



May 10, 2017

Assembly Member Lorena S. Gonzalez Fletcher
Chair, Assembly Committee on Appropriations
Capitol Office, Room 2114
P.O. Box 942849, Sacramento, CA 94249-0080

RE: Assembly Bill 313

RUSSELL KAGEHIRO
President
Division V

TIM MAGGIORE
Vice President
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LARRY ENOS, JR.
Director
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MARK MAGGIORE
Director
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FELIX MUSCO
Director
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CHARLES TUSO
Director
Division VI

JEFF BROWN
Director
Division VII

RICK GILMORE
General Manager
Secretary

Dear Ms. Gonzalez Fletcher:

On behalf of Byron-Bethany Irrigation District (BBID), I'm writing to express strong support for Assembly Bill 313. AB 313, introduced by Assemblyman Adam Gray (D-Merced), is landmark water legislation that provides fixes to the state's broken water management structure, taking major steps to restore fairness to water rights holders across California.

Rather than delivering the impartiality all water rights holders deserve, the current system is hampered by inherent biases and conflicts of interest. It allows state agencies to act with unchecked power, with little accountability to the communities they're supposed to serve. AB 313 changes that. The bill's proposal to restructure water hearings, creating a new Water Rights Division in the Office of Administrative Hearings (OAH), will reestablish fairness in such hearings.

Currently, the State Water Resources Control Board (SWRCB) exercises near-blanket control over water rights. The SWRCB writes regulations, initiates enforcement actions, and conducts hearings in which Board staff act as prosecutors and the SWRCB itself acts as the judge and jury. That structure results in an unfair process in which water rights holders are denied due process and impartiality. Under AB 313, administrative law judges in the new Water Rights Division would preside over water rights matters, conducting hearings and making a recommendation to the Executive Director of the SWRCB which the Executive Director can accept, reject or modify. The changes ensure objectivity, while still giving state water agency experts a forum to provide appropriate input. AB 313 isn't a fix-all, but it takes significant steps toward the necessary reforms to California's water management.

Very truly yours,

BYRON BETHANY IRRIGATION DISTRICT
Rick Gilmore
General Manager

cc: Members of the Committee on Appropriations and Consultants