C.12.e, Adopted on November 19, 2015 and Effective on January 1, 2016
City of Union City, 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 June 5, 2026 at Sacramento, California.



David Chavez
Commission on State Mandates
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 5/4/26

Claim Number: 16-TC-03

Matter: California Regional Water Quality Control Board, San Francisco Bay Region,
Order No. R2-2015-0049

Claimant: City of Union City

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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