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WESTERN CANAL WATER DISTRICT

September 21, 2017

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

RE: Request for Signature on Assembly Bill 313 (Gray) – Water Rights Fairness

Dear Governor Brown:

On behalf of the Western Canal Water District, I write in support of AB 313, landmark water rights fairness legislation introduced by Assemblyman Adam Gray (D-Merced). This bill restores fundamental fairness currently lacking in California’s water rights management. AB 313 passed the Legislature with strong *bipartisan* support and awaits your signature. We urge you to sign it into law without delay.

AB 313 ensures water rights holders are afforded the same basic objectivity and due process our justice system. Most important the bill establishes a new water rights management structure, requiring that *specially* trained administrative law judges conduct water rights enforcement hearings. Experts in the field of California’s complex water rights system are the appropriate neutral body to efficiently adjudicate complex, often controversial, and critically important water rights matters.

Currently, the State Water Resources Control Board (SWRCB) writes regulations, initiates enforcement actions, and conducts water rights hearings. As a result, many water rights holders feel compelled to settle administrative actions initiated by the SWRCB, rather than seek a resolution in the present process.

AB 313 establishes a Water Rights Division in the Office of Administrative Hearings (OAH) to handle all water rights enforcement matters. Specially trained administrative law judges will conduct hearings and submit a decision to the full SWRCB for adoption or amendment, a shift ensuring everyone is treated with the level of fairness our Constitution requires. The Senate Judiciary Committee recognized the bill improves existing law while making no impact on environmental protections. AB 313 removes conflicts and inefficiencies and guarantees hearings allowing for the constitutional protection of due process afforded to all the state’s water users.

The bill received overwhelming bipartisan support through the Assembly and Senate, a clear sign the issue resonates across the state. The procedural structure it creates is similar to that recently adopted for the Board of Equalization. I urge you to act immediately to sign AB 313 to make our water rights administration function more effectively, efficiently and fairly.

Sincerely,

Ted Trimble
General Manager

