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March 20, 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 March 23, 2026 Deadline to Respond to July 15, 2025 Comments from San Francisco Bay Regional Water Quality Control Board and July 21, 2025 Comments from Department of Finance on Order No. R2-2022-0018, as modified by Order No. R2-2023-0019; NPDES Permit No. CAS612008; Provisions C.3.b.ii(4), C.3.b.ii(5), C.3.j.ii(1)(a)(g), C.3.j.ii(4), C.3.j.ii(2)(a)-(j), C.5.f, C.8.d, C.8.e, C.8.f, C.10.a.i, C.10.a.ii, C.10.e, C.11.c, C.12.a, C.12.c, C.15.b.iii, C.17.a, C.20.b, C.21.b, issued May 11, 2022, effective July 1, 2022**  
**Pending Test Claim No. 22-TC-07**

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. R2-2022-0018, which is the third municipal regional permit ("MRP 3") that regulates the discharge of stormwater runoff from the municipal separate storm sewer systems ("MS4s") maintained by a total of 79 cities, counties, and flood control districts within the jurisdiction of six Bay Area regional stormwater programs. The Program and Claimant request a 60-day extension through May 22, 2026 to submit rebuttal comments to the above-referenced comments from the San Francisco Bay Regional Water Quality Control Board and Department of Finance.

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 or rebuttals with Commission staff on that matter. The

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March 20, 2026  
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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.

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)(A), (b)(1)(F), and (b)(3)(D).)

This request is supported by good cause because of the number and complexity of the issues, our inability to obtain essential testimony, documents, or other material evidence. The Regional Board's comments consist of approximately 11,926 pages and due to the complexity of the comments, we reasonably continue to require additional time to respond. Our request does not require postponement of the October 9, 2026 hearing therefore this should not cause prejudice to the Regional Board which has sought similar extensions of time to file comments. (See Regional Board's Requests for Extension on July 8, 2024, September 6, 2024, November 6, 2025, January 3, 2025, March 10, 2025, May 6, 2025.) Due to the complexity of the Test Claim, considerable attorney time and ACCWP time is needed to analyze the Regional Board's comments related to the merits of the Test Claim. ACCWP, its members, and counsel must conduct legal and factual research and provide responses to the Regional Board's comments.

At this time, ACCWP, its members, and counsel also are continuing to submit claims for CSM Test Claim Nos. 10-TC-02, 10-TC-03, and 10-TC-05. Those consolidated Test Claims cover several fiscal years' time and continue to require ACCWP resources to be devoted to submission following the October 30, 2025 deadline. This hinders and often prevents ACCWP, its members, and outside counsel from working on the responses to the Regional Board's comments during the same time frame that applies to this case. These competing obligations and deadlines and lack of resources provide additional good cause to provide additional time for rebuttal comments in this matter.

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 the 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  
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VLH

cc: Service List Dated (via Commission Drop Box, [CSM Dropbox](#))

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## 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 March 24, 2026, I served the:

- **Current Mailing List dated March 5, 2026**
- **Notice of Extension Request Approval For Claimant's Rebuttal issued March 24, 2026**
- **Claimant's Request for Extension of March 23, 2026 Deadline to Respond to July 15, 2025 Comments from San Francisco Bay Regional Water Quality Control Board and July 21, 2025 Comments from Department of Finance filed March 20, 2026**

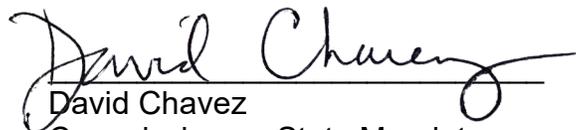
*California Regional Water Quality Control Board, San Francisco Bay Region,  
Order No. R2-2022-0018, 22-TC-07*

California Regional Water Quality Control Board, San Francisco Bay Region,  
Order No. R2-2022-018, as modified by Order No. R2-2023-0019; NPDES  
Permit No. CAS612008; Provisions C.3.b.ii(4), C.3.b.ii(5), C.3.j.ii(1)(a)-(g),  
C.3.j.ii(4), C.3.j.ii(2)(a)-(j), C.5.f, C.8.d, C.8.e, C.8.f, C.10.a.i, C.10.a.ii, C.10.e,  
C.11.c, C.12.a, C.12.c, C.15.b.iii, C.17.a, C.20.b, C.21.b, issued May 11, 2022,  
effective July 1, 2022

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 March 24, 2026 at Sacramento, California.



David Chavez  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 3/5/26

**Claim Number:** 22-TC-07

**Matter:** California Regional Water Quality Control Board, San Francisco Bay Region,  
Order No. R2-2022-0018

**Claimant:** 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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