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August 30, 2017

Honorable Tani G. Cantil-Sakauye  
Chief Justice  
Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102

Re: *San Diego County Water Authority v.  
Metropolitan Water District of Southern California -  
Cal. Court of Appeal Nos.: A146901, A148266*

**Letter of Amici Curiae Supporting Petition for Review**

Dear Chief Justice Cantil-Sakauye,

I write on behalf of the Sacramento County Board of Supervisors to encourage the Court to grant the Petition for Review requested by the San Diego County Water Authority (SDCWA) in the matter of *San Diego County Authority v. Metropolitan Water District of Southern California*.

The Sacramento-San Joaquin Delta is the largest and most unique estuary on the Pacific Coast of the Americas. Its waters support the largest nursery for California fisheries, the largest Pacific Coast fly-over stop for migrating waterfowl, over 500,000 acres of prime farmland, and an urban community of four million people.

In 2009, the Legislature, recognizing the fragile health of the Delta and the impacts of increased export demands for Delta waters, enacted the Delta Reform Act (Stats. 2010, 7th Ex. Session. 2009, ch. 5, Section 39.) Through the Act, the Legislature made it “[t]he policy of the State of California to reduce reliance on the Delta through a statewide strategy of investing in improved regional supplies, conservation and water use efficiency.” (Wat. Code, Section 85021.) The State proposed to effectuate this policy of reduced reliance on the Delta by mandating that “[e]ach region that depends on water from the Delta watershed shall improve its regional self-reliance for water through investment in ... local and regional water supply projects...” (*Ibid.*)

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SDCWA's Petition for Review in the above-referenced matter raises significant issues of consistency with the adopted policy and requirements of the Delta Reform Act. SDCWA challenges the Court of Appeal's Decision as inconsistent with the State policy of reducing reliance on the Delta.

Pursuant to California Rules of Court Rule 8.500(g), the County of Sacramento is writing to support SDCWA's request for review. Sacramento County is a political subdivision of the State of California and is home to a significant portion of the legal Delta. The Delta communities of Freeport, Walnut Grove, Hood, Courtland, Locke, and Isleton are located within Sacramento County, and approximately 71,722 acres of farmland, contributing to the Delta's \$5.2 billion annual agricultural industry, are also located in the Sacramento County portion of the Delta. A significant portion of the Delta's \$750 million recreational economy is generated in Sacramento County, and includes, among other enterprises and activities, innumerable privately-owned marinas, public and private boat launch facilities, recreational facilities for fishing, tent camping, RV camping, hiking and picnicking, and many lodging establishments and restaurants.

These Delta-dependent communities and businesses will be harmed if the Court of Appeal's Decision is allowed to stand. This is because the Decision approves rates for the wheeling of conserved water that are significantly more than the cost of providing water from the Delta. Such prohibitive pricing will deter others from complying with the State's mandate to reduce reliance on the Delta through investment in vital local and regional water supply projects, such as SDCWA's multi-billion-dollar investment in water conservation. The Decision creates a disincentive to comply with the State's policy of regional self-reliance and reduced reliance on the Delta. Water suppliers' fiscal obligations to their customers will demand that they acquire the least expensive water available, even if that water supply was developed in derogation of State policy.

In closing, the Board of Supervisors of the County of Sacramento thanks the Court for its consideration of this request.

Sincerely,



Don Nottoli, Chairman  
Board of Supervisors