

**From:** [Peters, Michaela A](#)  
**To:** [Ngu, Dieu](#)  
**Subject:** FW: [External] Fwd: comments  
**Date:** Friday, October 28, 2022 7:57:04 AM

---

---

**From:** Adam Wilson <adwilson858@yahoo.com>  
**Sent:** Thursday, October 27, 2022 9:58 AM  
**To:** Simonds,Keene <Keene.Simonds@sdcounty.ca.gov>; Blom, Erica <Erica.Blom@sdcounty.ca.gov>  
**Cc:** Peters, Michaela A <Michaela.Peters@sdcounty.ca.gov>  
**Subject:** [External] Fwd: comments

Hi Keene -

See below. Comments from Rainbow / Fallbrook.

If there is any chance Erica or Michaela could read into the record today that would be great.

Thanks aw

Sent from my iPhone

Begin forwarded message:

**From:** Chris Brown <[chris@alchemycg.com](mailto:chris@alchemycg.com)>  
**Date:** October 27, 2022 at 09:46:27 PDT  
**To:** Adam Wilson <[adwilson858@yahoo.com](mailto:adwilson858@yahoo.com)>  
**Subject:** comments

Adam,

Here are our comments. Could you read them for us since both Tom and Jack are going to be attending a very important CWA Board meeting?

Chris

Members of the SDLAFCO Cities Advisory Committee,

Unfortunately both Jack Bebee (GM of Fallbrook PUD) and myself (GM of

Rainbow MWD) are in the San Diego County Water Authority Board meeting at this time so we cannot be there to provide input or answer questions. This topic was discussed in detail over the last several years and on Wednesday at the SDLAFCO Special Districts Advisory Committee LAFCO presented there summary of a path forward with a lot of input provided to LAFCO staff. It is important to remember that both Fallbrook and Rainbow are unique in that they can provide water service without using any SDCWA infrastructure. This remains the basis for our application to detach so we only pay for infrastructure we need to serve our residents. Both Fallbrook/Rainbow and SDCWA identified their positions on key topics at the meeting yesterday and so in lieu of repeating ourselves in detail we wanted to just provide you with the following brief comments as you receive the information:

- While we may not agree 100% with SDLAFCO's interpretation of the statutes as applied here, and we are not very happy about an "exit fee" being proposed given the governing County Water Authority Act does not prescribe an exit fee. In addition, as identified by LAFCO's consultant (Dr. Hanneman) the financial impact of other agencies developing their own reclaimed water supplies and rolling off SDCWA including East County agencies and the the City of San Diego is much greater to remaining SDCWA member agencies than detachment. Those agencies roll of the vast majority of SDCWA costs over a 3-5 year period, so we feel a 3-5 year time range is appropriate for any LAFCO imposed payment. While a representative from SDCWA may come to your meeting and tell you that their "losses" will extend in perpetuity, there is no guarantee of any revenue for any agency in perpetuity and SDCWA has the ability to reconfigure it's supply commitments to offset the costs of both detachment and roll-off. The proposed five year period of no revenue decrease is a condition that is above the payments other agencies will be making when they roll off SDCWA, which was established to allow SDCWA to adjust to the change gradually.
- Both SDCWA and our agencies agree on one point – the proposed MWD voting swap is very likely impermissible by law. Regardless, SDCWA has over 17% of the vote at MWD and our departure will amount to a reduction of approximately 0.24% - hardly a substantive impact. In fact, over the last ten years and nearly 1000 recorded votes at MWD, only one vote would have changed based on this shift of voting percentages. Detachment will not degrade SDCWA's position at MWD in any material way.
- We feel that the possible proposal to perform a Municipal Service Review for SDCWA prior to detachment is not warranted. Over the last nearly

three years an exhaustive amount of work has gone into studying the impact of detachment on SDCWA. An MSR would not add to the information needed by the Commission to consider the matter.

If you have any questions please contact either of us directly – [jackb@fpud.com](mailto:jackb@fpud.com) or [tkennedy@rainbowmwd.com](mailto:tkennedy@rainbowmwd.com).

Thank you

Tom Kennedy

**From:** [Peters, Michaela A](#)  
**To:** [Blom, Erica](#); [Ngu, Dieu](#)  
**Subject:** FW: PUBLIC COMMENT FOR Cities Advisory Committee TODAY  
**Date:** Thursday, October 27, 2022 8:38:35 PM

---

Another comment came in from today's meeting

---

**From:** Jim Madaffer <jim@madaffer.com>  
**Sent:** Thursday, October 27, 2022 3:37 PM  
**To:** Peters, Michaela A <Michaela.Peters@sdcounty.ca.gov>  
**Subject:** [External] PUBLIC COMMENT FOR Cities Advisory Committee TODAY

Hi Michaela –

Attached is my public comment testimony from today's 2pm Cities Advisory Committee.

I am submitting my full comments below and hereby request they be made part of the record.

Thank you,

Jim Madaffer.

---

Jim Madaffer, speaking for myself.

I will email these comments to your staff and request they be made part of the written record of today's meeting.

I have over 40 years of active local government experience.

I am a former San Diego City Councilmember, past President of the League of California Cities, and past Board chair of the San Diego County Water Authority where I currently serve as a board member from the City of San Diego. I was also appointed by the Governor and currently serve on the State of California's Colorado River Board.

When it comes to water, the San Diego region is the envy of the State of California in terms of resilience and reliability. We have a broad portfolio of water sources. As you conduct your advisory review, don't be fooled and make no mistake about it: This proposed DETACHMENT will put Rainbow and Fallbrook ratepayers and water users at immediate risk by moving to a sole source of water supply that is by MWD's own current admission – to its credit -- unreliable, requiring tens of billions of dollars of investment beginning now. This is the most ridiculous, irresponsible and backward proposal imaginable.

To be fair, LAFCO admitted at the beginning of this process that it has ZERO expertise on the relevant local, state and federal water issues that should be involved in analyzing this proposal. Nonetheless, LAFCO staff has now substituted its own judgment for that of the Water Authority Board of Directors to reach the conclusions contained in this "prospectus" document. It is devoid of any citations, sources of information, backup or factual data to support its many erroneous conclusions. It misstates the findings of the expert the parties retained and makes proposals that are in complete disregard of California law including the MWD Act, CEQA and the Delta Reform Act of 2009, to name just a

few.

In fact, it appears LAFCO has unduly and improperly deferred to the detachment applicants themselves and to some other members of a "working group" it created because of its own lack of expertise. LAFCO staff did not include the Water Authority in the working group it has relied on to reach its embarrassing and erroneous conclusions, and it has failed to address a large number of important issues raised by the Water Authority before shopping this so-called "prospectus."

Time does not allow me to go through each of these "tentative conclusions" other than to say they are factually inaccurate and deeply flawed. The Water Authority I'm sure will be commenting in detail at a later date. Ask yourself why the document was only provided to Water Authority staff less than 24-hours before the first LAFCO advisory group meeting yesterday.

A chief concern I would like to note is the impact of allowing these agencies to walk away from debt that was incurred to secure water supplies that are actually being used to serve their customers. I can assure you that this decision, should it be approved, will resonate throughout the Southland to undermine confidence in the bond market.

Ultimately, the conclusions being pushed in this prospectus will also undermine confidence in San Diego LAFCO and the elected officials who serve there, when the people of Fallbrook and Rainbow wake up one day to find out they no longer have the water they need — not only for agriculture which will probably be entirely eliminated—but for day to day use. Millions of MWD customers are being forced right now to get along with Human Health and Safety rationing, with more widespread cutbacks announced to be just around the corner as water conditions continue to deteriorate. LAFCO staff seems somehow to have missed the almost daily media reports on the devastating drought impacts so many are now experiencing.

Lastly, let's talk about rates. The prospectus correctly states water rates will go up for the rest of the region but understates the extent to which this will be the case due to the hocus-pocus in the assumptions. As a resident of the City of San Diego, I can tell you I don't support paying one cent for this nonsense.

In conclusion, this whole thing is a sham, should be tossed out and refocused on true regional cooperation which is where we started 30 years ago when decisions were made to insulate our entire region from future droughts.

Thank you for the opportunity to comment.