



**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

AUG 22 1995

  
EXECUTIVE SECRETARY

8-1

August 1, 1995

**To:** Board of Directors (Water Planning and Resources Committee--Action)  
**From:** General Manager  
**Subject:** Notice to Agricultural Water Users of Potential Service Interruption Pursuant to the Interim Agricultural Water Program.

**RECOMMENDATION:**

It is recommended that the Board of Directors adopt the attached resolution directing the giving of notice of potential discontinuance of service of surplus water pursuant to the procedural requirements of the Interim Agricultural Water Program under Section 132 of the Metropolitan Water District Act. ~~in the interests of preserving Metropolitan's options under the Interim Agricultural Water Program.~~

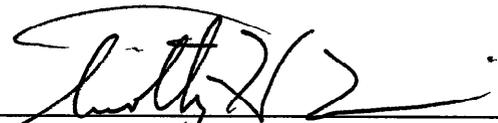
John R. Wodraska  
General Manager

Submitted by:



Debra C. Man, Chief  
Planning and Resources

Concur:

  
John R. Wodraska  
General Manager

JMB:jpa

Attachments

JMBJUNE/BOARD

**EXECUTIVE SUMMARY:**

The Interim Agricultural Water Program (Program), adopted in May 1994, requires that a resolution under Section 132 of the MWD Act providing notice of a potential whole or partial discontinuance of surplus water deliveries be adopted every year while the Program is in effect. This would allow Metropolitan the flexibility to implement the cutback schedule to agricultural users that is a part of the Program if shortage conditions warrant such action and to modify the schedule if recommended by a review of the water management programs. It is recommended that the Board adopt the attached resolution providing notice of discontinuance of surplus water deliveries in 1996, as part of the implementation requirements of the Program.

**DETAILED REPORT:**

In May 1994, your Board adopted the Program, which provides a discount in water rates to agricultural users. In return, Metropolitan may reduce deliveries to agricultural water users up to 30 percent prior to any mandatory reductions to municipal and industrial users. The Program requires that a resolution under Section 132 of the MWD Act providing notice of a potential whole or partial discontinuance of surplus water deliveries be adopted every year while the Program is in effect. As stated in the Board Letter of April 20, 1994, authorizing the Program, "...to allow Metropolitan to retain the flexibility to adopt changes to the cutback schedule as the Program evolves, your Board should additionally adopt by a two-thirds vote a Resolution under Section 132 of the MWD Act providing notice of a potential whole or partial discontinuance of surplus water deliveries in 1995. A similar Resolution should be adopted every year thereafter while the Interim Agricultural Water Program is in effect." This would allow Metropolitan the flexibility to implement the cutback schedule to agricultural users under drought conditions that is a part of the Program, and to modify the schedule if a modification is recommended by an on-going review of the water management programs.

Section 132 of the MWD Act provides that Metropolitan may provide, sell, and deliver surplus water not needed or required for domestic or municipal uses within Metropolitan's service area for any beneficial use. Under this provision, Metropolitan sells water for agricultural purposes. Section 132 also provides that Metropolitan has the right to discontinue such service, in whole or in part, upon one year's written notice to the purchasers or users of the water. That notice shall be given when the Board determines by a two-thirds vote that the water is needed for domestic or municipal purposes within Metropolitan.

In view of the water demand and supply projections for the foreseeable future, it is highly unlikely that surplus deliveries will need to be curtailed in 1996. However, an earthquake, other catastrophe or unforeseen events could cause a shortage.

For these reasons, it is recommended that the Board adopt the attached resolution providing notice of discontinuance of surplus water deliveries in 1996.

**RESOLUTION 8482****RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
DIRECTING THE GIVING OF NOTICE OF POTENTIAL DISCONTINUANCE  
OF SERVICE OF SURPLUS WATER IN 1996**

Whereas, an earthquake, other catastrophe, or unforeseen events could cause a shortage of water in Metropolitan's service area in the future; and

Whereas, the State's ability to reliably meet Metropolitan's annual requirements for State Water Project supplies requires continued resolution of long-standing Bay/Delta issues through the initiated State Federal (Cal-Fed) environmental decision-making process; and

Whereas, until a long-term resolution of Bay/Delta issues is achieved, State Water Project operating requirements in the Bay/Delta could result in curtailed water deliveries and the potential for future water supply shortages; and

Whereas, it is possible that California will be limited in its use of Colorado River water in 1996 and future years, with Metropolitan being the California agency most affected by such limitation; and

Whereas, if there is insufficient precipitation during the winter of any future year the State Water Project water supply could be inadequate to meet the demands of contractors of the Project; and

Whereas, under Section 132 of the Metropolitan Water District Act, Metropolitan may serve surplus water only if such water is in excess of the domestic and municipal needs or requirements within Metropolitan; and

Whereas, heretofore water for agriculture has been supplied on the condition that such supply can be discontinued subject to the giving of the notice required by said Section 132; and

Whereas, Section 132 of the Metropolitan Water District Act requires that Metropolitan give the purchaser or user of surplus water one year's written notice that Metropolitan will discontinue the supply of surplus water; and

Whereas, it is possible that Metropolitan will not have available for delivery water that is surplus to the municipal and domestic needs or requirements within Metropolitan; and

Whereas, pursuant to the Interim Agricultural Water Program approved by Metropolitan on May 10, 1994, in a water shortage

agricultural water deliveries may be cut back up to 30 percent prior to imposition of mandatory targets for firm deliveries; and

Whereas, Metropolitan's Water Planning and Resources Committee has invited member public agencies and other interested parties to come before the Committee and present their views on a proposal to give the one year's notice called for by Section 132 of the Metropolitan Water District Act discontinuing in whole or in part the supply of surplus water from Metropolitan, and has considered those views.

NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of The Metropolitan Water District of Southern California with two-thirds of the votes of its members concurring:

1. That this Board determines and declares that all or a portion of the water presently served as surplus water may be needed for domestic or municipal uses within Metropolitan between August 1996 and August 1997 and that Metropolitan may discontinue supplying surplus water in whole or in part at any time; and
2. That the General Manager is directed to give notice of such potential discontinuance to each member public agency presently receiving service of surplus water and to any user who has requested in writing to be notified by mailing a copy of this resolution forthwith; and
3. That this Board hereby delegates to the General Manager its authority to take action with respect to such discontinuance on the terms provided in the Interim Agricultural Water Program, and that any such discontinuance shall only take place upon further action of the General Manager, but without further notice to users of surplus water; and
4. That except pursuant to the Interim Agricultural Water Program such discontinuance shall only take place upon further action of this Board but without further notice to users of surplus water.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by a two-thirds vote of the Board of Directors of The Metropolitan Water District of Southern California at its meeting held on August 22, 1995.

---

Executive Secretary  
The Metropolitan Water District  
of Southern California

jmbjnatt/board