

January 13, 2026

Ms. Viviana L. Heger  
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*And Parties, Interested Parties, and Interested Persons (See Mailing List)*

**Re: Notice of Extension Request Approval and Postponement of Hearing**  
*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 January 9, 2026, the City of Union City (claimant) requested a 90-day extension of time to file written comments on the above-stated matter, currently due on January 13, 2026, and to postpone the April 10, 2026 hearing to the regularly scheduled hearing on August 14, 2026. The basis of the request is because:

the proposed draft decision initiates new activities for Test Claim No. 16-TC-03 (which has not been active since May 2018) while Claimant and the Program are handling competing deadlines and high levels of activities for Consolidated Test Claims, Nos. 10 TC-02, 10- TC-03, and 10-TC-05 involving the prior municipal regional permit known as MRP 1 (Order No. R2-2009-0074) and Test Claim No. 22-TC-07 associated with MRP 3 (Order No. R2-2022-0018); and due to the complexity of the 2016 Test Claim, considerable attorney time and [Alameda Countywide Clean Water Program ] ACCWP time is needed to analyze the Proposed Draft Decision related to the 2016 Test Claim.

The claimant's request is accompanied by a Stipulation of the Parties to Waive Procedural Requirements, which is signed by all parties including the Water Boards, Department of Finance, the Controller's Office, and the claimant. The parties stipulate to extend the deadline for all parties to submit their comments on the above-captioned Test Claim to April 14, 2026, and to postpone the tentatively scheduled hearing to August 14, 2026.

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 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

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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. Further, a request for postponement filed with “a request filed by stipulation of the parties shall be approved by the executive director for good cause.” (Cal. Code. Regs., tit. 2 § 1187.9(b)(3)(B).)

The claimant has demonstrated good cause to grant the request for an extension of time for all parties to file written comments and to postpone the hearing. (Cal. Code. Regs., tit. 2 § 1187.9(b)(1)(D), (b)(1)(F), and (b)(2)(I).) This request is granted. Therefore, the parties' comments on the Test Claim are now due by **5:00 p.m. on April 14, 2026** and this matter is now tentatively scheduled for hearing on **Friday, August 14, 2026**.

Please note that due to recent changes in our regulations, written rebuttals to comments filed on a test claim may be filed by any party within 30 days of service of the written comments. (Cal. Code. Regs., tit. 2 § 1183.3.)

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 January 13 2026, I served the:

- **Current Mailing List dated January 8, 2026**
- **Notice of Extension Request Approval and Postponement of Hearing issued January 13, 2026**
- **Claimant's Request for Extension of Time and Postponement of Hearing filed January 9, 2026**

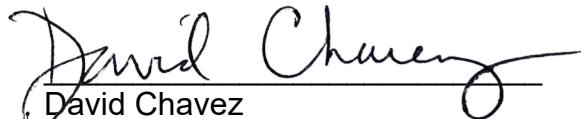
*California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2015-0049, 16-TC-03*

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 January 13, 2026 at Sacramento, California.



David Chavez  
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# COMMISSION ON STATE MANDATES

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**Last Updated:** 1/8/26

**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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