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UNITED WATER CONSERVATION DISTRICT
"Conserving Water since 1927"

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

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:

I write in support of AB 313, landmark water rights fairness legislation introduced by Assemblyman Adam Gray (D-Merced), which aims to restore fundamental fairness currently lacking in California's water rights management. I urge you to sign the bill, which passed the Legislature with strong bipartisan support, without delay.

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 coerced to settle administrative actions initiated by the SWRCB, rather than seek a resolution in the present process. AB 313 ensures water rights holders are afforded the same basic objectivity and due process our justice system promises all – nothing more, nothing less. The bill establishes a Water Rights Division in the Office of Administrative Hearings (OAH) to handle all water rights enforcement matters.

By creating this new water rights management structure, which requires that specially trained administrative law judges conduct water rights enforcement hearings, this bill helps ensure everyone is treated with the level of fairness our Constitution requires. This intermediate transfer of power ensures a neutral body will efficiently adjudicate complex, often controversial, and critically important water rights matters. AB 313 removes conflicts and inefficiencies, and guarantees hearings are run with requisite legal expertise.

AB 313 received overwhelming bipartisan support through the Assembly and Senate, a clear sign that the issue resonates across the state. The procedural structure it creates is similar to that recently adopted for the Board of Equalization. Nothing in the bill guarantees a better outcome for the water rights holder. It doesn't pick winners or losers, nor does it favor one constituency over the other. It simply allows for the constitutional protection of due process to be afforded to the state's water users.



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I urge you to act immediately to sign AB 313 to make our water rights administration function more effectively, efficiently and fairly.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mauricio E. Guardado, Jr.", written in a cursive style.

Mauricio E. Guardado, Jr.
General Manager, United Water Conservation District

cc: The Gualco Group, Inc.