On page 19 of the Draft Order, add a footnote to the end of Section 2.9 as follows:

(Cal. Code Regs., tit. 23, § 770.)**4**

**4 The State Water Board is directed to order or deny reconsideration on a petition within 90 days from the date on which the decision or order was adopted.
(Wat. Code, § 1122.) If the Board does not act within that 90-day period, a petitioner may seek judicial review, but the Board is not divested of jurisdiction to act on the petition simply because the Board did not complete its review on time. (State Water Board Order WR 2009-0061 at p. 2, fn. 1; see *State Comp. Ins. Fund v. Workers’ Comp. Appeals Bd.* (2016) 248 Cal.App.4th 349, 364-365.)**

On Page 20, edit the third paragraph as follows:

The petitioners’ contentions concerning the validity of the Executive Director’s approval of the 2022 TMP are moot because the TMP is no longer in effect. Nonetheless, we address their contentions in this order **~~to provide guidance concerning implementation of Order 90-5~~** **because the issues raised in the petitions are of general public interest and they are likely to recur** in the future. **(See *Californians for Alternatives to Toxics v. Department of Pesticide Regulation* (2006) 136 Cal.App.4th 1049, 1069-1070 [holding that a court has discretion to decide a moot case on the merits if it involves a matter of continuing public interest that is likely to recur].)**

Reflecting **bold-underline** additions and **~~bold-strikeout~~** deletions to the May 31, 2023 draft.