

# DRIP Collaborative Recommendation

SB552 Update

## Part 0. Recommendation Declaration

To be submitted to the DRIP support team prior to commencing work on Part I.

### Recommendation Proposer

*DRIP Member name, member type (state/non-state) and any partners (DRIP members or external) in development of proposed recommendation.*

Justine Massey (NGO), Sierra Ryan (Santa Cruz County)

### Recommendation Idea

*Provide a brief (no more than 150 words) description of the idea for a recommendation.*

Senate Bill 552, passed in 2021, outlines the new requirements for small water suppliers, county governments, DWR, and the State Water Board to implement more proactive drought planning and be better prepared for future water shortage events or dry years. The DRIP Collaborative proposes minor adjustments to enhance the law's feasibility and implementation. The recommended amendments aim to streamline the legislation, promoting effective execution by state and local governments in line with the law's original purpose. Key revisions are recommended below.

### Focus Area

Drought Relevant Data    Drought Narrative    Drought Preparedness for Domestic Wells

### Intended Benefit to the Drought Risk Management Cycle (Please check all that apply)

- Mitigation, Preparation and Capacity
- Forecasting and Monitoring
- Response
- Recovery

## Part I: Recommendation Overview

### Recommendation Title

SB552 Update

### Description

*In one or two paragraphs, please provide a brief overview of the recommendation and how it addresses the Focus Area problem statement. Supporting documentation to include an overview of existing trends, the reasons for urgent action, and people currently impacted.*

Senate Bill 552, passed in 2021, outlines the new requirements for small water suppliers, county governments, DWR, and the State Water Board to implement more proactive drought planning and be better prepared for future water shortage events or dry years. The DRIP Collaborative proposes minor adjustments to enhance the law's feasibility and implementation. The recommended amendments aim to streamline the legislation, promoting effective execution by state and local governments in line with the law's original purpose. Key recommended revisions:

1. Mandate each county to adopt individual plans under an established timeline. Set forth a five-year plan update deadline, synchronize with relevant updates in local General Plan Safety Elements or Local Hazard Mitigation Plans.
2. Require counties to report task force status by specified deadlines, and maintain a website that shares this information with the public. Conduct enforcement if counties neglect to create a task force and submit plans by the specified deadline.
3. Ensure DWR review and compliance-dependent approval of plans, following a review approach akin to DWR's review for Urban Water Management Plans (UWMPs). The process to approve plans must also include a public comment period.
4. Revise the language which states "A county shall consider, at a minimum, all of the following in its plan" to "A county shall develop an outline for how each following element will be implemented within its jurisdiction."
5. Mandate DWR to submit a comprehensive implementation report to the legislature every five years, mirroring the approach for UWMPs and Agricultural Water Management Plans (AWMPs).
6. Include a directive for the State to appoint a staff member as point of contact for county task forces, ensuring active state agency involvement.
7. Commission a legislative study, involving counties and representative organizations, to assess existing plans and task forces and understand evolving county needs.
8. Add a requirement for public water systems to have insurance (counties can confirm/report on this). One potential vehicle is SB 1188, recently (March 2024) introduced by Senator Laird.
9. Set more realistic expectations/ guidelines for how often the County Drought Task Forces should meet and what specifically they are supposed to do— ie, potentially structure task forces to create annual updates.

- a. For example, in Santa Cruz the alternative path was more helpful than creating a new Task Force: they have a standing water commission and in order to comply pulled together an advisory group for SB 552 plan development. The standing water commission covers topics beyond just a narrow definition of “drought,” such as discussing water quality and hearing from GSA representatives regarding overdraft and implementation plans for demand management.
10. Clarify which components of drought resiliency are first-and-foremost the counties’ responsibility versus GSAs’, where the funding should come from to fulfill such responsibilities, and how GSAs and counties can coordinate on shared responsibilities.
11. Modify language outlining responsibilities of public water systems to limit when affordability can be used as a reason not to meet the requirements. This needs to be clarified and/or refined. At a minimum require an interim step to discuss a process with the SWRCB.
12. For available state funding to support domestic well drought assistance, create contracts (with GSAs or Counties) in advance of acute disasters so that urgent funding can be distributed when it is needed.

Related items:

13. Define the state’s role in emergency response—what is a domestic well emergency and at what point does CalOES join/lead the response?
14. Include language in well ordinance updates to limit new developments (housing or industry) in water-challenged areas.
15. Legislate that local water agencies may not have blanket language prohibiting consolidation with struggling wells and small water systems.

### Impacts

*What are the expected outcomes or benefits of this recommendation, and how will it specifically enhance drought resiliency in California?*

- Add clarity in expectations for county drought planning
- Enable county drought plans to benefit from meaningful feedback from DWR as part of review process
- Standardize the baseline of county drought preparedness
- Standardized plans can lead to greater equity if grant programs become available to help fund the implementation of aspects of the plans.

*What are the anticipated impacts or consequences of not adopting this recommendation?*

- Uncertainty such as the lack of a deadline for county drought plans
- Vastly different standards of drought preparedness per county
- Drought Resilience Plans will not be robust enough to serve as a tool to guide counties’ drought preparedness and response

### Implementing Parties and Partners

*Who would be the implementing agency or entity (potentially multiple)?*

- California Legislature is needed to make identified revisions and specifications in the SB 552 statute
- Department of Water Resources; DWR already provides financial and technical assistance support to counties when implementing SB 552. In the past, DWR has held workshops to assist counties to better understand their responsibilities in meeting SB 552 requirements.

*Which existing entities (e.g., departments or other agencies, private or nonprofit groups, community-based organizations) will the implementing agency or entity need to partner with for successful implementation of this recommendation?*

(See above)

*Describe the coordination required by federal, state, local and tribal governments to successfully implement this recommendation.*

The CA Legislature would ultimately make amendments to SB 552, informed by the DRIP's recommendations. DWR would remain the agency tasked with facilitating successful implementation of the law, and counties would create and implement their SB 552 Drought Plans. (Small system requirements would remain in place, but are not addressed as part of this recommendation.)

#### Alignment with Other Initiatives

*How does the recommendation align with and/or leverage existing state efforts, concurrent public or private initiatives?*

This recommendation aligns with the potential state actions needed to promote drought preparedness and response for communities which are identified within the Water Commission's "Potential State Strategies for Protecting Communities and Fish and Wildlife in the Event of Drought" (p. 19. Available at: [https://cwc.ca.gov/-/media/CWC-Website/Files/Documents/2024/01\\_January/Drought-Strategies-White-Paper\\_Final.pdf](https://cwc.ca.gov/-/media/CWC-Website/Files/Documents/2024/01_January/Drought-Strategies-White-Paper_Final.pdf)).

#### Implementation Time Frame

*Approximately how quickly could the proposed recommendation be implemented? Factor time needed to develop, design, permit, construct (if applicable). Select one timeframe:*

- Short term (1-2 yrs.)     Medium term (2-4 yrs.)     Long term (4-5+ yrs.)

## Part II: Implementation Considerations

### Necessary Steps & Measuring Success

*What are the key steps to adopt and implement action?*

*To help monitor progress and success, what thresholds and reporting can be identified to reflect successful implementation?*

### Potential Challenges

*What issues or challenges might arise during implementation (e.g. authority or need for additional authority, funding or revenue streams, public awareness and perception, technical, interagency coordination)? List these hurdles and offer a brief description of how to address/mitigate them.*

*Are there foreseeable potential negative consequences or unintended impacts associated with implementing this recommendation?*

### Funding

*What are the potential (estimated) costs to implement the recommendation? Is there both an implementation cost and ongoing costs? Briefly describe any assumptions behind the estimate.*

*What potential existing and/or future funding sources or mechanisms are available (e.g., grants, general fund, bond funds, rate payers, philanthropic foundations, etc.)? Does the recommendation require funding from the state and potentially matching funds?*

### Equity and Outreach

*How does this recommendation align with established agency equity policies and how might the recommendation address any specific equity or justice concerns, as defined by the DWR Racial Equity Vision, during its implementation?*

*What sort of outreach is necessary for the successful implementation of the recommendation? Describe the target audience and the methods of outreach needed (e.g., communication, technical or financial assistance, partnering assistance).*

## Appendix I

### Recommendation Process

#### 1. Identification

*Objective:* Identify initial recommendation ideas and a DRIP member lead.

*Lead Role:* Confirm availability and identify support needed from DRIP members and other entities. Provide initial information and details.

*Support Role:* Lead and document discussion based on existing focus area problem statements and DRIP member's shared understanding.

#### 2. Development

*Objective:* Build out the details of the recommendation using the provided template.

*Lead Role:* Build out recommendation, ensuring it aligns with broad problem statements. Identify required SME input. Attend at least one VM.

*Support Role:* Provide guidance, coordinate with SMEs, communicate with members, facilitate and document VMs.

#### 3. Review

*Objective:* Facilitate member feedback and public input. Gauge the level of support and identify concerns.

*Lead Role:* Present recommendation and engage in discussions to gather feedback.

*Support Role:* Facilitate and document discussion, including action items to address. Initiate straw poll and summarize action items to address in refinement.

#### 4. Refinement

*Objective:* Address concerns and build out implementation strategy.

*Lead Role:* Address concerns and action items to develop a complete recommendation for member determination.

*Support Role:* Provide guidance, coordinate with SMEs, communicate with members who voiced concerns, facilitate and document VMs.

#### 5. Determination

*Objective:* Final review. Conduct a formal poll to determine collective support, assigning appropriate designations.

*Lead Role:* Present the final recommendation and answer clarifying questions.

*Support Role:* Facilitate and document discussion. Initiate poll and determine designation.