



PLACER COUNTY WATER AGENCY
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September 20, 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 Placer County Water Agency (PCWA), I write in support of AB 313 (Gray).

PCWA was created in 1957 to secure and develop water rights in Placer County sufficient to ensure an adequate water supply for the County's future economic development. To carry out its statutory charge, PCWA has obtained various water rights, entered into various water supply contracts, and purchased and constructed significant water storage, treatment, and delivery infrastructure in Placer County, including the Middle Fork American River Project. PCWA is also a signatory to the Water Forum Agreement, a landmark agreement among various stakeholders in the American River watershed that seeks to achieve the co-equal objectives of providing a reliable and safe water supply for the Sacramento region's long-term growth and economic health, and preserving the fishery, wildlife, recreational, and aesthetic values of the lower American River.

AB 313, introduced by Assemblyman Adam Gray (D-Merced), provides fundamental fairness for the water right enforcement process. AB 313 passed the Legislature with overwhelming bipartisan support and awaits your signature. PCWA urges you to sign it into law without delay.

As is already true with our judicial system, AB 313 ensures water rights holders are afforded basic objectivity and due process in enforcement proceedings. It does so simply by requiring specially-trained administrative law judges to conduct water rights enforcement hearings. It does not diminish the authority of the State Water Resources Control Board (SWRCB); it merely provides that the SWRCB prosecutors and water right holders participate in enforcement proceedings before what will now be a neutral decision maker.

The Honorable Jerry Brown

Page two


September 20, 2017

These specially-trained administrative law judges, which are required to possess expertise in water law, 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 that the bill improves existing law while making no impact on environmental protections. AB 313 removes conflicts and inefficiencies, and guarantees hearings are run with requisite legal expertise.

AB 313 does not guarantee any outcomes in water right proceedings; it only ensures the process will have greater legitimacy through the use of neutral decision makers. I urge you to act immediately to sign AB 313 to make our water rights administration function more effectively, efficiently and fairly.

Sincerely,

PLACER COUNTY WATER AGENCY

A handwritten signature in black ink, appearing to read "Einar Maisch". The signature is fluid and cursive, with a large initial "E" and "M".

Einar Maisch
General Manager

c: Assemblyman Gray
Assemblyman Bigelow
Assemblyman Dahle
Assemblyman Kiley
Assemblyman Nielsen
Assemblyman Gaines
PCWA Board of Directors