

Obegi, Doug

From: Kenner, Spencer@DWR <Spencer.Kenner@water.ca.gov>
Sent: Thursday, August 24, 2017 5:22 PM
To: Obegi, Doug
Subject: RE: Response to our PRA request

Doug, your instincts are correct. I dumbly focused on the last phrase. Records exist but have not been produced based on applicable confidentiality agreements.

Thanks for allowing an amendment to my response.

From: Obegi, Doug [mailto:dobegi@nrdc.org]
Sent: Thursday, August 24, 2017 15:46
To: Kenner, Spencer@DWR
Subject: Re: Response to our PRA request

Would you please confirm #1? I find it hard to believe that there are no records of any kind regarding cost allocation discussions with state water project contractors during this time period.

Sent from my iPhone

On Aug 24, 2017, at 2:49 PM, Kenner, Spencer@DWR <Spencer.Kenner@water.ca.gov> wrote:

Hi Doug, in response to your questions:

1. The Department has not claimed an exemption from disclosure for any records that have been shared with the Bureau of Reclamation or any water district, including in those situations where hard copies of a document were handed to them at a meeting and then collected after the meeting ended;
To my knowledge, your statement is correct.
2. The Department is only claiming exemption from disclosure for documents for which an express exemption applies, not the balancing test of section 6255(a). That's correct. I inadvertently included the reference to section 6255 below.

From: Obegi, Doug [mailto:dobegi@nrdc.org]
Sent: Thursday, August 24, 2017 12:46
To: Kenner, Spencer@DWR
Subject: RE: Response to our PRA request

Hi Spencer,

I appreciate that the Department has finally provided records in response to our April 10, 2017 Public Records Act request. I was able to download 21 files from the link below.

With respect to records that DWR determined were exempt from production, would you please confirm that:

1. The Department has not claimed an exemption from disclosure for any records that have been shared with the Bureau of Reclamation or any water district, including in those situations where

hard copies of a document were handed to them at a meeting and then collected after the meeting ended; and,

2. The Department is only claiming exemption from disclosure for documents for which an express exemption applies, not the balancing test of section 6255(a).

Sincerely,
Doug

From: Kenner, Spencer@DWR [<mailto:Spencer.Kenner@water.ca.gov>]
Sent: Thursday, August 24, 2017 11:56 AM
To: Obegi, Doug <dobegi@nrdc.org>
Subject: RE: Response to our PRA request

Hi Doug -

I'm responding to your April 10, 2017 request under the California Public Records Act to the Department of Water Resources for all records related to CA WaterFix cost allocation.

Responsive documents to your request can be accessed [here](#). I'll note that we have exempted from production some of the information related to your request as provided by Ca Gov Code sections 6254(a),(k) and 6255.

Please contact me if you have any questions about this production or if you're having trouble accessing the link.

Thank you, Doug, for your courtesy and patience on this response.

Spencer Kenner
Department of Water Resources
Chief Counsel
Office: REDACTED
Cell: REDACTED

<image001.jpg>

This email is subject to confidentiality under the attorney work product or attorney client communication privileges. If you received this email in error, please inform the sender and delete it.

From: Obegi, Doug [<mailto:dobegi@nrdc.org>]
Sent: Thursday, August 24, 2017 10:23
To: Kenner, Spencer@DWR
Subject: Response to our PRA request

Hi Spencer,

I'm writing to confirm that DWR will provide documents today in response to our April 2017 Public Records Act request, as we previously discussed. John Dunnigan had previously told me that DWR would provide those records electronically, and would send me a link where I can download the records. Would you please confirm that the documents will be disclosed today and that you or he will be sending me a link where I can download the records?

Thank you,

Doug

DOUG OBEGI
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