



June 5, 2026

Ms. Viviana L. Heger
Duane Morris LLP
865 Figueroa Street, Suite 3100
Los Angeles, CA 90017

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

Re: Notice of Partial Approval of Extension Request

*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

Dear Ms. Heger:

On June 3, 2026, the City of Union City (claimant) requested a 60-day extension of time to file written comments on the Draft Proposed Decision in the above-stated matter, currently due on June 12, 2026. The claimant requested a due date of August 11, 2026. The bases of the claimant's request are:

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.

This request is the claimant's third request for extension of time but, unlike the prior requests, it does not contain a request to postpone the hearing. The claimant's prior request dated April 1, 2026, was granted as follows:

Therefore, the number and complexity of the issues is the only basis upon which a postponement of the hearing can be granted, but its viability as good cause is tenuous. The complexity of issues was the sole ground for good cause for the extension of time to file comments and the postponement of the hearing granted on January 13, 2026, and, again, should have been taken into account at the time of the stipulation.

Ms. Heger
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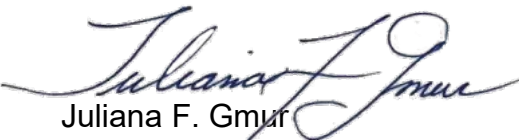
However, since the requested extension is just 60 days and the postponement is only to the next hearing date, I will grant the request for an extension of time to file written comments on the Draft Proposed Decision and to postpone the hearing on this matter. (Cal. Code. Regs., tit. 2 § 1187.9(b)(2)(C).)

In its current request, the claimant recites virtually the same grounds for continuance stated in its April 1, 2026 request. While the opportunity to be heard and the completeness of the Commission's record are important considerations, they must be balanced against the requirement that the executive director expedite all matters before the Commission. (Gov. Code § 17530; Cal. Code. Regs., tit. 2 § 1183.13(b).) A further consideration is whether there is sufficient time for the staff attorney to analyze comments from three parties, incorporate the comments and analysis into the proposed decision, and meet the statutory deadline for the posting of the agenda packet. (Gov. Code § 11125.)

Pursuant to Commission regulation Section 1187.9(a)(1), the request by the claimant did not include a postponement of the hearing, does not prejudice any party, and there is no other good reason for denial. Although the claimant has marginally demonstrated good cause to grant an extension of the comment period, the proposed filing date of August 11, 2026, does not ensure that the staff attorney will have sufficient time to address the filed comments timely. Accordingly, this request is granted in part with 30-day extension to file written comments. Therefore, claimant's comments on the Draft Proposed Decision are now due **before midnight on July 13, 2026**, and this matter remains tentatively scheduled for hearing on Friday, October 9, 2026.

Any further extension of time requests beyond July 13, 2026, will require a postponement of the hearing. Postponements are disfavored by the Commission and a request to postpone a hearing "until the next regularly scheduled hearing" shall only be granted upon an affirmative showing of good cause. (Cal. Code. Regs., tit. 2 § 1187.9(b).)

Very truly yours,


Juliana F. Gmur
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 June 5, 2026, I served the:

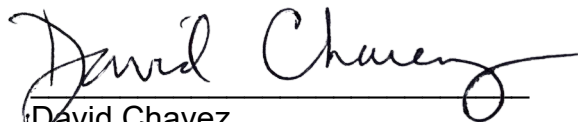
- **Current Mailing List dated May 4, 2026**
- **Notice of Partial Approval of Extension Request dated June 5, 2026**
- **Request for Extension of June 12, 2026 Deadline to Respond to December 23, 2025 Proposed Draft Decision regarding San Francisco Bay Regional Water Quality Control Board Order No.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