

San Francisco Bay Regional Water Quality Control Board

**NOTICE OF OPPORTUNITY TO COMMENT AND PUBLIC HEARING FOR
PROPOSED WATER QUALITY CERTIFICATION AND WASTE DISCHARGE REQUIREMENTS FOR
THE BERRYESSA MIXED USE DEVELOPMENT PROJECT
(SAN JOSE, SANTA CLARA COUNTY)**

NOTICE IS HERBY GIVEN THAT the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) will accept written comments on the Tentative Order for issuing Waste Discharge Requirements for the Berryessa Mixed Use Development Project in San Jose, Santa Clara County.

This Tentative Order would authorize the placement of fill in the waters of the State for the construction of a mixed-use project consisting of up to 850 residential units, 480,000 square feet of commercial space, 0.9-acres of open space, streets, stormwater facilities, and other associated supporting infrastructure within the Berryessa BART Urban Village Plan area.

The Tentative Order is available for review on our website's Tentative Order Public Notice page: https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/tentative_orders.html. The attachment to the Tentative Order is available upon request. To obtain the attachments, please contact Brian Wines at brian.wines@waterboards.ca.gov.

SUBMISSION OF WRITTEN COMMENTS. Persons interested in the Tentative Order are encouraged to submit comments electronically. The Tentative Order is available for an informal review period starting July 7, 2025, with comments due by **5:00 p.m. on August 6, 2025**. Comment letters received after that deadline will not be accepted unless the Regional Water Board determines otherwise. Submit comments to Brian Wines by email to brian.wines@waterboards.ca.gov. Comments submitted by email must be a maximum of 15 megabytes. Comments can be sent as hard copies to:

401 Certification Program – Attn: Brian Wines
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 946012

Please indicate in the subject line: **"Comment Letter – Order No. 2025-00XX Berryessa Mixed Use"**

PUBLIC HEARING. The Board will consider adopting the Tentative Order during a meeting to commence at 9:00 a.m. on September 10, 2025. Interested persons are invited to express their views at this hearing, and can attend the hearing in person at the Elihu M. Harris State of California Building, First Floor Auditorium, 1515 Clay Street, Oakland, CA 94612. If you attend in person and wish to speak, there will be instructions at a table located by the auditorium entrance.

Pursuant to California Code of Regulations Title 23 section 2050(c), any party who challenges the Board's action through a petition to the State Water Resources Control Board under Water Code section 13320 will be limited to raising only those substantive issues that were raised before the Board at the hearing or in timely submitted correspondence.

Please direct questions about this notice to Brian Wines at brian.wines@waterboards.ca.gov.

Date: July 7, 2025