

WELL CONFERENCE 2015

The Governance of Water in California Regional Agencies

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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 (cont.)

- 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 (cont.)

- 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 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

- Formed by *contract*, under Joint Exercise of Powers Act, Gov. Code §6500 et seq.
- 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, one under special circumstances)
 - Shared common power
 - Joint implementation of programs, constructed facilities, or delivered services

Joint Powers Authorities (cont.)

- 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 (local ordinance approval)
 - Select favorable administrative provisions
 - Change governance through JPA contract amendment
- 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

TAKE-AWAY

- Many water entities in state
- Overlapping territories, authority
- Less water
- More regulatory requirements
- Do more with less



Cooperation + Collaboration = SUCCESS!!