

## Amicus Curiae Letter in Support of Review

The Honorable Chief Justice Tani Gorre Cantil-Sakauye  
and Honorable Associate Justices  
California Supreme Court  
350 McAllister Street  
San Francisco, California 94102

Re: *San Diego County Water Authority v. Metropolitan Water District of Southern California, et. al.*, Supreme Court Case No. S243500 (Court of Appeal Nos. A146901, A148266), Letter in Support of Petition for Review (Cal. R. Ct. 8.500(g))

September 13, 2017

To the Honorable Chief Justice and Associate Justices of the California Supreme Court:

Pursuant to California Rules of Court § 8.500(g), I, the California Director for Food & Water Watch, submit this letter respectfully requesting that this Court grant the San Diego County Water Authority (“Water Authority”)’s petition for review of the above-referenced decision (*San Diego County Water Authority v. Metropolitan Water District of Southern California*, 12 Cal. App. 5th 1124 (2017)).

Food & Water Watch is a national consumer organization with two main California offices and a large base of local members. The organization works with local communities and a broad range of environmental and social justice groups, statewide, advocating for better management of our increasingly scarce and polluted water supplies as a public trust, improving our public water systems, and making water service safe and affordable for all. California suffers from the consequences of a century of water mismanagement, where public water agencies serve powerful corporate agriculture

interests rather than those of the public. Food & Water Watch advocates for an overhaul of the state's water management system to address these issues.

The Court of Appeal's decision will only exacerbate our state's water problems—undercutting the state's articulated policy of “reduc[ing] reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency.” (Water Code §85021.) The decision upholds the Metropolitan Water District's rates that allow it to recover a substantial portion of its State Water Project charges, even from those customers whose water does not draw on this supply and instead comes from the transportation of other sources of water. The interpretation of state law that allows charges far removed from the actual costs of service will unnecessarily foist State Water Project costs on customers, while incentivizing the continued over-pumping of the Delta and discouraging local water solutions—including storm water capture and groundwater recharge—to create good local jobs with direct benefits to their communities.

On these grounds, I support review of the Court of Appeal's decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Scow', with a long horizontal flourish extending to the right.

Adam Scow  
California Director  
Food & Water Watch