



● **Board of Directors**  
***Water Planning and Stewardship Committee***

11/9/2021 Board Meeting

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**7-8**

**Subject**

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Adopt resolution declaring a Regional Drought Emergency, calling on Member Agencies to reduce use of State Water Project supplies, and granting the General Manager certain additional authorities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

**Executive Summary**

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This letter recommends that the Board adopt a Regional Drought Emergency Resolution calling on local agencies to immediately reduce their use of State Water Project (SWP) supplies. In August 2021, Metropolitan's Board approved moving from a "Condition 1 – Water Supply Watch" to a "Condition 2 – Water Supply Alert," calling for local water purveyors to implement voluntary conservation measures that supported retail customers in reducing their water use and preserving regional storage reserves. With drought persisting throughout California, on October 19, 2021, Governor Newsom expanded the drought emergency first declared on April 12 to all counties, including the six counties in Metropolitan's service area. Governor Newsom also renewed his call for all Californians to reduce their water use by 15 percent.

Water years 2020 and 2021 (from October 1, 2019, through September 30, 2021) are the driest two-year sequence on record for precipitation in California. Although an early-season storm in mid-October brought much-needed rainfall to the Sacramento and Feather River watersheds, the SWP remains severely constrained. Unless and until water supply conditions substantially improve, the California Department of Water Resources (DWR) does not expect to allocate any Table A supplies (a zero percent allocation) to agencies holding water supply contracts.

Despite extraordinary measures taken by Metropolitan, its member agencies, and others in Southern California, further and immediate action is needed to preserve and stretch limited SWP supplies.

Urgent action is also necessary to slow the draw from Metropolitan's SWP supplies stored in surface reservoirs and groundwater basins throughout the state. By reducing consumptive use of SWP supplies now, more time can be gained for additional storms to develop that would lower the likelihood of more severe reductions designed to protect uses of basic domestic needs, sanitation, and fire protection. If a normal-weather scenario develops over the next few months, however, the final SWP allocation could reach 25 percent (approximately 490,000 acre-feet), which would bring water supplies and demands into balance in those areas critically dependent on the SWP.

**Details**

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**Background on the Developing Drought**

Water years 2020 and 2021 were the driest two consecutive years on record in California for statewide precipitation. In March 2021, DWR reduced the 10 percent allocation initially announced in December 2020 to 5 percent; that allocation remains today. This followed a low allocation of only 20 percent in 2020. Even if the allocation in 2022 were to reach 25 percent eventually, the three years from 2020 to 2022 would be the lowest deliveries seen in the history of the SWP. The worsening conditions prompted Governor Gavin Newsom to declare a series of four expanding drought emergencies across the state.

## Response by State Government and Metropolitan

The overall sequence of state actions can be summarized as follows:

- On April 21, Governor Newsom proclaimed a regional drought emergency in Mendocino and Sonoma counties.
- On May 10, a second proclamation expanded the drought emergency to an additional 39 counties.
- On June 9, the California Public Utilities Commission, the State Water Resources Control Board (SWRCB), and DWR called on local and regional suppliers to increase their conservation efforts, to develop contingency plans in the event of water supply problems, and to urge Californians to save water amid ongoing dry conditions and in anticipation of another dry year in 2022.
- On July 8, Governor Newsom expanded the drought state of emergency once again to a total of 50 counties covering 42 percent of the state's population. The drought emergency did not yet include the six counties in Metropolitan's service area. On the same day, the governor also issued Executive Order N-10-21, calling for all Californians to voluntarily reduce their water use by 15 percent.
- On October 19, Governor Newsom widened the drought emergency to all counties. Among other things, the proclamation called on local and regional water agencies to implement their Water Shortage Contingency Plans to conserve water appropriate for local conditions while considering the possibility of a third consecutive dry year. The governor urged Californians to re-double their efforts to attain the 15 percent voluntary water use reduction.

In step with the Newsom Administration's measured response and increasing actions to the drought, Metropolitan initiated numerous drought actions earlier this year.

In January 2021, Metropolitan adjusted distribution system operations to minimize SWP use and draw more heavily on the Colorado River and stored supplies. In April, Metropolitan increased pumping on the Colorado River Aqueduct to the total capacity of eight pumps for the first time since the depths of the last drought in 2015. In May, the Board approved the Operational Shift Cost Offset Program, which removed a barrier to agencies receiving Metropolitan service from Colorado supplies instead of SWP supplies. Also, in May—for the first time in history—the source water feed to the Mills water treatment plant was switched from SWP to Diamond Valley Lake storage. In June, staff began operating the fully rebuilt Greg Avenue pump facility allowing Colorado River and stored supplies to be pumped at a rate of about 50 cubic feet per second (cfs) into the western portion of the distribution system.

Metropolitan recognized the need for a coordinated, regional drought response to support the governor's call for voluntary conservation and to begin preserving stored SWP supplies. In August 2021, the Board adopted a Water Supply Alert Resolution, the third of a four-step water supply condition framework to manage regional shortages. The Water Supply Alert provided a common framework for outreach, communication, and collaboration. Metropolitan immediately began leveraging media opportunities and initiated a summer conservation campaign with social media, digital marketing, and targeted radio messaging. Polling data showed these messages could be effective because drought awareness was high in Southern California (91 percent), concern about the drought was high (84 percent), and a majority (64 percent) of residents said they can do "a little more" or "much more" to become water efficient.

Beyond public outreach and the earned media from increasing news coverage, staff immediately began developing new and enhanced water efficiency programs to capitalize on the consumer's willingness to do more in both the short and long term. Staff worked closely with the member agency conservation coordinators, the member agency managers, and the Conservation and Local Resources Committee to select water efficiency programs that could increase water savings in a short period while continuing to nudge the region towards improved efficiency. Simultaneous with this proposed Regional Drought Emergency Resolution, the Board will also consider authorizing these changes to the conservation programs.

Staff also began working on near- and long-term projects and programs to help alleviate the current drought and reduce the impact of future severe and multi-year droughts on the SWP system. Staff continue developing these programs and will request authority to enter into agreements or initiate capital projects in the coming months.

Because timing is of the essence when managing this acute drought, staff seeks additional authorities for the General Manager in the Regional Drought Emergency Resolution.

### **Anticipating Continued Dry Conditions**

The current drought required Metropolitan to heavily draft storage reserves to compensate for low SWP allocations. With the prospect of a zero percent SWP initial allocation coming after two prior allocations of only 20 and 5 percent, Metropolitan cannot be assured of sufficient supplies to meet the normal potable demands in portions of its service area that are wholly dependent on SWP water at this time. Under continued dry conditions, Metropolitan would not blend SWP supplies with Colorado River supplies in other portions of the service area, nor would it replenish stored SWP supplies being withdrawn from Diamond Valley Lake.

The drought similarly impacts other SWP contractors. In planning for dry conditions that could continue into 2022, DWR is exploring invoking a never-before-used section of the SWP contract. This provision, Article 18(a), states that DWR “may allocate on some other basis [than the standard Table A allocation] if such is required to meet minimum demands of contractors for domestic supply, fire protection, or sanitation during the year.” As such, DWR requested that all SWP contractors estimate and submit minimum water demands reflecting only domestic supply, fire protection and sanitation needs. In preparing these estimates, DWR stipulated that a standard of 55 gallons per person per day be used as the primary basis for minimum water demands. DWR will then use the aggregate minimum demands of all contractors to petition the SWRCB for minimum pumping from the Sacramento/San Joaquin Bay-Delta to supply that need.

Metropolitan strongly advocates before DWR that minimum water demands must be sufficient to support critical elements of the region’s economy (if considered a country, Southern California’s economy would be larger than all but 12 nations of the world). This should include supply for basic commercial and industrial activity beyond just indoor residential needs. Metropolitan also advocates that the region should continue to benefit from the groundwater banking, storage, and water transfer programs it has previously developed to protect the region from this type of drought scenario. Nevertheless, it is incumbent for the region to preserve stored SWP supplies and extend the date when health-and-safety deliveries may constrain other water uses such as outdoor irrigation, filling swimming pools, automatically serving water in restaurants, or washing cars at home.

### **Recognizing the Drought in the Colorado River Watershed**

Although the drought emergency conditions are most immediately affected by shortages of SWP water supplies, the Colorado River is also threatened by longstanding drought. Warm temperatures and arid soils have depleted the expected runoff from the Upper Colorado River Basin snowpack. On August 16, 2021, the U.S. Bureau of Reclamation declared the first-ever shortage on the Colorado River. Because of the 2019 Drought Contingency Plan, California has so far been spared from cuts to its Colorado River supplies for next year. Still, Arizona, Nevada, and Mexico will be taking reductions due to the 2022 Tier 1 shortage declaration.

### **Recognizing the Varied Needs of the Region**

Just as Metropolitan advocates before DWR that prior investments in water supply reliability must be considered when equitably allocating scarce supplies, Metropolitan also recognizes that the needs of its member agencies vary widely depending on their geographic location, available local supplies, and prior investments to secure water reliability. This acute drought emergency exposed particular vulnerabilities of the SWP system that are not felt equally across Metropolitan’s service area. For example, some member agencies can rely entirely on local supplies, Colorado River deliveries, or other water supply programs. While not immune to drought or climate change in the long term, these supplies reduce the need in 2022 for Metropolitan to deliver SWP supplies.

Similarly, Metropolitan’s Water Supply Allocation Plan (WSAP) and Condition 3 of the Water Supply Condition Framework do not present themselves as the most appropriate tool for reducing demands at this time. The approved WSAP serves as the current policy for allocating water supplies to all member agencies in times of declared water shortages to reduce water use across the entire service area to conserve supply. The WSAP includes specific formulas for calculating Metropolitan supply allocations to each member agency and includes implementation elements needed for administering a water supply allocation. The WSAP allocates supplies based on the needs of agencies throughout the service area.

If Metropolitan were to implement the WSAP, Metropolitan would limit the amount of water member agencies could purchase without facing a surcharge. In this present emergency, the WSAP suffers from two limitations as follows:

- The WSAP is initiated at the end of the winter precipitation season and remains in place for a full fiscal year from July 1 through June 30. Surcharges are then assessed at the end of the fiscal year. The current state of emergency requires a more agile approach that could begin as early as March of 2022, depending on supply availability and policies adopted by DWR.
- The WSAP presumes that water conserved through an allocation would become equitably available to the region as a whole. While this presumption was true for each prior application of the WSAP, the severe supply constraint on the SWP presents itself today more like an unplanned outage of an SWP facility than a supply condition affecting the collective as a whole.

Based on the diverse needs of the member agencies and on the potential constraints on a portion of Metropolitan's service area, the proposed Regional Drought Emergency Resolution calls for mandatory conservation only by member agencies who rely on Metropolitan's SWP supplies or who are receiving deliveries by Metropolitan of previously-stored SWP supplies (primarily from Diamond Valley Lake). Other member agencies are strongly encouraged to seek voluntary water conservation measures.

Further, because the WSAP may not provide the best framework for responding to the current drought emergency, the proposed resolution affirms that Metropolitan's Board may declare a Water Shortage Emergency Conditions according to Section 350 et seq. of the California Water Code if drought conditions persist or worsen in the coming months.

### **Recommended Elements of the Regional Drought Emergency Resolution**

Staff recommends that the Board adopt a resolution declaring a Regional Drought Emergency over Metropolitan's entire service area. The resolution, included as **Attachment 1**, calls upon member agencies to take all reasonable measures to reduce their dependency on SWP supplies for the duration of the emergency and to implement any appropriate voluntary and mandatory drought actions from their Water Shortage Contingency Plans that helps to preserve regional storage and reduce the use of SWP supplies. Specifically, the resolution calls upon all member agencies to:

- Review the adequacy of their past drought response measures.
- Make all reasonably practicable changes in their operations to reduce their use of SWP supplies.
- Immediately mandate and implement such conservation requirements, water-use efficiency measures, and drought-related limitations as are appropriate to reduce the use of SWP supplies, including those SWP supplies already in storage.

The resolution also directs the General Manager to coordinate with the member agencies and bring to the Board for authorization, as appropriate, the following actions:

- Develop a unified regional message to communicate the status of this Regional Drought Emergency and the need for continued conservation to the general public, businesses, stakeholders, industries, and public officials.
- Expand regional conservation programs for the duration of this Regional Drought Emergency.
- Identify and implement measures to ensure all portions of the service area attain a high level of reliability against multi-year, severe droughts. Measures include, but are not limited to, system improvements, local water supply development, new water storage opportunities, and water efficiency gains.
- Seek state funding and other resources for the region to accelerate conservation and supply programs.

Through this resolution, the Board would delegate to the General Manager certain additional authorities necessary to assist in carrying out such actions as he deems necessary for the duration of the Regional Drought Emergency, which include:

- Agreements with member agencies or other public agencies to enhance local water production, recycling, conservation, and storage
- Agreements with member agencies or other public agencies to purchase, transfer or exchange water supplies
- Contracts to procure equipment, materials, services, and supplies
- Agreements to provide media buying and placement services for water awareness and conservation advertising campaigns

Further, the General Manager would be the designated decision-making body for actions taken, agreements entered, or permits and approvals secured under his delegated emergency authority. In consultation with the General Counsel, the General Manager shall conduct any review and prepare, approve or certify any documentation that may be required under the California Environmental Quality Act.

The delegation of authority to the General Manager would be limited to drought-related actions and agreements that individually are less than \$5,000,000 and collectively are less than \$25,000,000. Any provisions of the Administrative Code requiring prior Board review and approval would be waived. However, the General Manager would report to the Board at its next regularly scheduled meeting on any actions taken, agreements entered, or permits and authorizations secured under this delegation of authority. The delegated authority does not waive other requirements related to public and non-public works contracts.

The Regional Drought Emergency and delegated authority would automatically end when the drought state of emergency declared by the governor has been lifted for all of the counties within Metropolitan's service area.

## **Policy**

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Metropolitan Water District Administrative Code Section 6410. Powers and Duties

Metropolitan Water District Administrative Code Section 6412. Delegation of Executive and Administrative Powers

Metropolitan Water District Administrative Code Section 8122. General Manager's Contracting Authority in Specified Circumstances

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Operating Policy A-06, Emergency Management and Business Continuity

By Minute Item 50824, dated May 9, 2017, the Board adopted a resolution which declared a "Condition 1 –Water Supply Watch."

By Minute Item 52481 dated August 17, 2021, the Board adopted a resolution which declared a "Condition 2 – Water Supply Alert."

## **California Environmental Quality Act (CEQA)**

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### **CEQA determination for Options #1 & #2:**

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as general policy and procedure making (Public Resources Code Section 21065, State CEQA Guidelines Section 15378(b)(2)). In addition, the proposed action is in response to the October 19, 2021 Governor-declared state of emergency and reflects specific actions necessary to prevent or mitigate an emergency (Public Resources Code Section 21080(b)(4)).

### **CEQA determination for Option #3:**

None required

**Board Options**

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**Option #1**

Adopt the Resolution Declaring a Regional Drought Emergency as outlined in **Attachment 1**.

**Fiscal Impact:** Upon adoption of the resolution, expenditures will likely increase as the General Manager executes the various directives set forth to facilitate communication, conservation, and water supply enhancement. As consumers respond, activity and expenditures in Metropolitan’s conservation programs will increase within authorized budget amounts. The emergency authority granted and delegated to the General Manager in this resolution would be limited to drought-related actions and agreements collectively less than \$25 million. Revenues from water transactions will likely decrease as Member Agencies reduce water demands through the implementation of their Water Shortage Contingency Plan shortage response actions.

**Business Analysis:** The actions called for under this Regional Drought Emergency would preserve limited SWP supplies and would reduce the likelihood and magnitude of potential future shortages.

**Option #2**

Adopt the Resolution Declaring a Regional Drought Emergency with modifications to the actions called for within the resolution (**Attachment 1**).

**Fiscal Impact:** Unknown

**Business Analysis:** Unknown

**Option #3**

Do not adopt the Resolution Declaring a Regional Drought Emergency at this time.

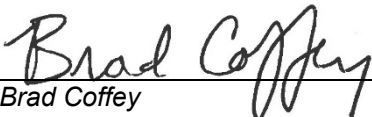
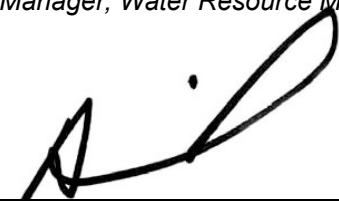
**Fiscal Impact:** Unknown

**Business Analysis:** The likelihood and magnitude of potential shortage in parts of Metropolitan’s service area in 2022 will increase and may necessitate the implementation of more stringent emergency measures.

**Staff Recommendation**

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Option #1

 <hr/> Brad Coffey Manager, Water Resource Management	11/1/2021 Date
 <hr/> Adel Hagekhalil General Manager	11/3/2021 Date

**Attachment 1 – RESOLUTION OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA DECLARING A REGIONAL DROUGHT EMERGENCY**

Ref# wrm12680138

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
DECLARING A REGIONAL DROUGHT EMERGENCY**

**WHEREAS, Severe Drought Conditions Are Impacting Water Supplies Imported from the Colorado River and Northern California.**

Metropolitan's two primary sources of imported water, the Colorado River and the State Water Project (SWP), face continuing drought.

Water year 2021 (October 1, 2020 to September 30, 2021) exhibited extreme temperature and lack of precipitation, and it followed water year 2020 that was likewise warm and dry.

Warm temperatures and arid soils depleted the expected runoff water from the Upper Colorado River Basin snowpack and Northern Sierra snowpack into SWP reservoirs.

The two-year sequence of water years 2020 and 2021 (October 1, 2019 through September 30, 2021) was the driest on record in California for statewide precipitation.

The Colorado River is experiencing a prolonged 21-year warming and drying trend.

The United States Bureau of Reclamation announced a first-ever shortage declaration for 2022 for the Colorado River System.

**WHEREAS, a State of Emergency Exists in All California Counties Due to These Severe Drought Conditions.**

On October 19, 2021, Governor Gavin Newsom proclaimed that a state of emergency now exists in all California counties due to severe drought conditions.

Governor Newsom's drought proclamation re-doubled a call for all Californians to voluntarily reduce their water use by 15 percent immediately.

The proclamation directed the State Water Resources Control Board to develop regulations prohibiting wasteful water use and the California Department of Water Resources (DWR) to assist local agencies implement solutions to alleviate acute potable water shortages.

The proclamation called on local and regional water agencies to implement the Water Shortage Contingency Plans (WSCPs) to conserve water at a level appropriate for local conditions taking into account the possibility of a third consecutive dry year.

**WHEREAS, Metropolitan's State Water Project Supplies Are Curtailed.**

Storage in Lake Oroville, the largest and principal storage reservoir for the State Water Project (SWP), reached record low levels in August 2021. Storage in many other reservoirs across the state remains well below average.

DWR's SWP Table A Allocation for calendar year 2021 remains at only five percent of contract amounts.

A zero percent initial SWP Allocation is expected for calendar year 2022, and current projections indicate that the final allocation will likely only reach 25 percent under a normal-weather scenario.

Considering these projections, DWR is preparing to deliver the minimum needs contractors may have for domestic supply, fire protection, and sanitation, while under a zero percent Table A allocation. In preparing for this operation under a severe dry condition for 2022, DWR expects contractors receiving these deliveries to mandate substantial reductions in water use consistent with an emergency circumstance.

**WHEREAS, Metropolitan's State Water Project Supplies Are Essential to Meet the Needs of All Member Agencies.**

Over the past 20 years, the State Water Project provided about 30 percent of the region's water needs.

Diamond Valley Lake, Metropolitan's largest surface water reservoir and source of dry-year and emergency water supplies, has only been replenished with State Water Project supplies since the discovery of Quagga mussels in Colorado River water.

Under a zero percent SWP Allocation, insufficient SWP supplies exist to meet normal potable demands in areas where Metropolitan depends on the SWP to meet its agencies' demands, nor can it serve SWP supplies to other agencies or replenish storage in Diamond Valley Lake.

**WHEREAS, Metropolitan, Its Member Agencies, and Others in the Region Have Taken Extraordinary Steps to Reduce Demands and Bolster Supplies.**

Metropolitan, in conjunction with its member agencies, counties, cities, and wholesale and retail water suppliers, decreased its potable water demands within its service area by 40 percent, roughly 80 gallons per person per day, since 1990.

Metropolitan invested \$1.5 billion in conservation, local water recycling, and local groundwater recovery since 1990, resulting in the cumulative savings of nearly 7.3 million acre-feet.

Metropolitan invested more than \$3.1 billion in increasing storage capacity with Diamond Valley Lake and conveyance capacity with the Inland Feeder to capture SWP supply when available for later use in dry years.

Local water suppliers and communities have also made strategic and forward-looking investments in water recycling, stormwater capture and reuse, groundwater storage, and other strategies to improve drought resilience.

Water conserved throughout the service area, among other things, helped preserve storage in Metropolitan's diverse storage portfolio during these dry conditions.

Continued action by Southern California residents to conserve water and extend local groundwater and surface water supplies will provide greater resilience if the drought continues in future years.

**WHEREAS, Metropolitan and Its Member Agencies Have Taken Specific Actions to Preserve SWP Supplies.**

Metropolitan recently invested in its delivery system to reduce dependency on SWP supplies and to improve operational flexibility allowing delivery of water from either of its two imported supply sources to most of the service area.

Metropolitan member agencies invested billions of dollars in investments to maintain existing, produce new and increase the utilization of local supplies and therefore decrease the use of SWP supplies.

Metropolitan member agencies have, where feasible, operated their systems to reduce Metropolitan's dependency on SWP supplies.

**WHEREAS, Additional Actions Are Needed to Manage and Preserve SWP Supplies.**

Despite the efforts made to date by Metropolitan, member agencies, and others in the region, additional actions are needed to manage and preserve SWP supplies.

As part of their required Urban Water Management Plans, all urban water suppliers and water wholesalers have identified voluntary and mandatory actions in their Water Shortage Contingency Plans (WSCPs) to prepare for and address various water shortage conditions. The Metropolitan Board of Directors believes that member



agencies should review such WSCPs and immediately implement mandatory conservation measures to help address the SWP supply shortages.

The Metropolitan Board of Directors further believes that it is necessary and desirable to work closely with member agencies in identifying near-term actions that could be taken to address this regional drought emergency, in general, and the SWP supply shortages, in particular, and to grant the General Manager certain additional powers and authorities to assist in carrying out such actions promptly.

**NOW, THEREFORE, BE IT RESOLVED** that, pursuant to the express and implied powers and authorities granted under The Metropolitan Water District Act (Statutes 1969, ch.209, as amended), the Board of Directors of The Metropolitan Water District of Southern California **HEREBY DECLARES A REGIONAL DROUGHT EMERGENCY** encompassing the District's entire service area. Per this Declaration, the Board calls on all member agencies to:

- (1) Review the adequacy of their past drought response measures.
- (2) Make all reasonably practicable changes in their operations to reduce their use of SWP supplies.
- (3) Immediately mandate and implement such conservation requirements, water-use efficiency measures, and drought-related limitations as are appropriate to reduce the use of SWP supplies, including those SWP supplies already in storage.

**BE IT FURTHER RESOLVED** that Metropolitan's General Manager is hereby directed to coordinate with the member agencies and bring to the Board for authorization, as appropriate, the following actions:

- (1) Develop a unified regional message to communicate the status of this regional drought emergency and the need for continued conservation to the general public, businesses, stakeholders, industries, and public officials.
- (2) Expand regional water use efficiency programs for the duration of this regional drought emergency, provided budget or grant funding is available.
- (3) Identify and implement measures to ensure all portions of the service area attain a high level of reliability against multi-year, severe droughts. Measures include, but are not limited to, system improvements, local water supply development, new water storage opportunities, and water efficiency gains.
- (4) Seek state funding and other resources for the region to accelerate conservation and supply programs.

**BE IT FURTHER RESOLVED** that notwithstanding anything in Metropolitan's Administrative Code to the contrary:

- (1) The General Manager is hereby delegated authority to take such actions, enter such agreements, and secure such permits and approvals as he deems necessary to address this regional drought emergency and to carry out the directives listed above, including:
  - a. Agreements with member agencies and/or other public agencies to enhance local water production, recycling, conservation, and storage.
  - b. Agreements with member agencies and/or other public agencies to purchase, transfer or exchange water supplies.
  - c. Contracts to procure equipment, materials, services, and supplies.
  - d. Agreements to provide media buying and placement services for a water awareness and conservation advertising campaign.
- (2) The General Manager is hereby designated as the decision-making body with respect to any actions taken, agreements entered, or permits and approvals secured pursuant to the above delegation of authority. In consultation with the General Counsel, the General Manager shall conduct any review

and prepare, approve and/or certify any documentation that may be required under the California Environmental Quality Act.

- (3) This delegation of authority is limited to drought-related actions and agreements that individually are less than \$5,000,000 and collectively are less than \$25,000,000.
- (4) For purposes of this delegation of authority, any provisions of Administrative Code requiring prior Board review and approval are hereby waived. However, the General Manager shall report to the Board at its next regularly scheduled meeting the specific details of and justification for any actions taken, agreements entered, or permits and authorizations secured under this delegation of authority.
- (5) Nothing in this delegation of authority shall be construed as waiving any other applicable requirements related to public and non-public works contracts as set forth in the state Public Contracts Code or Metropolitan's Administrative Code.

**BE IT FURTHER RESOLVED** that the duration of requested actions and the delegation of authority will automatically terminate when the drought state of emergency declared by the Governor has been lifted for all counties within Metropolitan's service area.

**BE IT FURTHER RESOLVED** that, should drought conditions persist or worsen in the coming months, Metropolitan's Board of Directors will consider declaring a water shortage emergency condition and imposing appropriate regulations, restrictions and penalties pursuant to California Water section 350 et seq., so as to conserve Metropolitan's water supplies for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held November 9, 2021.

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Secretary of the Board of Directors  
of The Metropolitan Water District  
of Southern California