



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

RECEIVED
November 9, 2017
**Commission on
State Mandates**

November 3, 2017

Jill Magee
Program Analyst
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Dear Ms. Magee,

This is a follow-up to my email on Tuesday. As I mentioned then, and as Mr. Lichten has since communicated to you, none of the staff or attorneys working on Order R2-2015-0049 was aware of the new test claim before your communication this week. I will work with staff to prepare the administrative record and a response at the earliest possible time, which I anticipate will be sometime in mid- to late January, due to the upcoming holidays and numerous vacations and unavailability of staff.

Please be advised that the State Water Resources Control Board (State Board) does not have an administrative record for the adoption of the Order. Several parties have filed administrative petitions for review of various aspects of the Order with the State Board, but the State Board has not taken any action to date on the petitions for review. Further, there is nothing in the claim that relates to actions of the State Board. Please let me know if you disagree and are intending to request the State Board's records concerning the pending petition for review.

Sincerely,

Tamarin Austin
Attorney IV

cc: **[via email only]**
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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 November 15, 2017, I served the:

- **Response to State Water Resources Control Board Notice of Intent to File issued November 15, 2017**
- **State Water Resources Control Board Notice of Intent to File filed November 9, 2017**

*California Regional Water Quality Control Board, San Francisco Bay Region,
Order No. R2-2015-0049, 16-TC-03
City of 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 November 15, 2017 at Sacramento, California.



Jill L. Magee
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 11/6/17

Claim Number: 16-TC-03

Matter: California Regional Water Quality Control Board, San Francisco Bay Region,
Order No. R2-2015-0049

Claimant: City of 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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