



Item No.

**INFORMATION ITEM**

January 4, 2021

**TO: Planning & Operations Committee**  
(Directors McVicker, Yoo Schneider, Dick)

**FROM: Robert Hunter, General Manager**

Staff Contact: Charles Busslinger

**SUBJECT: Approval of AMP Capacity Flow Exceedance Request – South Coast WD & the City of San Clemente**

**STAFF RECOMMENDATION**

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Staff recommends the Planning & Operations Committee receive and file this report.

**COMMITTEE RECOMMENDATION**

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Committee recommends (To be determined at Committee Meeting)

**SUMMARY**

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MWDOC has the obligation to enforce both the Allen McColloch Pipeline (AMP) Sales Agreement and the AMP Proceeds Agreement; these two separate agreements designated the terms and conditions for the transfer/sale of the AMP from the local agencies to MET in 1995.

One of the provisions of the Proceeds Agreement is for MWDOC and the AMP Participants to limit the capacity usage on the AMP by each participant to the capacity they held in the AMP at the time of transfer of the facility to MET.

On Dec 16, 2020, the Board delegated authority to the General Manager to make determinations concerning certain AMP capacity flow exceedance requests ('waivers') that meet the criteria indicated in the AMP Proceeds Agreement. Those conditions are for MWDOC to not consider peak flows resulting from:

- emergency situations,

<b>Budgeted (Y/N): N/A</b>	Budgeted amount:	Core __	Choice __
<b>Action item amount:</b>	Line item:		
<b>Fiscal Impact (explain if unbudgeted):</b>			

- inadvertent flow changes, or
- operational adjustments required by Metropolitan or other agencies

Requests which the General Manager determines do not meet this criteria will continue to be brought to the Board for consideration, but the agency will be notified that the request requires additional consideration, so the requesting agency can prepare accordingly.

MWDOC received a request from South Coast Water District and San Clemente on Dec 29, 2020 for a capacity flow exceedance request ('waiver') from January 27, 2021 - February 18, 2021 to coincide with the pending shutdown of the Joint Transmission Main (JTM) which is necessitated by the CM-10 Vault Rehabilitation Project.

## **DETAILED REPORT**

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MWDOC has the obligation to enforce both the Allen McColloch Pipeline (AMP) Sales Agreement and the AMP Proceeds Agreement; these two separate agreements designated the terms and conditions for the transfer/sale of the AMP from the local agencies to MET in 1995.

One of the provisions of the Proceeds Agreement (excerpt below) was for MWDOC and the AMP Participants to limit the capacity usage on the AMP by each participant to the capacity they held in the AMP at the time of transfer of the facility to MET.

One of the provisions of the Proceeds Agreement (excerpt below) was for MWDOC and the AMP Participants to limit the capacity usage on the AMP by each participant to the capacity they held in the AMP at the time of transfer of the facility to MET. Below are the capacities from Exhibit B of the AMP Proceeds Agreement, reorganized for agency consolidations that have occurred since that time.

<b>AMP Participant Agency</b>	<b>Reach D1</b>
YLWD	30.04
Anaheim	28.72
Orange	22.74
EOCWD	9.57
IRWD	70.67
MNWD	83.77
ETWD	26.33
SMWD	124.46
TCWD	4.01
San Juan Capistrano	4.91
San Clemente	6.87
SCWD	3.90
	<b>415.99</b>

Section 3.06 (starting on page 20 of the AMP Proceeds Agreement) explains the financial implications for exceeding peak day usage on the AMP, and includes a provision allowing MWDOC to **“not consider peak flows resulting from emergency situations.”**

**inadvertent flow changes or operational adjustments required by Metropolitan or other agencies” (see below).**

Since 1995, MWDOC has provided approximately 16 “waivers” for agencies who exceeded their peak AMP capacity or who might exceed their AMP capacity if a situation was known in advance. This has primarily occurred when local facilities were; out of operation due to an emergency, construction work impacting facilities, or due to planned shutdowns. Some waivers have been requested in advance and then were subsequently not needed.

MWDOC received a request from South Coast Water District and San Clemente on Dec 29, 2020 for a capacity flow exceedance request (‘waiver’) from January 27, 2021 - February 18, 2021 to coincide with the pending shutdown of the Joint Transmission Main (JTM) which is necessitated by the CM-10 Vault Rehabilitation Project.

The General Manager has determined this request meets the conditions specified in the AMP Proceeds Agreement to not consider peak flows from:

- operational adjustments required by Metropolitan or other agencies

and the waiver has been granted.

From the AMP Proceeds Agreement:

**section 3.06. Readjustment of Capacities.**

During the term of this Agreement and until such time as Metropolitan augments the capacity of the AMP in any manner, including, but not limited to, construction of the Diemer Pump Station or other capital facility, MWDOC shall monitor each

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Participant's and Leasing Agency's usage. At any time prior to augmentation of capacity in the AMP by Metropolitan, any Participant or Leasing Agency whose peak day flow exceeds its Adjusted Capacity, shall be required to pay for an additional full cubic foot per second (cfs) of capacity for the amount by which it exceeded its Adjusted Capacity rounded to the nearest cfs.

For purposes of determining whether a Participant or Leasing Agency has exceeded its capacity, MWDOC shall not consider peak flows resulting from emergency situations, inadvertent flow changes or operational adjustments required by Metropolitan or other agencies. The Peak Flow shall be defined as the most recent three-year moving average peak day flow in each reach of the AMP.

<b>Budgeted (Y/N):</b> N/A	<b>Budgeted amount:</b>	<b>Core</b> ___	<b>Choice</b> ___
<b>Action item amount:</b>	<b>Line item:</b>		
<b>Fiscal Impact (explain if unbudgeted):</b>			



## AMP FLOW WAIVER REQUEST DETERMINATION

December 30, 2020

**REQUESTING AGENCY:** South Coast WD & City of San Clemente

**AGENCY AMP CAPACITY OWNERSHIP** 10.77 cfs

**REQUESTED FLOW:** TBD cfs

**REQUESTED DATES OF WAIVER:** January 27, 2021 TO February 18, 2021

### WAIVER JUSTIFICATION:

EMERGENCY SITUATION

INADVERTENT FLOW CHANGE

OPERATIONAL ADJUSTMENT REQUIRED BY METROPOLITAN OR OTHER AGENCY

OTHER (TO BE REFERRED TO MWDOC BOARD FOR CONSIDERATION)

### EXPLANATION:

MWDOC received a request from South Coast Water District and San Clemente on Dec 29, 2020 for a capacity flow exceedance request ('waiver') from January 27, 2021 - February 18, 2021 to coincide with the pending shutdown of the Joint Transmission Main (JTM) which is necessitated by the CM-10 Vault Rehabilitation Project.

Prepared by: Chris Lingad

Approved

General Manager Signature  Date: December 30, 2020

Date of MWDOC Board notification: \_\_\_\_\_

P&O Committee information item date: 01/04/2021

Date AMP Participants notified: 12/30/2020