



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

*Office of the General Manager*

February 13, 2015

**VIA E-MAIL**

State Water Resources Control Board  
c/o Rick Satkowski  
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Sacramento, CA 95814  
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Dear State Water Resources Control Board Members and Agency Staff:

**Objections to Order Approving In Part And Denying In Part A Petition For Temporary Urgency Changes To License And Permit Terms And Conditions Requiring Compliance With Delta Water Quality Objectives In Response To Drought Conditions** (In the Matter of Specified License and Permits of the Department of Water Resources and U.S. Bureau of Reclamation for the State Water Project and Central Valley Project) (herein "Order")

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Metropolitan Water District of Southern California ("Metropolitan") objects to the Order to the extent it is a partial denial of the Petition For Temporary Urgency Changes To License And Permit Terms And Conditions Requiring Compliance With The Delta Water Quality Objectives In Response To Drought Conditions (February 3, 2015) (herein "Petition").

The Petition requests limited relief from certain requirements of the Bay Delta Water Quality Control Plan ("WQCP") to conserve upstream storage (which is important for the protection of multiple beneficial uses, including Chinook salmon spawning), while also providing some level of water supply relief to drought stricken cities and farms. (Order at 2.) To accomplish these objectives, the Petition requested an intermediate level pumping rate of 3,500 cfs when outflows were 5,500 cfs (and certain other requirements were met). The Order included a denial of this request. The denial of the request for a 3,500 cfs intermediate level pumping rate is unjustified.

This letter incorporates by reference the coalition letter from the Westlands Water District, the San Joaquin River Exchange Contractors Water Authority, the State Water Contractors ("SWC"), the Tulare Lake Basin Water Storage District, the Santa Clara Valley Water District, the San Luis and Delta Mendota Water Authority ("SLDMWA"), the Metropolitan Water District and the Central California Irrigation District, dated February 3, 2015; and the joint SWC and SLDMWA letter dated February 13, 2015.

The Order's partial denial failed to consider highly relevant information regarding the water supply needs of Metropolitan as well as other south of Delta water suppliers. The Order appears

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to discount its effects on water supply, stating at p. 19, "...the water supply tradeoffs are not clear given the water contract allocations that will occur this year." Through this letter, Metropolitan will explain the effect that the drought has already had on its in-region stored water supplies, which highlights a significant impact that could intensify if the intermediate level of pumping is not approved. At this point in the drought, all water users have a great need for any quantity of available supply because much (and in some cases, all) of the dry-year reserves have been consumed and creative and unprecedented water management has already occurred, leaving few options for meeting demand this year and next.

Metropolitan has developed multiple sources of supply, including local supplies, and has a well-established and successful water conservation program. Metropolitan has multiple local storage facilities as well as the ability to store water in SWP reservoirs. During the drought, Metropolitan aggressively re-operated its system, taking unusual and expensive actions (in some cases moving water uphill in reverse flow to reach key areas) in an effort to stretch its available supplies to the maximum extent possible. Even with extraordinary planning and water management activities, Metropolitan's reservoir storage from all water sources, including the Colorado River and the SWP, has dropped precipitously. As Figure 1 illustrates, Metropolitan's storage reserve was 2.3 MAF in 2013, but those reserves dropped by approximately 1.1 MAF last year because of the historically low 2014 SWP water allocation. Current storage is 1.2 MAF.<sup>1</sup>

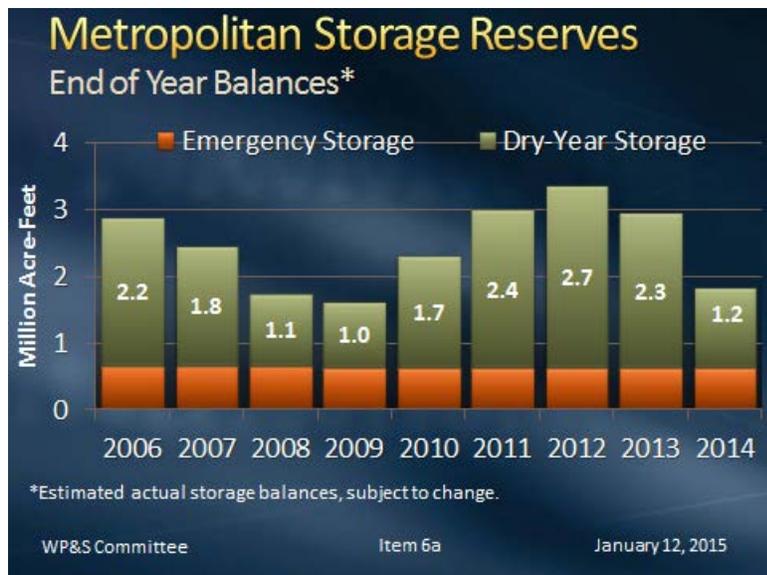


Figure 1. Metropolitan Storage Reserves.

<sup>1</sup> As shown on Figure 1 in orange, Metropolitan maintains an emergency supply of approximately 600,000 acre-feet, however those supplies are set aside to protect against natural disasters and associated system failures resulting from, for example, extreme earthquake damage to Delta levees constituting massive levee failures and uncontrollable salinity intrusion and a cessation of SWP pumping for an extended period of time. Metropolitan would not want to reduce its emergency preparedness by drawing on its emergency supplies this year as an earthquake could occur at any time.

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However, the 1.2 MAF storage figure does not represent the water supply available to Metropolitan this year. Some of that supply is stored in groundwater banks and there are physical limitations on what can be pulled from groundwater in a single year. Of the 1.2 MAF, only 500,000 AF is available to serve water supply needs this year.

This 500,000 AF supply is not equally available to all areas of the Metropolitan service area. There are regions of the service area that can only receive water from the SWP. Therefore, only the portion of the available storage reserves that are conveyed through the SWP system can meet demands in these areas. These areas are referred to as the “SWP exclusive areas.” From the West Branch Area of the SWP delivery system, the northwest region of Metropolitan’s service area including Ventura and portions of Los Angeles counties receive only SWP water. On the East Branch, parts of San Bernardino and Riverside counties receive only SWP water. Metropolitan estimates that it would have approximately 130,000 acre-feet of storage available for its exclusive areas. This is comprised of roughly 100,000 acre-feet of groundwater supplies in Metropolitan’s San Joaquin Groundwater Banking Programs and 30,000 acre-feet of carryover supplies in San Luis Reservoir.

The current SWP allocation of 15 percent of contract supplies may result in historic levels of rationing. Even if the SWP allocation were to be increased to 20 percent, Metropolitan would still need to ration and make difficult choices, deciding whether to utilize all of the remaining storage, or reserve some storage for next year. This potential rationing would be on top of the significant demand reductions that have already occurred. For example, last year, the exclusive areas reduced their demand by approximately 230,000 AF using a variety of water management tools, including water conservation, and operational changes that included shifting demand away from the exclusive area, and (on a limited basis) operating the parts of the system in reverse so Colorado River water could be moved into these areas.

As a result of the limited surface water supplies and very dry conditions, the groundwater resources in the Metropolitan service area have also been significantly impacted. Metropolitan surveyed the 25 largest basins and sub-basins in its service area and estimates that there has been a 1 MAF drop in groundwater supplies during this drought. In fact, many basins within the region are approaching historic low levels. Imported water is an important source of groundwater replenishment. These groundwater supplies will be slow to recharge so it is unclear how long it will take for the basins to recover.

To get through this year, Metropolitan is also relying on the ability to purchase transfer water. The Order is unclear regarding whether the pumping restrictions that would exist during times when WQCP standards are not being met would apply to transfers between SWP and CVP water contractors. The 2014 TUCP order was clear that the pumping restrictions did not apply to transfers between water contractors, but the 2015 order is only clear that the limitations do not apply to transfers between non-SWP and non-CVP water rights. (Order, Condition 1(e).) The Order should be amended consistent with the 2014 TUCP order and explicitly exclude from the limitations water transfers “between SWP and CVP contractors.” (See 2014 TUCP Order at

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Condition 1(b).) This clarification is important because Metropolitan and others will be seeking water to purchase and transfer in order to mitigate the effects of the drought and restrictions. If project water cannot be conveyed in February and March, more water will need to be moved in July and August during the water transfer window, which may limit the ability to transfer much needed supplies by further limiting operational flexibility.

In these historically dry conditions, any reduction in potential supply would adversely affect Metropolitan's water supply portfolio. The intermediate level of pumping that was denied could have been used to meet this year's water needs, as well as help manage drought impacts that may extend well into next year.

The Order did not sufficiently balance the significant consumptive water supply needs with the needs of the fishery. As explained above, as well as in the joint SLDMWA-SWC letter, the proposed intermediate level of project pumping is potentially very important to cities and farms, and it could be provided without injury to Delta species, consistent with the determinations of the state and federal fishery agencies, Bureau of Reclamation, and the Department of Water Resources. Therefore, the Water Board should reconsider the Executive Officer's decision to partially deny the Petition.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roger K. Patterson".

Roger K. Patterson  
Assistant General Manager

RDS:vb