The Governance of Water in California: Regional, State & Federal Perspectives

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What is Governance?

- It’s **IMPORTANT!** Affects:
  - How the agency is FORMED
  - What the agency can DO
  - Who makes DECISIONS
    - No. Board members, election, compensation
  - How business is CONDUCTED
    - Bylaws/admin code, applicable laws, contract formation
  - How funds are RAISED
    - Taxes, fees, bonds, rates
  - How given authority can be CHANGED
Regional Agency Governance

Most established under state law

Generally wholesale service

- **Municipal Water Districts** – Water Code § 71000 et seq.
  - ~25, typically in urban areas
  - May acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water, including sewage and storm waters, for beneficial use + recreation, power generation, sewer services

- **Water Conservation Districts** – Water Code § 74000 et seq.
  - ~10, generally rural areas
  - May appropriate, acquire, and conserve water and water rights for any useful purpose + recreation
Regional Agency Governance

- **Water Storage Districts** – Water Code §39000 et seq.
  - ~8, generally rural areas
  - May acquire, improve, and operate the necessary works for the storage and distribution of water

- **County Flood Control Districts** – Water Code §8110 or special
  - Governed by county board of supervisors
  - May provide for the improvement and prevention of obstruction of rivers and streams
  - Also often undertake water conservation functions
Special Districts

- Also formed under State law, but each law unique
- Urban, ag, special purpose

  - **Metropolitan Water District of Southern California**
    - Supplemental water 19 million; 26 member agencies, 37 Board members, Colorado R. & SWP

  - **Kern County Water Agency**
    - Ag & urban, 7 Board members, SWP & groundwater

  - **San Diego County Water Authority**
    - 24 member agencies, 36 Board members, urban & ag
Special Districts

- Bay Area Water Supply and Conservation Agency
  - 24 member agencies+2 pvt utilities, 26 Board members, represents purchasers from Hetch Hetchy

- El Dorado County Water Agency
  - 5 Board members, rural and ag, water supply planning, facility construction

- Water Replenishment District of Southern California
  - 5 elected Board members, monitors groundwater in Central & West Basins (SoCal)

- San Gabriel Basin Water Quality Authority
  - 7 Board members, coordinates & implements groundwater cleanup
Joint Powers Authorities

- Forms a new, separate & independent public entity comprised of JPA members
- Governance as specified in JPA contract
- Requires:
  - Two or more public agencies (private if specially authorized)
  - Shared common power
  - Joint implementation of programs, constructed facilities, or delivered services
Joint Powers Authorities

- **Significant benefits**
  - Increase efficiency by reducing/eliminating service overlap
  - Share resources, achieve critical mass
  - Reduce costs

- **Tremendous flexibility**
  - Pick and choose projects
  - Easier to float bonds (no voter approval; local ordinance approval ok)
  - Select favorable administrative provisions
  - Change governance through JPA contract amendment
Joint Powers Authorities

- Santa Ana Watershed Project Authority – plans & builds facilities to protect SAWPA watershed, 5 member agencies
- Kern Water Bank Authority – administers Kern Water Bank, 6 member agencies
- Central Coast Water Authority – delivers, treats & distributes SWP water to Santa Barbara & San Luis Obispo county area, 8 agencies
Mutual Water Companies

- Subject to jurisdiction of the Cal. Public Utilities Comm.
- For profit, provide retail service
- Regional mutual water companies include:
  - California Water Service Company
  - California American Water Company
  - American States Water Company
Regional Water Quality Control Boards

- 9 regional boards, appeals to State Water Resources Control Board
- 7 Board members, appointed by Governor, confirmed by Senate
- Responsible for protection of water within the region for all beneficial uses
- Formulate & adopt water quality plans for specific ground or surface water bodies
- Prescribe & enforce requirements on domestic and industrial water discharges
- Jurisdiction over stormwater
California’s Water—Shaped by Geography

Major Features:
1. Coast Range Mountains
2. Great Central Valley
3. Sierra Nevada Mountains

Wet in North
Dry in South
California’s Water—Reliant on Rain/Snow

California’s Water Cycle:
Dry for 6 Months
Wet for 6 Months (or less)

# Days to Get $\frac{1}{2}$ Annual Rainfall
California Water Projects: A Timeline

- Hetch Hetchy System
  - San Francisco PUC
  - 1913 - Raker Act

- Los Angeles Aqueduct
  - Los Angeles DWP
  - 1913

- Mokelumne River Aqueduct
  - East Bay MUD
  - 1929

- Central Valley project
  - U.S. Bureau of Reclamation
  - 1940 (C.C. Canal first)

- Colorado River Aqueduct
  - MWD of So. Cal.
  - 1941

- State Water Project
  - California DWR
  - 1960 - Burns Porter Act
Who Controls the Water?

Federal Agencies

State Agencies

Local Agencies
## State Governance

<table>
<thead>
<tr>
<th>Who:</th>
<th>What:</th>
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<tbody>
<tr>
<td>1. Dept. of Water Resources</td>
<td>1. 29 dams, reservoirs, canals</td>
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<tr>
<td>2. Water Boards</td>
<td>2. Administer state water laws</td>
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<tr>
<td>3. Water Commission</td>
<td>3. Impose/enforce drought regulations</td>
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<td>5. Dept. of Fish and Wildlife</td>
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<td>6. Delta Conservancy, Council</td>
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*State Water Project Canal*
Federal Governance

Who:
1. US Bureau of Reclamation
2. US Army Corps of Engineers
3. US Env. Protection Agency
4. US Fish & Wildlife
5. NOAA--Fisheries

What:
1. 35 dams, reservoirs, canals
2. Administer Federal Clean Water Act
3. Protect species

Shasta Dam
Questions?

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