



January 13, 2025

VIA DROP BOX

Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

Re: Request for Extension of Time to File Comments on Proposed Decision in California Regional Water Quality Control Board, San Francisco Region, Order No. R2-2009-0074

Dear Ms. Halsey:

Pursuant to Cal. Code Regs. tit.2, § 1187.9, I am writing as Claimant Representative for Claimants City of Dublin and the Alameda Countywide Claim Water Program (“Dublin Claimants”) in the above-referenced Joint Test Claim to request a postponement of the January 24, 2025, hearing on the Proposed Decision (“PD”) in this matter. Dublin Claimants respectfully request a postponement until the next regularly scheduled hearing date, March 28, 2025. The PD was released on the afternoon of January 8, 2025. This request was made as expeditiously as possible after the release of the PD. There is good cause for such a postponement for the following reasons:

1. The PD is 406 pages long and raises numerous new and complex questions of law and fact in response to comments made on the draft PD by the Dublin Claimants. There is limited availability of counsel and witnesses to review these new issues, obtain essential testimony, documents, or other material evidence, despite our diligent efforts, and prepare for the hearing in the 16 days between the release of the PD and the hearing, and the Dublin Claimants’ interests will be adversely affected and prejudiced if not given adequate time to prepare for the hearing.
2. This request seeks postponement as to *all* parties. There will be no prejudice to any party or witness if the extension is granted. I have contacted counsel for the Water Board and the County of Santa Clara, but have not heard back as of the time of submission of this letter. The City of San Jose has indicated it has no objection to the requested extension.

3. At the Water Board's request, on July 26, 2024, the parties entered into a Stipulation to Extend Time to Submit Comments on Draft PD to Postpone Hearing. However, this requested postponement is based on new arguments raised in the PD and represents the minimum required by Dublin Claimants to adequately prepare testimony, documents, or other material evidence in advance of the hearing. The Dublin Claimants also do not wish to continue the hearing date past March 24, 2025.

I declare under penalty of perjury that the foregoing, signed on January 13, 2025, is true and correct to the best of my personal knowledge, information, or belief.

Very truly yours,

A handwritten signature in blue ink that reads "Gregory J. Newmark". The signature is written in a cursive style with a large, stylized initial "G".

Gregory J. Newmark

5840872.1

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 January 15, 2025, I served the:

- **Current Mailing List dated January 15, 2025**
- **Notice of Denial of Request to Postpone Hearing issued January 15, 2025**
- **Claimant's Request for Extension of Time and Postponement of Hearing filed January 13, 2025**

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 January 15, 2025 at Sacramento, California.



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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 1/15/25

Claim Number: 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, Provisions

Matter: 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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