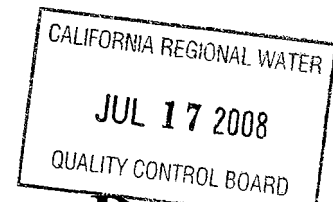




ALUM ROCK

UNION ELEMENTARY SCHOOL DISTRICT



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July 15, 2008

Mr. Thomas E. Mumley, Ph. D
Assistant Executive Director
California Regional Water Quality Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

RE: Administrative Civil Liability Complaint; R2-2008-0034

This letter is to inform you that the Alum Rock Union Elementary School District (ARUESD) will be attending the August 13, 2008, Water Board meeting to contest the proposed administrative fine. The District is well aware that it was delayed in submitting its 2006-07 annual report, but feels there are mitigating circumstances that should be considered in your decision to fine the District. When the 2006-07 report was due, the ARUESD was going through significant leadership change due to disciplinary actions in its Maintenance, Operations, and Transportation Department. These actions most certainly contributed to the lack of response and delay in the submittal. It is believed that an employee responsible for maintaining the Districts SWPPP and submitting its annual reports intentionally discarded all relevant documents and submittal information.

As I'm sure you are aware, the ARUESD is a small financially strapped school district. The District services a diverse minority population in a low income section of the City of San Jose. As noted in your documents, the District has a long history of submitting annual reports on a timely basis and this latest incident is an anomaly that is not indicative of the Districts philosophy and/or practice. The District takes these matters very seriously.

Sincerely,

Gil Candelaria, Administrator of Transportation
Alum Rock Union Elementary School District

Cc: Neil Rauschhuber, Director of MOT

Norma Martinez, Superintendent

Board of Trustees: • Frank Chavez, President • Patricia Potter, Vice-President
• Gustavo Gonzalez, Clerk • Abelardo Morales, Member • Tanya Freudenberger, Member