



July 30, 2024

Ms. Teresita Sablan
State Water Resources Control Board
1001 I Street, 22nd Floor
Sacramento, CA 95814

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

Re: Notice of Waiver of Procedural Requirements, Extension Request Approval, and Postponement of Hearing

California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074, 10-TC-02, 10-TC-03, and 10-TC-05

California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074, Sections C.2.b, C.2.c, C.2.e, C.2.f, C.8.b., C.8.c., C.8.d.i, C.8.d.ii., C.8.d.iii., C.8.e.i., C.8.e.ii., C.8.e.iii., C.8.e.iv., C.8.e.v., C.8.e.vi., C.8.f., C.8.g.i. (first sentence only), C.8.g.ii., C.8.g.iii., C.8.g.v., C.8.g.vi., C.8.g.vii., C.8.h, C.10.a.i., C.10.a.ii., C.10.a.iii., C.10.b.i., C.10.b.ii., C.10.b.iii., C.10.c., C.10.d.i., C.10.d.ii., C.11.f., and C.12.f., Adopted October 14, 2009 and Effective December 1, 2009

Cities of Dublin and San Jose, and County of Santa Clara, Claimants

Dear Ms. Sablan:

On July 26, 2024, the Water Boards filed a Stipulation of the Parties to Waive Procedural Requirements which is signed by all parties including the Water Boards, Department of Finance, and the claimants. The Stipulation is for a 90-day extension from the original deadline of July 30, 2024, to submit comments on the Draft Proposed Decision on the above-captioned Test Claim currently due for the Water Boards' only on August 29, 2024 and for all other parties, interested parties, and interested persons on July 30, 2024, to October 28, 2024 and to postpone the hearing currently set for November 22, 2024 to January 24, 2025.

Government Code section 17553(a)(3) permits "the hearing of a claim to be postponed at the request of the claimant, without prejudice, until the next scheduled hearing." Additionally, Section 1183.18(b)(1) of the Commission's regulations (Timelines), arguably limits an extension approval to 60 days since days beyond the 60 are not counted towards tolling the time to adopt a statewide cost estimate. Taken together, these authorities generally restrict extensions to not more than 60 days and postponements to the next regular hearing date. However, Government Code section 17554 permits, with the agreement of all parties to the claim, the Commission to waive the application of any procedural requirement imposed by this chapter or pursuant to Section 17553.

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Therefore, based on the stipulation of the parties, all parties' comments on the Draft Proposed Decision are now due **by 5:00 p.m. on October 28, 2024**. This matter is now set for hearing on **Friday, January 24, 2025**.

Sincerely,

A handwritten signature in cursive script, appearing to read "Heather Halsey".

Heather Halsey
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 July 30, 2024, I served the:

- **Current Mailing List dated July 23, 2024**
- **Notice of Waiver of Procedural Requirements, Extension Request Approval, and Postponement of Hearing issued July 30, 2024**
- **Stipulation of the Parties to Waive Procedural Requirements filed July 26, 2024**

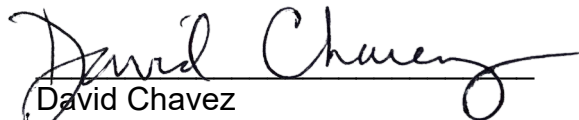
California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074, 10-TC-02, 10-TC-03, and 10-TC-05

California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074, Sections C.2.b, C.2.c, C.2.e, C.2.f, C.8.b., C.8.c., C.8.d.i, C.8.d.ii., C.8.d.iii., C.8.e.i., C.8.e.ii., C.8.e.iii., C.8.e.iv., C.8.e.v., C.8.e.vi., C.8.f., C.8.g.i. (first sentence only), C.8.g.ii., C.8.g.iii., C.8.g.v., C.8.g.vi., C.8.g.vii., C.8.h, C.10.a.i., C.10.a.ii., C.10.a.iii., C.10.b.i., C.10.b.ii., C.10.b.iii., C.10.c., C.10.d.i., C.10.d.ii., C.11.f., and C.12.f., Adopted October 14, 2009 and Effective December 1, 2009

Cities of Dublin and San Jose, and County of Santa Clara, Claimants

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 July 30, 2024 at Sacramento, California.



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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 7/23/24

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Matter: California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074, Provisions C.2.b, C.2.c, C.2.e, C.2.f, C.8.b, C.8.c, C.8.d, C.8.e.i, ii, and vi, C.8.f, C.8.g, C.8.h, C.10.a, C.10.b, C.10.c, C.10.d, C.11.f, and C.12.f

Claimants: City of Dublin
City of San Jose
County of Santa Clara

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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