



# San Diego County Water Authority

A Public Agency

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43237

October 12, 1998

Mr. John (Jack) Foley, Chairman  
Board of Directors  
Metropolitan Water District of Southern California  
P. O. Box 54153  
Terminal Annex  
Los Angeles, California 90054

October Board Item 8-4  
Notice of Potential Discontinuance of Service of Surplus Water in 1999

Dear Jack:

As you are aware, the San Diego County Water Authority Delegation has not supported past Board actions giving notice of the potential discontinuance of surplus water deliveries to customers paying the full firm water rate. Although Metropolitan's October Board memo 8-4 states that this notice is "(i)n connection with the Interim Agricultural Water Program," the actual language of the proposed legal document (the resolution) applies to many customers who pay the full firm water rate.

This treatment is unfair to certain Metropolitan full-paying customers and should be corrected. We request that the attached alternative resolution be considered.

We support giving notice to participants of the Interim Agricultural Water Program. However, all businesses that purchase full-priced water should be entitled to the same level of reliability of Metropolitan supplies. Some businesses, including nurseries and other high value agricultural producers, cannot in fairness continue to be singled out to receive second class treatment from Metropolitan. These businesses provide income and jobs to many people and are an important component of the economy of southern California.

The Board's leadership and assistance in correcting this situation will be greatly appreciated.

Sincerely,

for

Chris Frahm, Chair  
San Diego County Water Authority

Attachment

c: CWA Directors  
MWD Directors

### MEMBER AGENCIES

**CITIES**  
• Del Mar • Escondido • National City  
• Oceanside • Poway • San Diego

**COUNTY**  
• San Diego  
(ex officio)

**IRRIGATION DISTRICTS**  
• Santa Fe • South Bay  
• Vista

**PUBLIC UTILITY DISTRICT**  
• Fallbrook

**WATER DISTRICTS**  
• Heix • Otay  
• San Dieguito  
• Vallecitos

**FEDERAL AGENCY**  
• Pendleton Military Reservation

**MUNICIPAL WATER DISTRICTS**  
• Carlsbad • Ramona  
• Olivenhain • Rincon del Diablo  
• Padre Dam • Valley Center  
• Rainbow • Yuima

## Proposed Changes

**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 1999-2000**

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 (CalFED) 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, 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 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 determined and declares that all of a portion of the water presently served as Interim Agricultural Water Program ~~surplus~~ water may be needed for domestic or municipal uses within Metropolitan between October 1999 and October 2000 and that Metropolitan may discontinue supplying ~~surplus~~ this 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~~ Interim Agricultural Water Program 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~~ Interim Agricultural Water Program 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 October 13, 1998.

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Executive Secretary  
The Metropolitan Water District  
of Southern California