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August 30, 2017

*Via Federal Express Overnight*

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

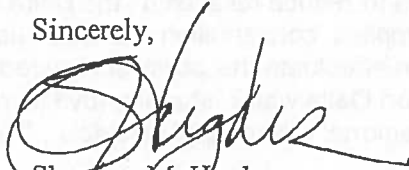
In Re: *San Diego County Water Authority v. Metropolitan Water District of Southern California*, Case No. S243500 (Cal. App. 1<sup>st</sup> No. A146901, A148266)  
Amicus Curiae Letter of County of San Joaquin

Dear Chief Justice:

In regard to the above-referenced matter, please find the enclosed Amicus Curiae letter of County of San Joaquin in support of Petitioner's request for review, and attached proof of service. The same is enclosed with 8 copies, as well as an extra copy with a self-addressed, stamped envelope for return of an endorsed copy for our records.

Thank you for your time and attention in this matter. Please contact our office at your convenience with any questions or concerns.

Sincerely,



Shannon M. Hughes  
Legal Secretary

/sh  
Enclosures  
c: See attached Service By U.S. Mail List



**SAN JOAQUIN**  
—COUNTY—

*Greatness grows here*

**Board of Supervisors**

Chuck Winn, *Chair, Fourth District*

Miguel Villapudua, *Vice-Chair, First District*

Katherine Miller, *Second District*

Tom Patti, *Third District*

Bob Elliott, *Fifth District*

Mimi Duzenski, *Clerk of the Board of Supervisors*

August 30, 2017

Via Federal Express Overnight Delivery

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

**In Re: *San Diego County Water Authority v. Metropolitan Water District of Southern California*, Case No. S243500 (Cal. App. 1<sup>st</sup> No. A146901, A148266)  
Amicus Curiae Letter of County of San Joaquin**

Pursuant to California Rules of Court Rule 8.500(g), the County of San Joaquin is writing to support Petitioner's request for review. San Joaquin County is a political subdivision of the State of California and is home to two-thirds of the legal Delta. Approximately 167,000 people live in the San Joaquin County portion of the Delta. Some forty percent (40%) of the farms that comprise the Delta's \$5.2 billion annual agricultural industry are located in San Joaquin County. A large portion of the Delta's \$750 million recreational economy is centered in San Joaquin County, encompassing, 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 that contribute to the Delta's recreational economy.

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 4 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 regions that are reliant on Delta water "shall improve its regional self-reliance for water through investment in ... local and regional water supply projects..." (id.)

San Diego County Water Authority's ("SDCWA's") Petition for Review raises significant issues with statewide implications of consistency with the adopted policy and requirements of the Delta Reform Act. Petitioner challenges the Court of Appeal's Decision as inconsistent with the State policy of reducing reliance on the Delta.

These Delta-dependent communities and businesses will be harmed if the Court of Appeal's Decision is allowed to stand. That is because the Decision approves rates for the wheeling of conserved water that are nearly twice 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. Simply stated, the Decision creates a perverse incentive at odds with the State's policy of regional self-reliance and reduced reliance on the Delta: 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.

Accordingly, the Board of Supervisors of the County of San Joaquin urges the Court to grant the Petition for Review.

Sincerely,



Chuck Winn, Chair  
San Joaquin County Board of Supervisors

**CERTIFICATE OF SERVICE**

**I, THE UNDERSIGNED, SAY:**

I am, and was at all times herein mentioned, a citizen of the United States and employed in the County of San Joaquin, State of California, over the age of eighteen (18) years, and not a party to the within action; that my business address is 44 N. San Joaquin Street, Suite 679, Stockton, California, 95202. Facsimile number (209) 468-0315.

On August 30, 2017, I served the following document(s):

**AMICUS CURIAE LETTER OF COUNTY OF SAN JOAQUIN**

- By Federal Express Overnight. Each said envelope was sealed and designated by the Fed Ex service carrier with delivery fees provided for; I deposited the same on the aforesaid date to the Fed Ex receptacle located at 20 N. Sutter St., Stockton, CA 95202, regularly maintained and authorized by the Fed Ex service to receive documents and facilitated for overnight delivery in Stockton, California, as follows:

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

- By U.S. Mail. I am readily familiar with the office's practice of collecting and processing correspondence for mailing with the U.S. Postal Service and, after collection, it is deposited with the U.S. Postal Service with postage fully prepaid on the same day in the ordinary course of business. I enclosed a true copy of the aforesaid documents(s) in a separate envelope for each of the person(s) named below, addressed as set forth immediately below the respective name(s), as follows:

**See Attached Service by U.S. Mail List**

**I DECLARE UNDER PENALTY OF PERJURY** that the foregoing is true and correct.

**EXECUTED** at Stockton, California, on August 30, 2017.

\_\_\_\_\_  
NAME (Print): Shannon M. Hughes

**SERVICE BY U.S. MAIL LIST**

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<p>Foothill Municipal Water District : Real Party in Interest and Appellant</p>	
<p>Las Virgenes Municipal Water District : Real Party in Interest and Appellant</p>	
<p>West Basin Municipal Water District : Real Party in Interest and Appellant</p>	
<p>Western Municipal Water District : Real Party in Interest and Appellant</p>	
<p>Three Valleys Municipal Water District : Real Party in Interest and Appellant</p>	<p>Steven M. Kennedy Brunick, McElhaney, Beckett, Dolen &amp; Kennedy 1839 Commercenter West P.O. Box 13130 San Bernardino, CA 92408-3303</p>
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<p>City of Glendale : Real Party in Interest</p>	<p>Dorine Martirosian Office of the City Attorney 613 East Broadway, Suite 220 Glendale, CA 91206-4307</p>

