



September 12, 2018

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

RE: Request for Signature on Assembly Bill 747 (Caballero) – Water Rights Fairness

RUSSELL KAGEHIRO
President
Division V

TIM MAGGIORE
Vice President
Division III

LARRY ENOS, JR.
Director
Division I

MARK MAGGIORE
Director
Division II

FELIX MUSCO
Director
Division IV

CHARLES TUSO
Director
Division VI

JEFF BROWN
Director
Division VII

RICK GILMORE
General Manager
Secretary

Dear Governor Brown:

On behalf of Byron-Bethany Irrigation District, I write in strong support of AB 747, historic water rights legislation introduced by Assemblywoman Anna M. Caballero (D-Salinas). This good governance bill ensures California's water right holders will receive fundamental fairness and Constitutional due process. AB 747 passed the Legislature with overwhelming bipartisan support and awaits your signature. We respectfully urge you to sign it into law without delay.

AB 747 is a follow-up to AB 313, which was vetoed last September. Since then, we have undertaken a concerted effort to work with your Administration. This bill is the result of that constructive collaboration and compromise toward a solution to improve transparency, accountability and the overall function of California's water rights administration – a critical, complex arena that demands both neutrality and expertise.

The bill creates, within the State Water Resources Control Board (SWRCB), an Administrative Hearings Office to objectively arbitrate water rights matters. Currently, the SWRCB acts as the prosecutor and judge in hearings the Board initiates against water users. The structure places an undue burden on water right holders, many of whom feel coerced to settle SWRCB administrative actions rather than seek a resolution.

AB 747 will take necessary steps toward restoring confidence in the process, ensuring expert, unbiased attorneys qualified will act as hearing officers will preside over water rights matters.

The bill's proposed structure already has a positive precedent. Most state agencies follow a similar process, sending their enforcement actions to the state's Office of Administrative Hearings – allowing third-party judges to decide those actions fairly.

AB 747 received strong support from both sides of aisle. The bill doesn't pick winners or play favorites. It simply allows for the constitutional protection of due process to be afforded to the state's water users.

I urge you to act immediately to sign AB 747, making our water rights administration function more effectively, efficiently and fairly.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Rick Gilmore". The signature is fluid and cursive, with a large initial "R" and "G".

BYRON BETHANY IRRIGATION DISTRICT
Rick Gilmore
General Manager

cc: Assemblywoman Anna Caballero; Gordon Burns, CalEPA

