

- **Board of Directors**
Water Planning and Stewardship Committee

October 14, 2008 Board Meeting

7-4

Subject

Approve five-year extension of agreement for emergency water service for Tijuana, Mexico

Description

Approval is requested to extend an existing agreement providing for delivery of Mexican Treaty water for Tijuana. At times of capacity or maintenance constraints to Mexico's Colorado River water conveyance system, Metropolitan would divert small amounts of Mexico's water at Lake Havasu and convey it to the San Diego County Water Authority for delivery to Tijuana.

Background

Mexico normally diverts Colorado River water from the Mexicali Valley and has a pipeline that delivers some of that water to Pacific Ocean communities and other points along the way. Since 1972, the government of Mexico has periodically requested assistance from the United States for emergency water deliveries for the Tijuana region to respond to drought conditions, aqueduct construction delays, aqueduct repair, or water distribution infrastructure problems. Under a series of agreements, Metropolitan assisted in making those deliveries. Historical deliveries are listed in [Attachment 1](#).

In 2003, the International Boundary and Water Commission (IBWC) adopted Minute 310, which addressed emergency delivery of a portion of Mexico's Colorado River water for Tijuana. Later in 2003, Metropolitan, the San Diego County Water Authority, Otay Water District, and the United States Bureau of Reclamation executed a five-year emergency delivery agreement. This agreement facilitated emergency deliveries of up to 14,400 acre-feet annually on an *as-capacity-is-available* basis. Potential capacity constraints in Metropolitan's Colorado River Aqueduct or its Robert A. Skinner Water Treatment Plant service area could limit Metropolitan's ability to meet Mexico's emergency needs. Between November 2003 and July 2008, about 4,300 acre-feet have been delivered at the international boundary under the existing agreement. This agreement will end on November 9, 2008, and Mexico has requested that the United States Section of the IBWC facilitate a five-year extension.

Charges for Delivery of Mexican Treaty Water

Metropolitan's delivery charges are consistent with the Administrative Code's charge for wheeling service, recognizing the need to consider the net impacts on power generation and other system resources when determining actual energy charges. The delivery charges consist of the System Access Rate, the Water Stewardship Rate, the Treatment Surcharge, and actual power costs.

Metropolitan and the other conveyance agencies have committed to inform Mexico of their delivery charges in advance. The San Diego County Water Authority coordinates all payments of charges between the United States and the California agencies.

Proposed Agreement Extension

The proposal would extend the agreement for five years. All material terms and conditions would remain the same, except for termination of a provision which gave Mexico the option to provide energy to Metropolitan for Colorado River Aqueduct pumping and treatment plant energy use. Mexico has not exercised this energy option, and staff believes the option should not be extended due to administrative difficulties in implementation.

Policy

By Minute Item 39895, dated October 13, 1992, the Board authorized the General Manager to enter into agreements with the United States, San Diego County Water Authority, and the Otay Water District for the delivery of Mexican Treaty water for Tijuana, subject to the agreements being in a form approved by the General Counsel.

By Minute Item 44900, dated June 11, 2002, the Board set the charges for emergency deliveries.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is categorically exempt under the provisions of CEQA and the State CEQA Guidelines. The proposed action involves extension of an agreement associated with the operating of existing public water conveyance facilities with negligible or no expansion of use and no possibility of significantly impacting the physical environment. Accordingly, the proposed action qualifies for a Class 1, Categorical Exemption (Section 15301 of the State CEQA Guidelines).

The CEQA determination is: Determine that pursuant to CEQA, the proposed action qualifies under a Categorical Exemption (Class 1, Section 15301 of the State CEQA Guidelines).

CEQA determination for Option #2:

None required

Board Options

Option #1

Adopt the CEQA determination and approve an extension of the Tijuana emergency delivery agreement for five years.

Fiscal Impact: Metropolitan would recover all delivery related costs.

Business Analysis: Continued support of emergency service for Tijuana would have the overall benefit of assisting our neighboring country to deliver water at relatively little inconvenience to California agencies in order to help prevent public health and economic problems in Mexico.

Option #2

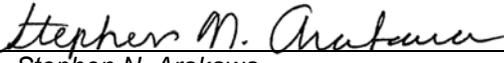
Do not amend the existing agreement that provides emergency water service for Tijuana.

Fiscal Impact: Reduction in revenues associated with delivering the water to Mexico.

Business Analysis: Not extending the agreement may impair constructive relations that have developed with Mexico regarding water management.

Staff Recommendation

Option #1


 Stephen N. Arakawa
 Manager, Water Resource Management

9/18/2008
 Date


 Jeffrey Kightlinger
 General Manager

9/27/2008
 Date

Attachment 1 – Historical Emergency Water Service Deliveries to Mexico

Historical Emergency Water Service Deliveries to Tijuana, Mexico

Year*	Delivery at International Boundary (AF)
Prior Agreements	
1972	2,317
1973	8,397
1974	8,649
1975	7,377
1976	9,159
1977	8,029
1978	5,514
1979	224
1980	3,125
1989	301
1992	231
Current Agreement	
2003	641
2004	349
2005	163
2006	36
2008 through July	3,152

*Table includes years in which emergency deliveries were made.