

State Water Resources Control Board

September 18, 2026

VIA DROP BOX

Juliana F. Gmur
Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

COMMENTS OF THE STATE WATER RESOURCES CONTROL BOARD AND CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION ON THE DRAFT PROPOSED DECISION

California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2022-0018, 22-TC-07, as modified by Order No. R2-2023-0019; NPDES Permit No. CAS612008; Provisions C.3.b.i., C.3.b.ii.4., C.3.b.ii.5., C.3.j.ii.1.a.-g., C.3.j.ii.2.a.-j., C.3.j.ii.4., 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 (City of Union City, Claimant)

Dear Ms. Gmur:

The State Water Resources Control Board and California Regional Water Quality Control Board, San Francisco Bay Region (San Francisco Bay Water Board) (together, Water Boards) have reviewed the Draft Proposed Decision for Test Claim 22-TC-07 issued by the Commission on State Mandates (Commission) on June 29, 2026. The Water Boards appreciate the thorough analysis of Commission staff. We agree with the denial of Test Claim 22-TC-07 as proposed in the draft and the conclusion that San Francisco Bay Water Board Order R2-2022-0018 does not impose a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution.

The Water Boards, however, do not agree with the conclusions finding that some of the challenged provisions are new. We maintain the arguments that those provisions are not new and the arguments that those provisions are not a program as set forth in the Water Boards' July 15, 2025, comments on the test claim.¹

¹ See San Francisco Bay Regional Water Quality Control Board and State Water Resources Control Board Comments on Test Claim (22-TC-07), July 15, 2025.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

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

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Sablan', with a long horizontal flourish extending to the right.

Teresita J. Sablan
Attorney IV

cc: Service List [via Commission Drop Box]

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.

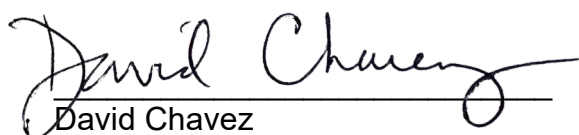
On September 18, 2026, I served the:

- **Current Mailing List dated September 14, 2026**
- **Finance's Comments on the Draft Proposed Decision filed September 18, 2026**
- **Water Boards' Comments on the Draft Proposed Decision filed September 18, 2026**

*California Regional Water Quality Control Board, San Francisco Bay Region,
Order No. R2-2022-0018, 22-TC-07, as modified by Order No. R2-2023-0019;
NPDES Permit No. CAS612008; Provisions C.3.b.i., C.3.b.ii.4., C.3.b.ii.5.,
C.3.j.ii.1.a.-g., C.3.j.ii.2.a.-j., C.3.j.ii.4., 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 September 18, 2026 at Sacramento, California.



David Chavez
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 9/14/26

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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