



May 28, 2021

MEMBER AGENCIES

- Carlsbad  
Municipal Water District
- City of Del Mar
- City of Escondido
- City of National City
- City of Oceanside
- City of Poway
- City of San Diego
- Fallbrook  
Public Utility District
- Helix Water District
- Lakeside Water District
- Olivenhain  
Municipal Water District
- Otay Water District
- Padre Dam  
Municipal Water District
- Camp Pendleton  
Marine Corps Base
- Rainbow  
Municipal Water District
- Ranona  
Municipal Water District
- Rincon del Diabla  
Municipal Water District
- San Dieguito Water District
- Santa Fe Irrigation District
- South Bay Irrigation District
- Vallecitos Water District
- Valley Center  
Municipal Water District
- Vista Irrigation District
- Yuima  
Municipal Water District

OTHER REPRESENTATIVE

- County of San Diego

**VIA EMAIL**

Mr. Adam Wilson, Moderator  
 San Diego County LAFCO  
 (adwilson858@yahoo.com)

Re: Comments To Dr. Hanemann Water Reliability Report

Dear Mr. Wilson:

Per San Diego LAFCO's guidelines, the Water Authority submitted its comments to Dr. Hanemann's draft water supply analysis by the deadline on May 24. We saw no other comments by any other agency by the deadline. Given that we received no comments from other parties, and the deadline was past, our General Manager e-mailed you and asked if any comments from the other agencies had been submitted. There was no response.

However, on May 27 we received a letter from Rainbow and Fallbrook which did not comment on the Hanemann draft, but instead addressed our comments. It also made a reference to an apparent direct contact (we assume via Zoom or Teams, but it may have been in person) which Fallbrook and Rainbow had with Dr. Hanemann where they apparently submitted private oral comments to him with no transparency for the public or the rest of the parties. We do not believe it appropriate for the parties to meet with Dr. Hanemann with no notice to the other parties, and no ability for the public or the parties to even know what was discussed. We believe such a process is inherently violative of the need for LAFCO to have a fair and open process.

The Water Authority hereby requests from LAFCO a complete summary of who Dr. Hanemann met with regarding his draft report, and exactly what was discussed. This would include any communications with MWD, Eastern, Rainbow, and Fallbrook. We believe fundamental fairness and transparency requires nothing less.

We also use this letter to respond very briefly to the post-deadline May 24 comments by Rainbow and Fallbrook with just a few bullet points, as these areas have been covered in detailed submittals already:

- For Rainbow and Fallbrook to tell LAFCO and Dr. Hanemann that, "Another factor to consider is that in the history of MWD shortage allocations, no member agency has ever had a request for water go unfilled" is completely disingenuous, as MWD has been so short of water that crushing water cutbacks were instituted against San Diego County. MWD's multiple cutbacks of our region's water supplies are extensively documented in our September 18 Response to LAFCO. Indeed, this simple array of news headlines tells the true story:

# Never Again!

WATER: Authority to Vote Today on Mandatory Restrictions

## Water Dependence Bodes a Dry San Diego Future

### 50% Water-Delivery Cut Will Be Blow to San Diego

■ Drought: Metropolitan Water District directors also vote a 50% cut in allocation for agricultural users.

■ Drought: A twisted history of water rebates has left the county as the vulnerable end of the supply pipeline.

SAN DIEGO WATER: NO GUARANTEES

WHAT WE BUY FROM MWD

Year	San Diego	San Diego	San Diego
2019	100%	100%	100%
2020	100%	100%	100%
2021	100%	100%	100%

WHAT WE ARE GUARANTEED

Year	San Diego	San Diego	San Diego
2019	100%	100%	100%
2020	100%	100%	100%
2021	100%	100%	100%

### Reliable Water Sources Dwindle,

### S.D. Faces 31% Cut in Imported Water Supply

BY JENIFER WARREN

### 50% Cut in Water May Worsen S.D. Recession Woes

THE CHALLENGE OF DROUGHT

BY JENIFER WARREN

### Companies cringe at 50 percent cut in water

Firms offer conservation plans to mayor; some say cutbacks could cripple growth

### How The Drought Will Kill Big Chunks Of Business

### Water cutbacks threaten loss of lush lawns

### Limits on tap water use urged by staff

BY STEVE LARUE

BY STEVE LARUE

### State Water Project cuts off water to farms; urban slash expected

### MWD raises water rates 23%

Los Angeles-San Diego spat over mandatory conservation continues

### Supervisors Call Water Emergency

Action Gives Board Broad Powers In & Out Of Cities

BY DOB MAZZEO

BY DOB MAZZEO

### Grim water outlook is getting even worse

BY STEVE LARUE

BY STEVE LARUE

### L.A. Ready to Battle San Diego Over Water

Conservation 1100 P. 11

BY STEVE LARUE

### In Drought, Fair May Not Always Mean Equal

Water: As the county struggles to deal with a 50% cut in supply, debate has begun over whether some must suffer more than others.

BY STEVE LARUE

BY STEVE LARUE

### State to Shut Off Water Delivery to Southland

BY STEVE LARUE

BY STEVE LARUE

# No More Water Shortages!

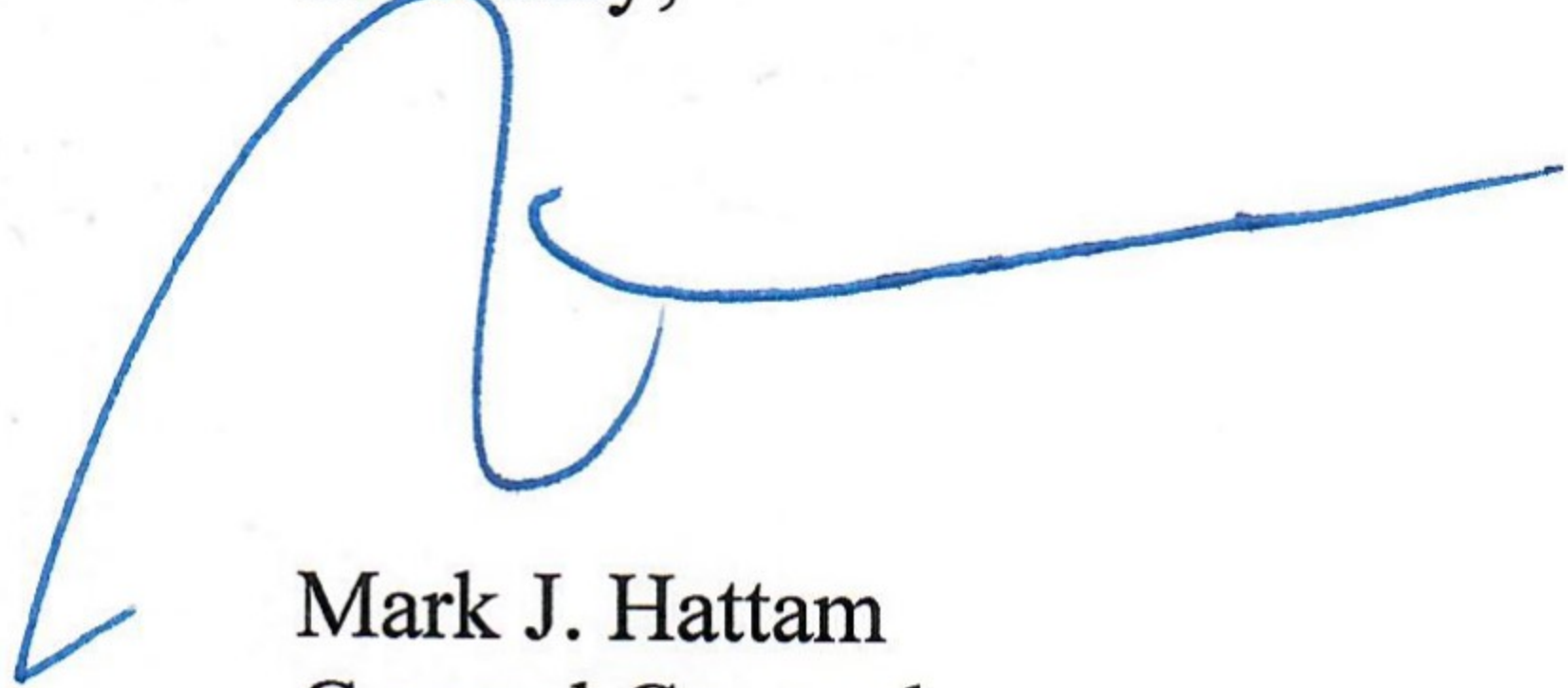
- Fallbrook and Rainbow assert that MWD's water shortage allocation plan somehow trumps preferential rights, and they say, "[T]he MWD Board would have to adopt a new WSAP based on preferential rights." Not so. Preferential rights are a statutory right granted by the Legislature and cannot be voided by any action of the MWD Board. We have covered these rights in our submittals so there is no need to address them further.

Mr. Adam Wilson  
May 28, 2021

- Fallbrook and Rainbow claim that, “SDCWA has yet to provide any facts to dispute the Water Supply Reliability Analysis completed by EMWD, which analysis demonstrates EMWD can meet 100% of our projected water needs.” This ignores the key facts that: (a) we have submitted detailed evidence that even Eastern has stated that its reliance on MWD may face shortages. Dr. Hanemann should carefully review Eastern’s own projections, submitted as Exhibit 56 to the Water Authority September 18 Response, to see their projected shortages in drought periods; and (b) a stress test is designed not to measure whether “projected water needs” can be met, but whether water needs in a serious shortage can be met. All evidence clearly shows that in such a shortage Fallbrook and Rainbow are at serious risk if they move to Eastern and rely solely on MWD water, as they will not have access to any of Eastern’s local supplies.
- As to the Elsinore Fault, Fallbrook and Rainbow’s analysis has relied upon a mystery MWD study cited in their applications as to how fast repairs could be completed on MWD pipelines, and which the Water Authority asked LAFCO to require them to produce, and which to this date has never been produced. Now, the two agencies say that the Water Authority’s earthquake service is non-existent because the ESP facilities that were in our current agency budget and being designed were stopped because of their own detachment applications. They also say that perhaps southern pipes may also fail. That of course is true, as the Water Authority is not saying its infrastructure is immune from earthquake damage. However, as soon as the ESP is complete both agencies can be fully served from south and north. What Rainbow and Fallbrook propose is trading service access from both directions to one direction only, a clear reduction in reliability.

We ask that this letter be shared with Dr. Hanemann, the Advisory Committee, and the Commission. Thank you.

Sincerely,



Mark J. Hattam  
General Counsel

cc via e-mail:

Water Authority Board of Directors  
Sandra L. Kerl, General Manager, Water Authority  
Kristina Lawson, Counsel, Water Authority  
Keene Simonds, CEO San Diego LAFCO  
Jack Bebee, General Manager, Fallbrook PUD  
Paula C. P. de Sousa, Counsel, Fallbrook PUD  
Nick Kanetis, Deputy General Manager, Eastern MWD  
Tom Kennedy, General Manager, Rainbow MWD  
Alfred Smith, Counsel, Rainbow MWD