



www.mountaincountieswater.com

Board of Directors and Officials

Scott Ratterman (CCWD) – President
Barbara Balen (TUD) – Vice President
Jim Holmes (County of Placer) – Secretary
Lori Anzini (EID) – Treasurer
Mike Lee (PCWA) – Director
Lori Parlin (County of El Dorado) – Director
Sue Hoek (County of Nevada) – Director
Don Blaser (YWA) – Director
Susan Peters (AWA) – Director

Dave Breninger, retired (PCWA) – Governmental Affairs Official
Tom Cumpston – Legal Counsel

Justin Caporusso – Executive Director

April 21, 2023

The Honorable Brian Maienschein
Chair of the Assembly Committee on Judiciary
California State Assembly
1020 N Street, Room 104
Sacramento, CA 95814

**RE: AB 460 (Bauer-Kahan): State Water Resources: Enforcement:
OPPOSE**

Dear Chair Maienschein:

On behalf of the Mountain Counties Water Resource Board of Directors, I'm writing to respectfully oppose Assembly Bill 460, which would provide new authority for the State Water Resources Control Board (Board). The newfound authority would allow for its motion or upon the petition of an interested party to apply or enforce items such as the Reasonable Use and Public Trust Doctrine. The bill would weaken the protected rights to judicial review of the Board.

MCWRA advocates for the water interests of its 58 members in 12 of the mountain counties within the Wildland-Urban Interface (WUI) of woodland and forested lands in the Sierra Nevada. These foothill and mountain areas contain the headwaters for 40% of the state's developed water supply, which also provides for hydropower production, irrigation, recreation, water recycling, tourism, and instream flows that fuel the engine of our State's economy.

The scope of the bill is broad, and the bill allows any "interested party" to petition the Board for an interim relief order which effectively allows virtually anyone to petition the Board for an interim relief order.

The bill is far larger than addressing the alleged illegal diversions of surface water. The bill would allow third parties to use the interim enforcement proceedings in AB 460 to attack decisions relating to housing and recycled water projects.

Water rights are property rights and they should not be infringed without due process of the law. AB 460, diverts the due process with the Board when it makes certain findings. We respectfully oppose AB 460.

Please feel free to reach out should you have any questions regarding our position. Thank you for your continued support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Ratterman', with a stylized flourish at the end.

Scott Ratterman, President
Mountain Counties Water Resources Association