California Regional Water Quality Control Board
San Francisco Bay Region

Linda S. Adams
Secretary for Environmental Protection

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Arnold Schwarzenegger
Governor

DOCKET
04-AFC-1
DATE JUN 22 2006
RECD. AUG 1 2006

Date: JUN 22 2006
File No. 38S0055(YW)

RECEIVED BY
JUN 26 2006
CHIEF COUNSEL OFFICE

Michael E. Boyd
President
CARE
5439 Soquel Drive
Soquel, CA 95073

Re: CARE's Demand to Correct Alleged Violation of Bagley-Keene Open Meeting Act

Dear Mr. Boyd:

The San Francisco Bay Regional Water Quality Control Board ("Water Board") has received and reviewed your demand letter to correct or cure alleged violations of the Bagley-Keene Open Meeting Act ("Bagley-Keene Act") in connection with the Water Board's execution of a Memorandum of Understanding ("MOU") with the California Energy Commission ("CEC"). Please be advised that no violation of the Bagley-Keene Act occurred in connection with the MOU execution. Specifically, no quorum of the Water Board met so as to trigger the Bagley-Keene Act. Moreover, the Water Board was not required to meet in order for Water Board staff to commit to coordinating with CEC staff on the San Francisco Electric Reliability Project. Accordingly, your demand is hereby denied.

If you have any questions, please call the Water Board's attorney, Yuri Won, at (510) 622-2491.

Sincerely,

for Bruce H. Wolfe
Executive Officer

cc: Richard Ratliff
Staff Counsel IV
California Energy Commission
1516 9th Street, MS 14
Sacramento, CA 95814-5512