

**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

April 30, 1993

To: Board of Directors (Executive Committee--Action)
 (Special Comm. on Legislation--Action)
 (Water Problems Committee--Action)
From: General Manager
Subject: Development and Water Supply (SB 1250 - Boatwright)

Report

A local government in East Bay Municipal Water District's service area approved a large development project. The project was inconsistent with East Bay MUD's service plan. East Bay MUD sued the local government to stop the project claiming there was not an adequate water supply. The developer inspired the introduction of SB 1250 which, as originally drafted, would require any public water provider to provide water services to an area designated for urban growth. It would allow the water provider to refuse to provide water service by declaring a lack of capacity to serve. The local government could appeal this refusal to provide service to the State Water Resources Control Board.

SB 1250 was amended on April 13 to apply to all services provided by special districts for an area designated for urban growth. It would permit the special district to refuse to provide services because of a lack of capacity. It would allow the local government to challenge the refusal to provide service by requesting a determination from the Local Agency Formation Commission (LAFCO).

It sets requirements for the LAFCO to hold a public hearing and make a determination. It is an emergency act and would take effect immediately upon adoption.

SB 1250 is inconsistent with Metropolitan's policy principles for growth management which call for better integrated planning and implementation of infrastructure to meet growth.

Board Committee Assignment

This letter is referred for action to:

The Executive Committee because it involves legislation which may affect the District, pursuant to Administrative Code Section 2417 (a);

The Special Committee on Legislation because it involves legislative matter that may affect the District, pursuant to Administrative Code Section 2581 (a); and

The Water Problems Committee because of its authority to study, advise, and make recommendations with regard to policies, sources, and means of importing water required by Metropolitan, pursuant to Administrative Code Section 248 (a).

Recommendation

Oppose SB 1250 as burdensome on water districts and inconsistent with Metropolitan's policy principles for growth management.


General Manager

AB/mdm