



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

February 13, 2018

### VIA US AND ELECTRONIC MAIL

Kelley Taber  
SOMACH SIMMONS & DUNN  
500 Capitol Mall, Suite 1000  
Sacramento, CA 95814  
[ktaber@somachlaw.com](mailto:ktaber@somachlaw.com)

**Re: Public Records Request**

Dear Ms. Taber,

On February 9, 2018, we received the *County of Sacramento et al.'s Petition for Reconsideration and Request for Stay or Continuance of Waterfix Part 2 Hearing*, which included several attachments, including a January 23, 2018 Public Records Act (PRA) request from you to the State Water Resources Control Board (State Water Board) that was labeled Exhibit C. Although you addressed the letter to the State Water Board, the email address you used to submit the PRA is specific to the State Water Board's State Contracting department. Therefore, we have only recently obtained your January 23, 2018 email and attached PRA request.

The State Water Board staff has made an initial determination that the State Water Board has records responsive to your request. We are in the process of gathering and reviewing the records to determine whether any records responsive to your request may be disclosable.

The potential bases for non-disclosure include one or more of the following exemptions to the Public Records Act: Attorney-Client Privilege, Deliberative Process Privilege, Attorney Work Product Privilege, Investigative Records Exemption, Pending Litigation Exemption, Trade Secret Exemption, Other Laws Exemption, and the Catch-All Balancing Test in Government Code section 6255.

If we determine your requested documents are exempt from disclosure, we will notify you. If we determine they are not exempt from disclosure, we will provide them to you as soon as possible after the determination is made.

Your request to receive responsive documents in electronic format has been noted, and we will provide these documents to you in this format if they are available.

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

Please contact Mr. Matthew Jay by phone at (916) 341-5396 or by e-mail at [matthew.jay@waterboards.ca.gov](mailto:matthew.jay@waterboards.ca.gov) should you have any questions regarding your request.

Sincerely,



Matthew Jay  
Associate Governmental Program Analyst  
State Water Resources Control Board  
Division of Water Rights