



boards have local or regional jurisdiction, but these entities are not local agencies eligible to be or form a GSA.

Because Fresno State lacks the independent authority to become a GSA, a joint powers agency that includes Fresno State as a signatory member will also lack the authority to become a GSA. An agency created by a joint powers agreement holds only those powers that are common to its signatory members. This does not, however, foreclose Fresno State from participating in a GSA that has been formed by a joint powers agreement. Although it cannot be a member, Fresno State may participate in the governance of the GSA if the members agree to grant it a seat on the governing board. An example of a joint powers authority that includes non-member representatives on its governing board is the Sacramento Central Groundwater Authority, whose joint powers agreement is available here:

<http://www.scgah2o.org/documents/Sacramento%20Central%20JPA.pdf>.

This letter offers a non-binding, advisory opinion. It is not a declaratory decision and does not bind the State Water Board in any future determination.

Sincerely,



Erik Ekdahl  
Director  
Office of Research, Planning and Performance

cc: Mark Nordberg  
Department of Water Resources