



Office of the City Attorney
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VIA ELECTRONIC MAIL TO: waterqualitypetitions@waterbaords.ca.gov

State Water Resources Control Board
Office of Chief Counsel
Attn. Adrianna M. Crawl
1001 "I" Street, 22nd Floor
Sacramento, CA 95814

Re: REQUEST FOR ABEYANCE OF PETITION OF THE CITY OF SAN JOSE FOR REVIEW OF WASTE DISCHARGE REQUIREMENTS ORDER NO. R2-2015-0049 ADOPTED BY THE SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD (SWRCB/OCC FILE A-2455(g)).

Dear Sir/Madam:

On March 14, 2016, the City of San Jose requested that the State Water Resources Control Board ("State Board") hold in abeyance the Water Quality Petition Requesting the State Water Resources Control Board's Review of Region 2's Re-Issuance of Municipal Regional (Stormwater) Permit (NPDES No. CAS612008) filed by the City of San José on December 17, 2015. Subsequently, on March 15, 2016, the State Board activated all appeals being held in abeyance.

The City of San Jose recently received notice that on December 6, 2016, the State Board has proposed to adopt its "Own Motion" regarding Water Quality Petitions A-2455(a)-(m). The City of San Jose intends to provide comments for consideration at the December 6, 2016 meeting on this proposed action.

In the meantime, however, and to be effective immediately upon receipt of this notice, the City of San Jose respectfully requests that the State Board again hold in abeyance Water Quality Petition Requesting the State Water Resources Control Board's Review of Region 2's Re-Issuance of Municipal Regional (Stormwater) Permit (NPDES No. CAS612008) filed by the City of San José on December 17, 2015 (SWRCB/OCC File A-2455(g)).

This request to hold the City's Petition in abeyance should not be construed as the City's acquiescence of the State Board's "Own Motion". As noted above, the City will be submitting comments on the State Board's "Own Motion," which comments we anticipate will not be prejudiced by the City's request for abeyance.

Thank you for your prompt acknowledgement of this letter and timely action on this request.

Sincerely yours,

RICHARD DOYLE, City Attorney

By:


LEAH S. GOLDBERG
Sr. Deputy City Attorney

LSG/lsg

Cc: Bruce Wolfe, Executive Officer, Region 2
Office of Chief Counsel, SWRCB