

Finance, Affordability, Asset Management, and
Efficiency Committee



Report on Proposed Agreement for Water Services with the Barona Band of Mission Indians, San Diego County Water Authority, and Ramona Municipal Water District

Item 9-3
August 19, 2025

Tribal Water Service Agreements

Subject

Report on Proposed Agreement for Water Services with the Barona Band of Mission Indians, San Diego County Water Authority, and Ramona Municipal Water District

Purpose

This report provides background on existing tribal water service agreements in anticipation of new proposed agreement with the Barona Band of Mission Indians.

Item 9-3 Tribal water rights

- Inherently complex
- Tribes are sovereign nations
 - Not subject to state law or taxation
- Reservation and water rights arise out of federal law
 - U.S. Bureau of Indian Affairs
 - U.S. Department of Interior
- Intersection with state groundwater rights
- Need for imported supplemental supplies

Water Code Section 71611.5



- Provides authority for tribal water service agreements
- Originally introduced in 2016 as AB 2470, and applied only to Sycuan
- Extended to other tribes in 2017 with AB 1361 with a sunset date of January 1, 2023
- Extended to January 1, 2027 with AB 2081 in 2022, sponsored by the Barona Band of Mission Indians

Process for Tribal Water Service Agreements



Parameters to prepare a tribal agreement:

- Follow the standard annexation process
- Use Sycuan as model agreement per Board
- Adhere to Water Code requirements by:
 - including “substantially the same terms applicable to the customers of the district” and
 - requiring payment of “all the same rates and charges”

Four steps for approval of tribal agreement:

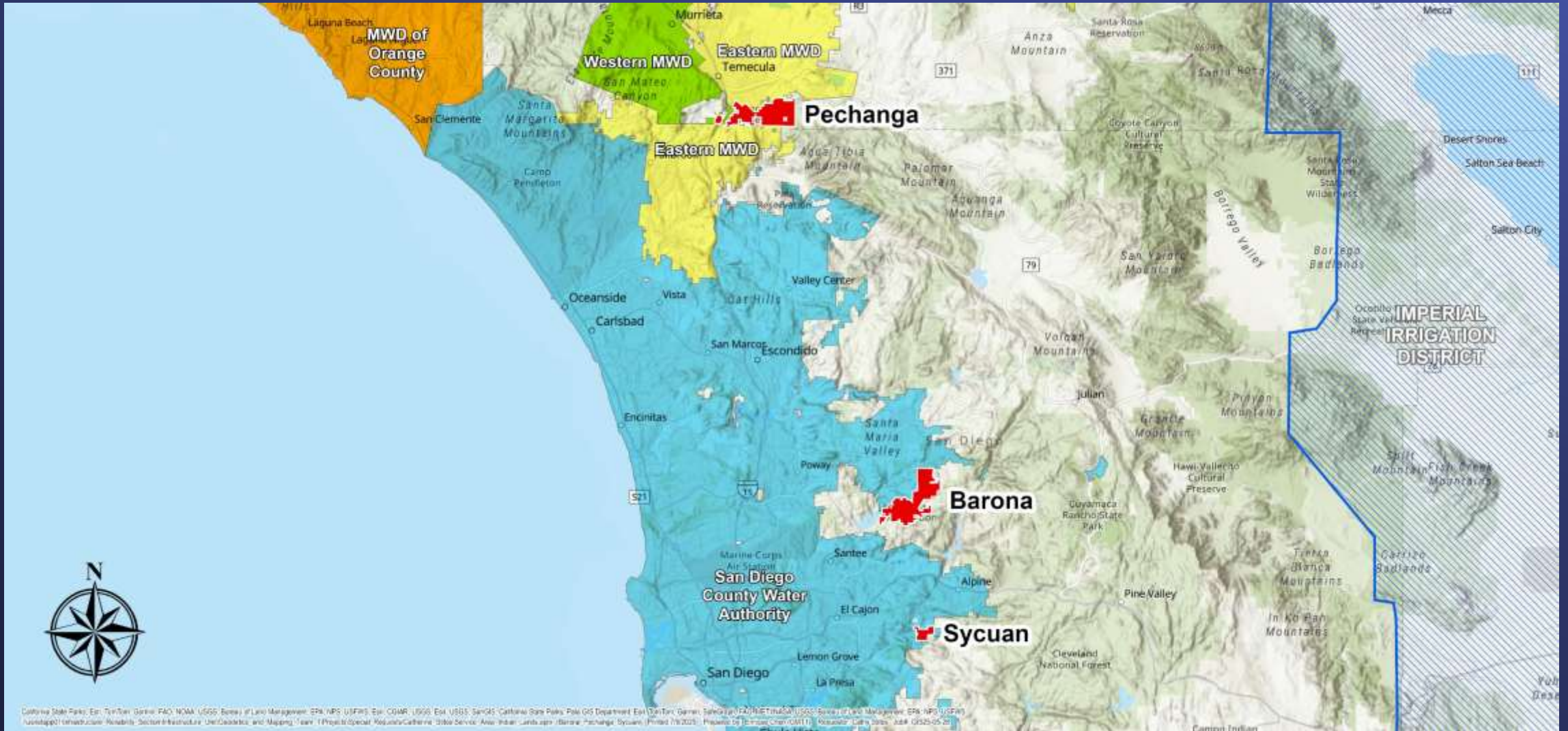
- 1st Retail and member agency approvals
- 2nd Metropolitan Board approval
- 3rd LAFCO approval
- 4th Enter into four-party, signed agreement

Existing tribal water supply agreements

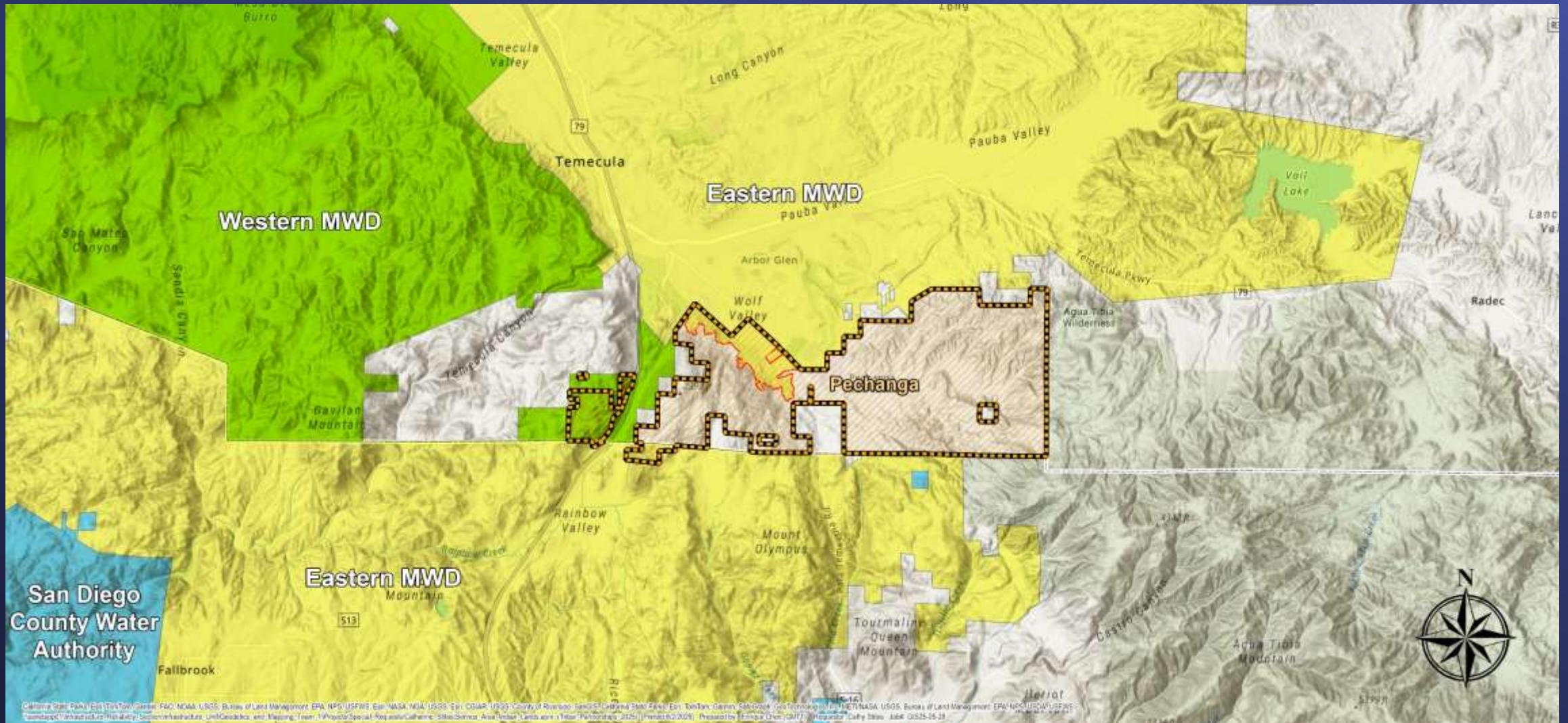


- Pechanga Band of Luiseño Indians
 - 2017
 - 457.41 acres of land
- Sycuan Band of the Kumeyaay Nation
 - 2018
 - 227 acres of land

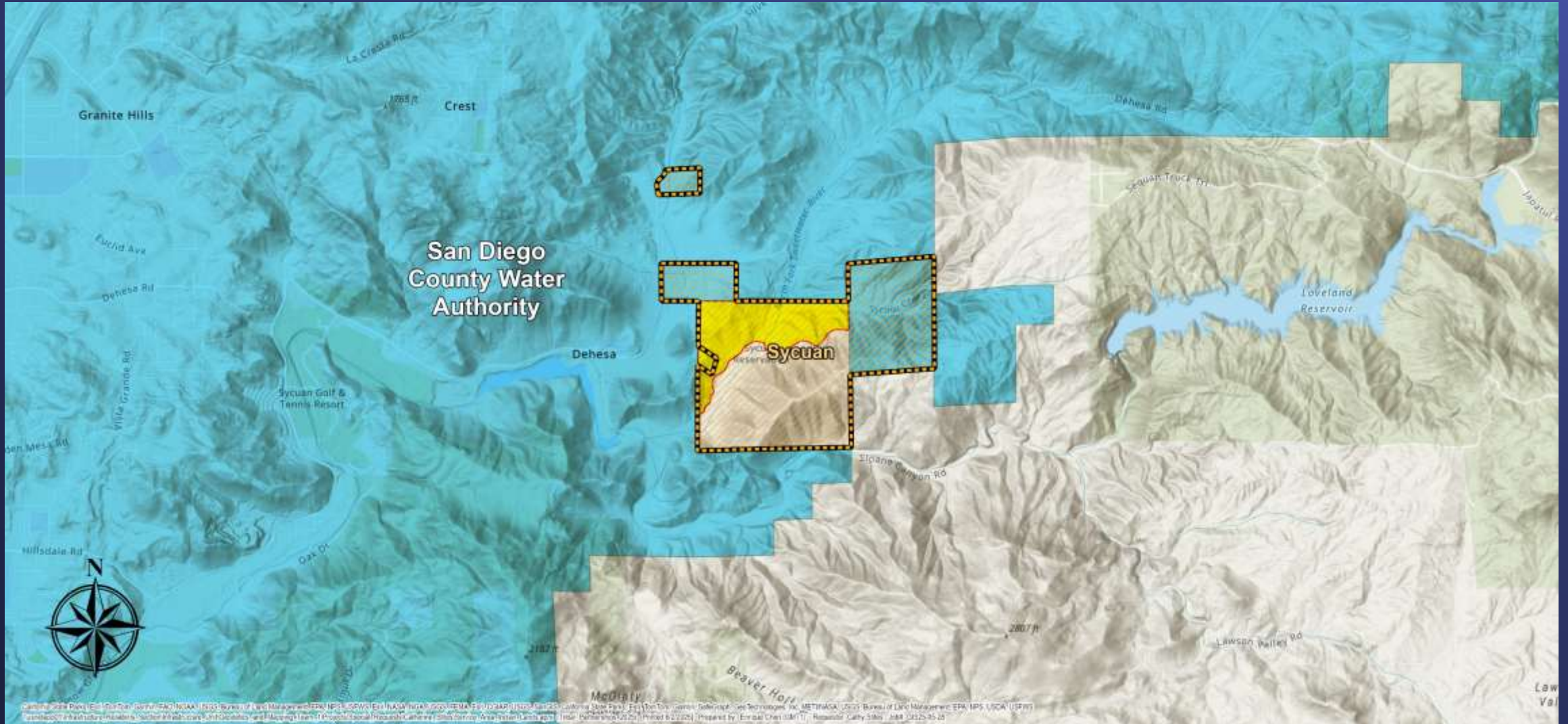
Pechanga, Sycuan & Barona



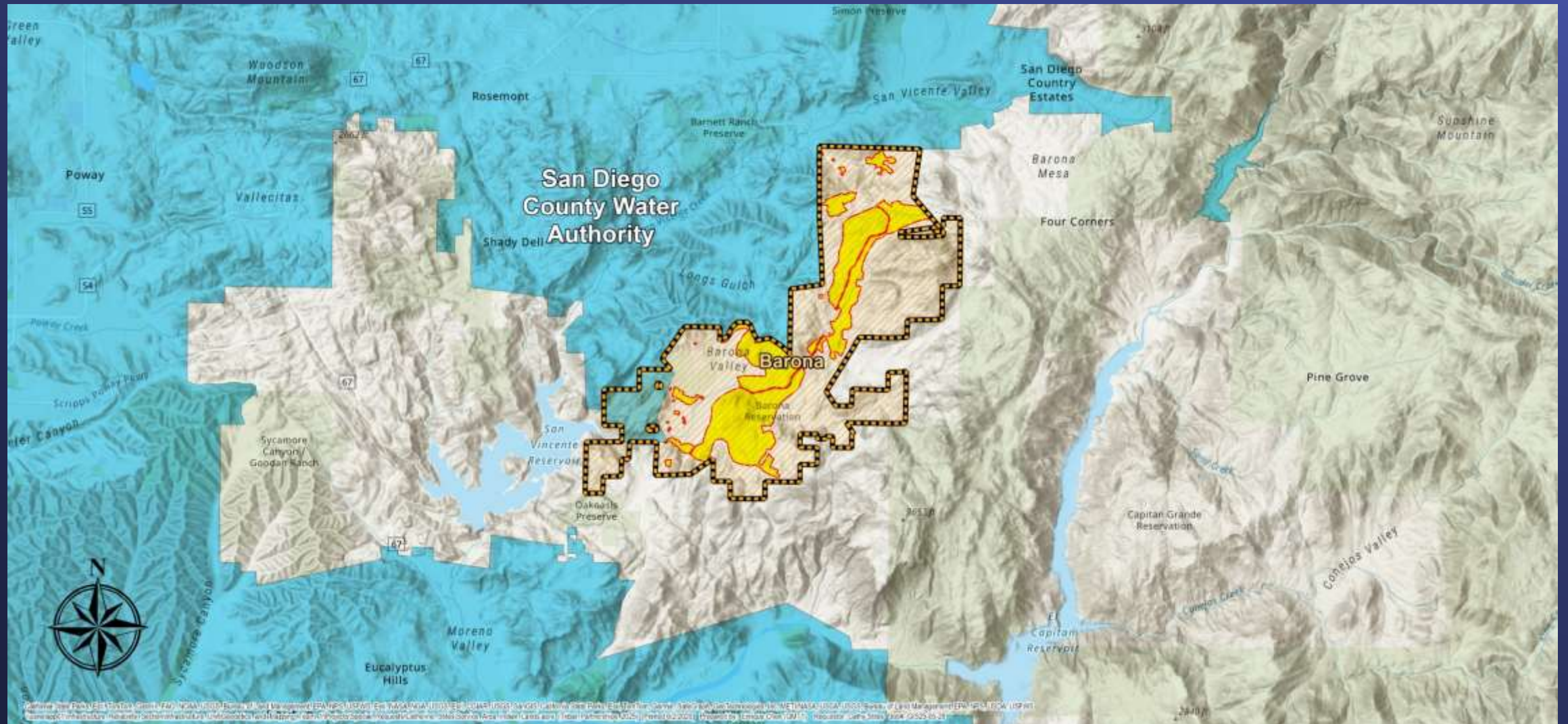
Pechanga



Sycuan



Barona



Upcoming tribal water supply agreement with Barona



- Requesting agreement for water service
 - Approximately 1,784 acres of land
 - Approximately 860 acre-feet per year (AFY) of water initially, and up to 1,500 AFY
- Like the Pechanga and Sycuan agreements
 - Served via existing infrastructure by the local retailer Ramona
 - In exchange for agreeing to pay Metropolitan's and the other agencies' rates and charges like any other customer
- Requesting payment over time per MWD Administrative Code
- Scheduled for action at September board

