

## Fourteenth Supplement to Memorandum 94-11

**Administrative Adjudication: Exemption Request of State Water Resources  
Control Board**

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The State Water Resources Control Board recommends that no provisions of the Porter-Cologne Water Quality Control Act (Water Code, Division 7) or provisions of the Water Code relating to adjudication of water rights (Water Code, Division 2) be amended or repealed. "To the extent that there are conflicts between those statutes and the proposed APA, I feel that the specific rules in the Water Code better suit our needs." William R. Attwater, Chief Counsel, SWRCB (Memorandum 93-45, Exhibit pp. 81-82).

The relevant Water Code provisions are too voluminous to reproduce here, and the staff has not had time to review them all. The SWRCB letter does not request a complete exemption, but only to preserve specified statutes that depart from the rule of the Administrative Procedure Act in one aspect or another. In light of this situation, the staff agrees with Mr. Attwater's suggestion that, if the staff's review indicates specific provisions the staff believes require revision in light of the Administrative Procedure Act, SWRCB should have an opportunity to address them before legislation is proposed.

Respectfully submitted,

Nathaniel Sterling  
Executive Secretary