



OFFICE OF THE GOVERNOR

OCT 15 2017

To the Members of the California State Assembly:

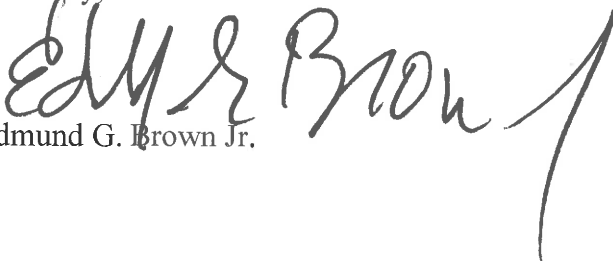
I am returning Assembly Bill 313 without my signature.

This bill would transfer the responsibility for conducting adjudicative hearings of certain water rights enforcement actions from the State Water Resources Control Board to a new Water Rights Division in the Office of Administrative Hearings.

While I acknowledge the author's intent to increase fairness and transparency in enforcement actions taken by the Board, the bill would not work as intended. It would be difficult to recruit and retain qualified water lawyers to meet the rigid requirements of the bill. The bill creates a new division that would only conduct limited types of water right hearings, which may further complicate the process. The costs would be borne only by some water right holders but not others, regardless of who benefits.

I recognize, however, that administrative law judges can be effective in complex adjudicative matters, as evidenced in other state agencies. Therefore, I am directing the Secretary of the Environmental Protection Agency to evaluate the potential role for administrative law judges and provide a recommendation on improvements to the Board's hearing process by January 1, 2018.

Sincerely,



Edmund G. Brown Jr.