

- **Board of Directors**  
**Water Planning, Quality and Resources Committee**

July 12, 2005 Board Meeting

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7-4

## **Subject**

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Authorize entering into an agreement to create the Colorado River Joint Powers Authority

## **Description**

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Metropolitan is a member, along with five other agencies, of a joint exercise of powers agreement that supports the Colorado River Association. In order to make the Colorado River Association more effective, board authorization is sought to execute a new joint powers agreement. The new agreement would change the current name of the JPA from Colorado River Association Six Agency Committee to Colorado River Joint Powers Authority and, more importantly, specify it as a separate governing entity, thereby, enhancing the ability of Metropolitan and other California Colorado River users to disseminate information regarding Colorado River resources to elected decision makers. This change would benefit Metropolitan with an improved means of protecting, preserving and enhancing its valuable rights in the Colorado River. Entering into the new agreement would not change Metropolitan's role or cost.

## **Background**

The Colorado River Association is a voluntary, unincorporated organization of prominent citizens of Southern California. Its primary activities are in public relations and education on Colorado River matters. On May 13, 1947, Metropolitan entered into a joint exercise of powers agreement with the Los Angeles Department of Water and Power, San Diego County Water Authority, Imperial Irrigation District, Palo Verde Irrigation District and Coachella Valley Water District to support the Colorado River Association. The Association advances the interests of the six agencies and the people of California in the waters of the Colorado River by conducting educational and informational campaigns.

The joint powers association of these six agencies under the 1947 agreement is known as the Colorado River Association Six Agency Committee. It approves a budget and funding for the Colorado River Association. **Attachment 1** is a schematic of the relationships between the Colorado River Board and pertinent support entities. It has funded fact-finding trips for congressional and state legislative members and staff, other Basin states' legislative members and water officials, and other key state and federal officials in support of activities of the Colorado River Board of California and its agencies.

Federal Congressional rules require members, officers or employees of the House of Representatives to disclose certain travel associated with fact-finding trips as a gift. Travel, however, provided by a federal, state or local government agency is exempted and need not be disclosed. The 1947 agreement did not specify that the joint powers association is a separate governmental entity, raising questions whether travel provided to the congressional representatives must be disclosed. Therefore, some members of Congress have been reluctant to participate in Colorado River inspection trips.

## **New Agreement**

A new agreement would create the Colorado River Joint Powers Authority, a separate governmental entity with the same structure and functions as the Colorado River Association Six Agency Committee, which would be concurrently terminated. This change would ensure trips provided to federal officials would be deemed as funded by a governmental entity. The new entity would enjoy the privileges and immunities of a governmental agency under California law. All of the other parties have approved this agreement.

**Policy**

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By Minute Item 11138, dated May 9, 1947, the Board authorized entering into the joint powers association agreement.

By Minute Item 40277, dated June 15, 1993, the Board authorized amending the agreement.

**California Environmental Quality Act (CEQA)**

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CEQA determination for Staff Recommendation:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not subject to CEQA because it involves other government fiscal activities, which do not involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment (Section 15378(b)(4) of the State CEQA Guidelines).

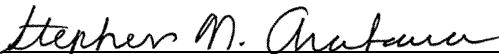
The CEQA determination is: Determine that the proposed action is not subject to the provisions of CEQA pursuant to Sections 15378(b)(2) and 15378(b)(4) of the State CEQA Guidelines.

**Staff Recommendation**


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Adopt the CEQA determination and authorize the Chief Executive Officer to enter into an agreement to create the Colorado River Joint Powers Authority.

**Fiscal Impact:** None

  
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Stephen N. Arakawa  
Manager, Water Resource Management

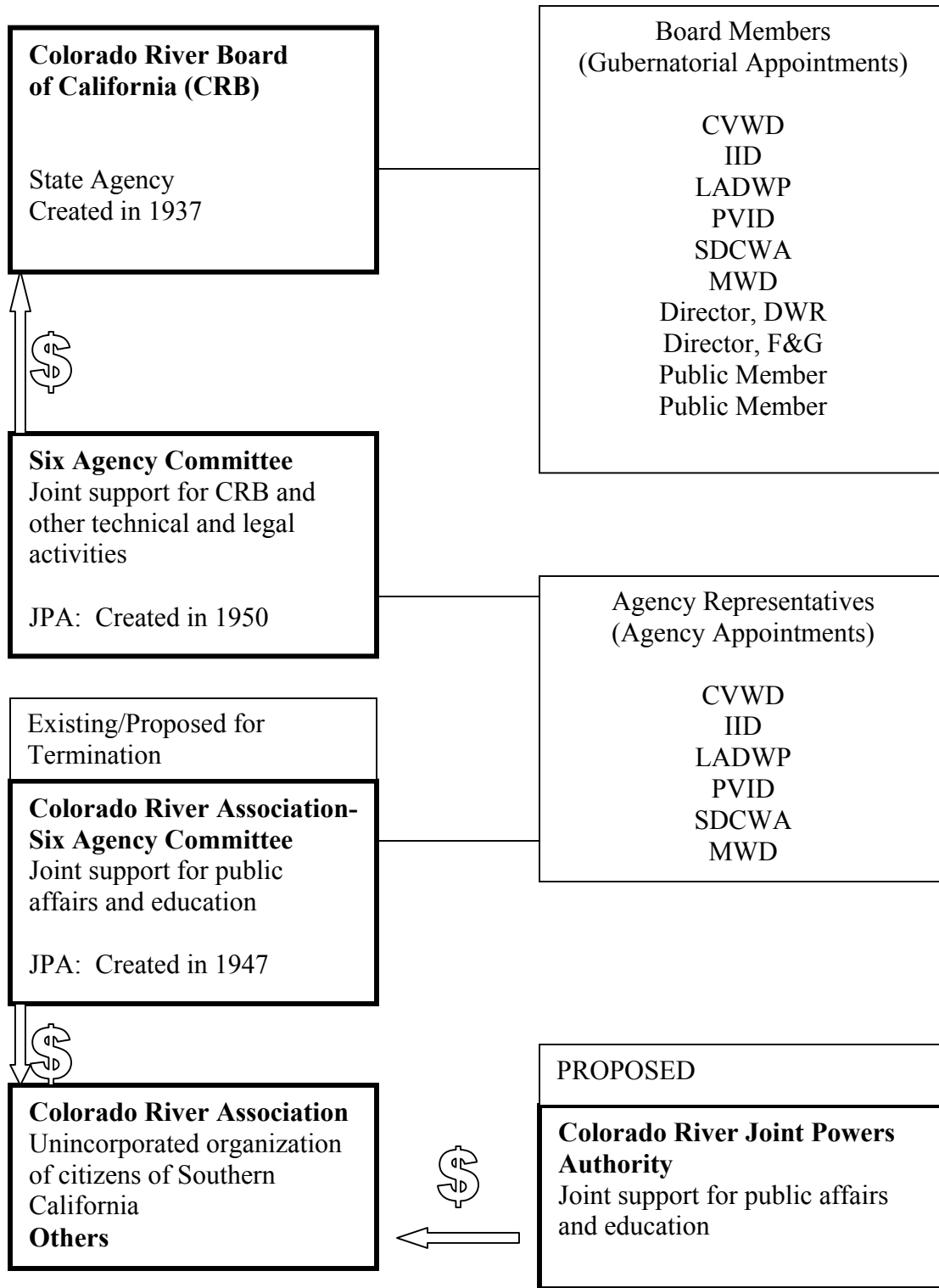
6/17/2005  
Date

  
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Dennis B. Underwood  
CEO/General Manager

6/21/2005  
Date

**Attachment 1 – Schematic of Relationships**

**SCHEMATIC OF RELATIONSHIPS**



- DWR – California Department of Water Resources
- F&G – California Department of Fish and Game
- CVWD – Coachella Valley Water District
- IID – Imperial Irrigation District
- LADWP – Los Angeles Department of Water and Power
- PVID – Palo Verde Irrigation District
- SDCWA – San Diego County Water Authority