



● **Board of Directors**
Water Planning and Stewardship Committee

6/14/2022 Board Meeting

7-14

Subject

By a two-thirds vote, authorize the General Manager to make payment of up to \$871,680 for support of the Colorado River Board and Six Agency Committee for fiscal year 2022/23; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

Staff is requesting authorization for the General Manager to make this year's annual payment for Metropolitan's continued participation in activities of the Colorado River Board (CRB) and Six Agency Committee. California established the CRB in 1937 to protect the interests and rights of the state of California with respect to the water and power resources of the Colorado River system. Metropolitan and five other members of the CRB (also known as the Six Agency Committee) make annual cost-sharing payments to the CRB to fund its operations, studies, and special projects. Typically, those six agencies also fund the Colorado River Joint Powers Authority (Authority), which advances California's interests in Colorado River water and power through educational and informational campaigns. The Authority will use funds carried over from prior assessments for activities in fiscal year (FY) 2022/23.

Details

Background

The Colorado River Board and Six Agency Committee

The CRB provides the official representation for California before the United States and the other Colorado River Basin states. The CRB engages in activities that protect the interests and rights of the state of California, and its agencies and citizens, in the water and power resources of the Colorado River system. Six California agencies entirely fund the CRB through the Six Agency Committee; no State funding occurs. Each agency has a seat on the CRB, which also includes two public members appointed by the Governor and representatives of the California Department of Water Resources and the California Department of Fish and Wildlife.

Under the cost-sharing arrangement, negotiated by the agencies comprising the Six Agency Committee, urban agencies pay half of the total costs, and agricultural agencies pay the other half. Metropolitan contributes 32 percent of the total costs; the remaining urban share is paid by the San Diego County Water Authority (10 percent) and the city of Los Angeles (8 percent). **Attachment 1** shows the cost-sharing percentages among the six agencies.

The six agencies jointly provide funds to support CRB functions, technical studies, special projects, and computer modeling. In FY 2021/22, the CRB and the Six Agency Committee played key roles in:

- Collaborating with the California agencies, states of Arizona and Nevada, and Reclamation on the development and finalization of the 500+ Plan, which is intended to incentivize additional conservation in 2022 and 2023 to boost the declining levels of Lake Mead.
- Continuing to provide California representation and coordination associated with the binational implementation of Minute No. 323 with Mexico.
- Representing California's interests in the ongoing implementation of the Lower Colorado River Multi-Species Conservation Program.

- Providing California representation in the implementation of the Colorado River Basin Drought Contingency Plans and binational water scarcity contingency plan.
- Supporting and cost-sharing funding of the Colorado River Basin Salinity Control Forum.

In FY 2022/23, the CRB and the Six Agency Committee anticipate continuing participation in the programs described above, plus the following key activities:

- Providing annual financial support to the U.S. Geological Survey to provide effective stream gaging stations in the Lower Colorado Basin.
- Continuing staff participation in programs and activities associated with Colorado River operations, including implementation of the 2007 Interim Guidelines and the basin-wide Drought Contingency Plans.
- Contributing funds to supplement weather modification activities in Colorado, Utah, and Wyoming.
- Participating in the ongoing implementation of the Glen Canyon Dam Adaptive Management Program and Lower Colorado River Multi-Species Conservation Program.
- Developing a process for effective participation related to the renegotiation of the Colorado River Interim Guidelines.

The total funding request for the CRB and Six Agency Committee is \$2,724,000. Metropolitan's proportionate share of the FY 2022/23 funding request is \$871,680. Metropolitan's FY 2022/23 board-adopted budget includes \$819,999 for the CRB and Six Agency Committee. Because the requested amount is greater than budgeted, the remaining \$51,681 needed to make the payment will come from unspent funds from other memberships and subscriptions.

Colorado River Joint Powers Authority

The six agencies also fund the Authority, which advances California's interests in the Colorado River Basin by conducting educational and informational campaigns for the CRB and others. Staff is not requesting funding for FY 2022/23 for the Authority because the Authority proposes to use \$81,000 in funds carried over from a prior assessment. In FY 2021/22, the Authority:

- Prepared for post-pandemic oral history interviews and evaluated options for making oral histories more accessible to stakeholders and the public.
- Completed publication of 500 copies of a book written by the late Kevin Kelley. This manuscript focused on the water resources development history of the Imperial Valley and lower Colorado River and is entitled "Where Water Is King".

In FY 2022/23, the Authority anticipates the following key activities:

- Continuing the collection of oral histories from a prioritized list of former leaders and stakeholders.
- Hosting meetings of California stakeholders and other Basin States as needed to discuss new operational guidelines for the Colorado River Basin.
- Providing a 3-4 day Fall 2022 tour of the Upper Basin for California stakeholders, likely to include visits to Paradox Valley, Lake Powell, Lee's Ferry, St. George, UT, and Lake Mead.

The following table compares the FY 2022/23 funding request with the FY 2021/22 request.

Fund	FY 2021/22	FY 2022/23 (est.)
Colorado River Board/Six Agency Committee	\$780,800	\$871,680
Colorado River Joint Powers Authority	\$0	\$0
Total	\$780,800	\$871,680

The increase for the CRB is attributable primarily to normal office and labor cost increases, and additional modeling and legislative support for upcoming negotiations of the Interim Guidelines.

Policy

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Metropolitan Water District Administrative Code Section 11102: Payment of Dues

Metropolitan Water District Administrative Code Section 11103: Participation in Projects or Programs Serving District Purposes

Metropolitan Water District Act Section 126: Dissemination of Information (subject to a two-thirds vote requirement)

By Minute Item 40277, dated June 15, 1993, the Board authorized amending the May 13, 1947, agreement to provide for appointment of alternate representatives on the Colorado River Association Six Agency Committee.

By Minute Item 46291, dated July 12, 2005, the Board authorized agreement to create the Colorado River Joint Powers Authority.

By Minute Item 46310, dated July 12, 2005, the Board approved the new funding arrangement for the Colorado River Board based on the proposed cost-sharing percentage.

By Minute Item 50166, dated June 9, 2015, the Board approved executing the Six Agency Committee agreement's amendment to extend the cost-sharing formula through June 30, 2020.

By Minute Item 52019, dated June 9, 2020, the Board approved executing the Six Agency Committee agreement's amendment to extend the cost-sharing formula through June 30, 2025.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA (Public Resources Code Section 21065, State CEQA Guidelines Section 15378) because the proposed action will not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because it involves continuing administrative activities such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not defined as a project under CEQA because it involves the creation of government funding mechanisms or 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).

CEQA determination for Option #2:

None required

Board Options

Option #1

By a two-thirds vote, authorize the General Manager to make payment of up to \$871,680 for support of the Colorado River Board and Six Agency Committee for FY 2022/23.

Fiscal Impact: Expend budgeted funds of up to \$871,680 from the FY 2022/23 budget. The adopted budget contains \$819,999 for this line item. The remaining \$51,681 needed to make the payment will come from unspent funds from other memberships and subscriptions.

Business Analysis: Provides continued representation of Metropolitan and California in Colorado River matters by the CRB and Six Agency Committee at present levels.

Option #2

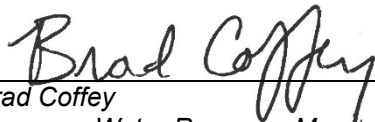
Do not authorize the General Manager to make payment of up to \$871,680 for support of the Colorado River Board and Six Agency Committee for FY 2022/23.

Fiscal Impact: Savings of up to \$871,680.

Business Analysis: Will not provide for continued representation of Metropolitan and California interests in Colorado River matters by the CRB and Six Agency Committee at present levels.

Staff Recommendation

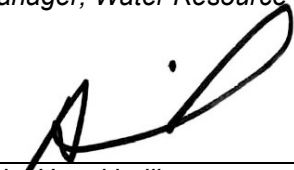
Option #1



Brad Coffey
Manager, Water Resource Management

6/8/2022

Date



Adel Hagekhalil
General Manager

6/8/2022

Date

Attachment 1 – Cost-Sharing Summary

Ref# wrm12690848

Cost-Sharing Summary

