

**Proposed Interim Agricultural Water Program Revisions**

**A. Phase-Out Provisions:**

1. The Interim Agricultural Water Program will be phased out over a period of five years, from 2008 to 2013. As of January 1, 2013 the IAWP will no longer exist.
2. Section 4901 of Metropolitan’s Administrative Code defines the annual maximum IAWP delivery for each member agency in the IAWP. Effective January 1 of each year in the phase-out period, Metropolitan’s Administrative Code will be revised to reflect lower maximum annual IAWP deliveries for each member agency. The 2008 IAWP reduction plan baselines will be recognized as the new annual maximum IAWP limits for the start of the phase-out process at the end of 2008. This will immediately reduce the cumulative maximum annual IAWP deliveries of all member agencies to 152,819 acre-feet from 155,190 acre-feet. Further reductions will occur based on the following:
  - i. Any overuse penalties incurred in 2008 will result in a reduction to an agency’s maximum annual IAWP delivery per the IAWP Reduction Guidelines.
  - ii. Section B of this document establishes opt-out provisions. Any opt-out volumes will be subtracted from an agency’s maximum annual IAWP deliveries.
3. Member agencies with 2008 IAWP reduction baselines of zero will be removed from the IAWP with no further adjustments.
4. The discount for IAWP deliveries will be reduced beginning on January 1, 2010. Further reductions to the discount will occur in each year of the phase-out period following 2010, as shown in Table 1. In 2013 the IAWP program and associated rates will no longer exist.

**Table 1**

Calendar Year	Treated IAWP Discount	Untreated IAWP Discount
2008	\$114/AF	\$90/AF
2009	\$114/AF	\$90/AF
2010	\$86/AF	\$68/AF
2011	\$57/AF	\$45/AF
2012	\$29/AF	\$23/AF
2013	\$0/AF	\$0/AF

5. The reduction provisions under the IAWP will be adjusted with each year of the phase-out period according to the schedule in Table 2. The shaded region represents the changes from the current reduction schedule identified in Metropolitan’s Water Supply Allocation Plan. As the IAWP discount diminishes over the phase-out period, the reduction requirement will also be reduced.

**Table 2**

Regional Shortage Level	Regional Shortage Percentage	IAWP Reduction Percentage				
		2008	2009	2010	2011	2012
	Voluntary	Up To 30%		Up To 24%	Up To 18%	Up To 11%
1	5%	30%	30%	24%	18%	11%
2	10%	30%	30%	25%	20%	15%
3	15%	40%	40%	34%	28%	21%
4	20%	50%	50%	43%	35%	28%
5	25%	75%	75%	63%	50%	38%
6	30%	90%	90%	75%	60%	45%
7	35%	100%	100%	84%	68%	51%
8	40%	100%	100%	85%	70%	55%
9	45%	100%	100%	86%	73%	59%
10	50%	100%	100%	88%	75%	63%

6. After calendar year 2008, all IAWP reductions will be measured against each member agency's maximum annual IAWP deliveries for the new calendar year.

**B. Opt-Out Provisions:**

1. IAWP participants will be able to opt-out of the program at the beginning of each new calendar year in the phase-out period.
2. Opt-out notifications received in a given calendar year will be effective beginning January 1 of the following calendar year.
3. Opting out of the program will remove a participant's obligation for further IAWP reductions, effective January 1 of the following calendar year. IAWP reduction requirements will continue to be enforced through the end of the calendar year in which the opt-out notification is received.
4. Once a participant chooses to opt-out, they will no longer be eligible for Metropolitan's IAWP discount. Opting out of the IAWP will allow a former participant to purchase water at Metropolitan's full-service water rates with the same reliability and Water Supply Allocation Plan provisions as other full-service deliveries.
5. An opt-out notification period for calendar year 2009 will be in effect for the three-month period immediately following Board approval of the opt-out provision. Assuming board approval on October 14, 2008, the opt-out notification deadline will be set at January 15, 2009. The opt-out notification deadline will be December 31 for all following years.
6. Opt-out notifications will come from Metropolitan's participating member agencies. Metropolitan will not accept opt-out notifications from individual landowners or subagencies.
7. Member agency opt-out notifications must include the following information:

- i. Total number of IAWP participants (accounts) that have chosen to opt-out of the IAWP, by retail subagency
- ii. Total number of IAWP participants (accounts) that have chosen to continue to participate in the IAWP, by retail subagency
- iii. Total acre-foot volume to be opted out of the IAWP, which will be subtracted from the member agency's maximum annual IAWP delivery
- iv. Revised reduction plan for the following calendar year

**C. Tier One Limit Provisions:**

Each member agency that participates in Metropolitan's IAWP has signed a 10-year purchase order in which the member agency agrees to purchase a minimum quantity of firm deliveries from Metropolitan over the 10-year period from 2003 through 2012. In consideration of these agreements, the member agencies received higher annual Tier 1 limits, which allow them to buy more water at Metropolitan's lower Tier 1 supply rate. These Tier 1 limits were established using data that excluded deliveries made under the discounted IAWP. Furthermore, IAWP purchases do not count toward satisfying a member agency's minimum firm deliveries under the purchase order. The period of data used to establish the Tier 1 limits was FY 1989/90 through FY 2001/02.

1. As the annual maximum IAWP delivery for a given member agency is reduced, that member agency's annual Tier 1 limit will be increased.
2. Once a participating member agency's annual maximum IAWP delivery becomes zero, their Tier 1 limit will be increased by including IAWP deliveries in the data used to establish the Tier 1 limits. Table 3 shows the current member agency Tier 1 limits and how those limits will be increased once the IAWP program is completely phased out.

**Table 3**

Agency	2008 IAWP Baseline (AF)	Current Tier 1 Annual Limit (AF)	Tier 1 Annual Limit Post-IAWP Phase-Out (AF)	Maximum Increase in Tier 1 Annual Limit (AF)
Anaheim	0	22,240	22,240	0
Calleguas MWD	7,156	103,801	110,248	6,448
Inland Empire UA	90	59,752	59,792	40
Eastern MWD	6,761	75,700	81,784	6,085
Fullerton	0	11,298	11,298	0
Las Virgenes	207	20,565	20,699	133
MWDOC	5,785	222,924	228,130	5,206
SDCWA	100,451	501,386	587,901	86,516
Three Valleys MWD	83	70,400	70,474	74
Torrance	0	20,967	20,967	0
West Basin MWD	0	156,874	156,874	0
Western MWD	32,347	58,769	85,110	26,341
<b>Total</b>	<b>152,880</b>	<b>1,324,676</b>	<b>1,455,517</b>	<b>130,843</b>

3. During the phase-out period participating member agencies may have their maximum annual IAWP delivery reduced due to opt-outs or penalties. In these situations, the member agency will receive an increase in their annual Tier 1 limit equivalent to their Maximum Increase in Tier 1 Annual Limit (shown in Table 3) multiplied by the percentage reduction from their 2008 IAWP reduction baseline. An example of this approach is shown in Table 4 using data for the San Diego County Water Authority:

**Table 4**

A. 2008 IAWP Baseline	100,451 AF
B. 2009 Opt-Outs and Penalty Reduction (for example purposes)	20,000 AF
C. New Maximum Annual IAWP Delivery (A - B)	80,451 AF
D. Reduction From 2008 IAWP Baseline (1 - (C / A))	20%
E. Maximum Increase in Tier 1 Annual Limit (from Table 3)	86,516 AF
F. Interim Increase in Tier 1 Annual Limit (D * E)	17,303 AF

4. Purchase order agreements will not be amended to adjust a member agency's minimum firm purchases based on the revisions to the IAWP.

**D. Water Supply Allocation Plan Provisions:**

Metropolitan’s Water Supply Allocation Plan (WSAP) uses a period of calendar year 2004 through 2006 to establish the baseline imported water needs for each member agency. Deliveries under the IAWP are treated separately from this baseline. WSAP baselines for each member agency participating in the IAWP will be adjusted as their maximum annual IAWP delivery is reduced through the opt-out provision or the phaseout of the IAWP.

1. As the IAWP phaseout progresses, member agency WSAP baselines will be adjusted to reflect the former IAWP deliveries that have shifted to full service deliveries due to opt-outs and overuse penalties.
2. The current period for establishing a baseline to allocate firm deliveries is calendar years 2004, 2005, and 2006. As long as this base period is in effect for WSAP purposes, member agencies will receive a credit to their WSAP baselines equivalent to the amount their maximum annual IAWP deliveries have been reduced below the 2008 IAWP baselines. Table 5 shows an example of how this approach could work for the San Diego County Water Authority:

**Table 5**

A. 2008 IAWP Baseline	100,451 AF
B. 2009 Opt-Outs and Penalty Reduction (for example purposes)	20,000 AF
C. New Maximum Annual IAWP Delivery (A - B)	80,451 AF
D. Credit to Water Supply Allocation Plan Baseline (B)	20,000 AF

3. In the future, the period for measuring the WSAP baseline may change from the current period in use (calendar years 2004, 2005, and 2006). In that circumstance, adjustments will be made to the baselines of member agencies that have participated in the IAWP accounting for two factors:
  - i. The amount of IAWP deliveries that were made in the new WSAP baseline period. If no deliveries were made in the new WSAP baseline period, then no adjustments will be made.
  - ii. If IAWP deliveries were made in the new WSAP baseline period, then adjustments will be made to reflect the reduction in the maximum annual IAWP delivery that has occurred since the new WSAP baseline period.

**E. Agricultural Water Use Reduction Contracts:**

Metropolitan staff will work with the member agencies and agricultural landowners to assess the feasibility of dry-year water use reduction contracts for agricultural water users. A template for the format of these contracts will be developed by the end of 2009. As an example, Metropolitan could develop contracts with certain landowners or lessees modeled after the agreements that are part of the Land Management Agreement with the Palo Verde Irrigation District. Under such a contract, Metropolitan could provide structured payments based on the amount of land and water used to irrigate in exchange for a grower agreeing to not irrigate contract lands for a period of time. During shortages, Metropolitan would call on those participating landowners or lessees to reduce water usage. The following are potential characteristics of an agricultural water use reduction contract:

1. A contract would be between Metropolitan, the member agency, and the grower.
2. The agricultural water user would agree to reduce water use for one year upon call from Metropolitan.
3. Metropolitan would only be able to make a limited number of reduction calls in a given period of time.
4. Metropolitan would agree to pay an up-front fee once the contract is signed. Metropolitan would pay an additional fee to the agricultural contractor if and when Metropolitan makes a reduction call. The contracts would also specify penalties for non-performance.
5. Metropolitan would standardize the per acre-foot payment terms across similar contracts with different agricultural contractors.

**F. Agricultural Conservation Incentives:**

Agricultural customers paying Metropolitan's full service rates will be eligible for incentives through a new conservation program focused on agricultural use. These incentives will also be available to IAWP participants that have submitted opt-out notifications. Metropolitan staff will work with the member agencies and the agricultural community to develop an agricultural conservation program to encourage the use of devices and activities that lead to greater water use efficiency in the agricultural sector. Staff will work to have an initial phase of new agricultural conservation incentives in place by June of 2009.