



September 20, 2017

The Honorable Jerry Brown  
Governor  
State Capitol, Suite 1173  
Sacramento, CA 95814

**Re: AB 313 (Gray) – SUPPORT**

Dear Governor Brown:

On behalf of the Yuba County Water Agency (YCWA), I am writing to express YCWA's support of AB 313 (Gray).

YCWA was established in 1959 to improve flood protection and water reliability in Yuba County. Today, our organization is a well-respected public agency that owns and operates four dams with a combined storage capacity of approximately 1 million acre-feet of water, with 170,000 acre-feet of dedicated flood storage for flood protection, and associated powerhouses capable of generating approximately 400 Mw of energy.

We encourage you to sign this bill into law because it would improve the responsible management and administration of water in California for the benefit of our economy and environment. Specifically, this bill, commencing July 1, 2018, would establish a Water Rights Division within the Office of Administrative Hearings, as prescribed. The bill would require a hearing to set the above-described administrative civil liability to be held before the division in accordance with the Administrative Procedure Act. The bill would deem a decision made by an administrative law judge in the division to be a recommendation and not final until accepted by the State Water Board, as prescribed. The bill would authorize an appeal to a superior court of the State Water Board's decision on the recommendation.

This bill would also, commencing July 1, 2018, authorize the State Water Board to issue a complaint seeking an order, instead of directly issuing the order, requiring a person to cease and desist from diverting or using water, other than as authorized. The bill would require that the complaint be served by personal notice or certified mail and inform the person that the person may request a hearing conducted by the Water Rights Division of the Office of Administrative Hearings. The bill would deem a decision made by an administrative law judge in the division to be a recommendation and not final until accepted by State Water Board. Following the State Water Board's acceptance, modification or rejection of the recommendation, the bill would authorize the SWRCB to issue a

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order. The bill would authorize an appeal to a superior court of the State Water Board's decision on the recommendation.

AB 313 strikes a balance between enhancing due process for water right holders and the authority of the State Water Board to issue decisions on water right matters. In the event of an egregious modification by the State Water Board of a recommended decision, the determination may be appealed to a superior court.

For these reasons, YCWA supports AB 313 and urges you to sign it into law.

Sincerely,

A handwritten signature in blue ink, appearing to read "Curt Aikens", is written over a horizontal line.

Curt Aikens, General Manager

Cc: YCWA Board of Directors

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