

# HEBER PUBLIC UTILITY DISTRICT

## REPORT TO BOARD OF DIRECTORS

**MEETING DATE:** November 17, 2022

**FROM:** Laura Fischer, General Manager

**SUBJECT:** Adopt Resolution 2022-22 to approve the Heber Public Utility District Water Shortage Contingency Plan

**ISSUE:** Shall the Board Adopt Resolution 2022-22 to approve the Water Shortage Contingency Plan required by SB 552 Drought Planning for Small Water Suppliers and Rural Communities?

### **GENERAL MANAGER'S RECOMMENDATION:**

Adopt Resolution 2022-22 to approve the HPUD Water Shortage Contingency Plan.

### **FISCAL IMPACT:**

Not adopting the Water Shortage Contingency Plan will put the District at risk of violating SB 552 with possible penalties imposed.

Adopting the Water Shortage Contingency Plan may result in lower water sales if a drought occurs and the plan is effectively implemented.

### **BACKGROUND:**

In September 2021, Senate Bill 552 was signed by Governor Newsom and enacted into law. Under [Senate Bill 552 \(SB 552\)](#) State and local governments will share the responsibility in preparing and acting in the case of a water shortage event. These new requirements are expected to improve the ability of Californians to manage future droughts and help prevent catastrophic impacts on drinking water for communities vulnerable to impacts of climate change. The bill 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. SB 552 imposes new drought planning requirements on small water districts such as Heber Public Utility District. These requirements include:

Community water systems service 1,000-2,000 service connections and non-transient noncommunity water systems that are schools will:

- Develop and maintain an abridged Water Shortage Contingency Plan (WSCP) no later than July 1, 2023.
- Report annually specified water supply condition information to the State Water Resources Control Board (State Water Board)
- Implement certain resiliency measures outline in the legislation as early as January 1, 2023.

The State Water Board has held training on SB 552 requirements and has prepared a draft Water Shortage Plan that can be modified and used by the District.

**DISCUSSION:**

Heber Public Utility District, using the template provided by the State Water Board, has developed a Water Shortage Plan to help better prepare for droughts and water shortages. Being prepared helps reduce hardships and improves our community's water supply resiliency.

**CONCLUSION:**

After opening a Public Hearing, gathering comments and information from the public, staff recommends adopting the Water Shortage Contingency Plan via Resolution 2022-22.

Respectfully Submitted,

Laura Fischer, General Manager

Attachments:  
Resolution 2022-22

**RESOLUTION NO. 2022-22**

**A RESOLUTION OF THE HEBER PUBLIC UTILITY DISTRICT ADOPTING THE HEBER PUBLIC UTILITY DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN AS MANDATED BY SENATE BILL 552 SIGNED INTO LAW SEPTEMBER 2021**

**WHEREAS**, Senate Bill 552, which was signed by Governor Newsome and enacted into law on September 2021; and

**WHEREAS**, Senate Bill 552 includes new responsibilities and requirements at both the state and local levels to help small water suppliers and rural communities reduce their risk of inadequate water supply during a water shortage event; and

**WHEREAS**, Senate Bill 552 addresses gaps in local and state water management for drought resiliency and water shortage preparedness in recognition that, "No one should go without running water during a drought" (Water Code §10609.50, subd. (d).); and

**WHEREAS**, SB 552 requires small water suppliers to take action now to avoid emergency conditions during future drought and other water shortages that include capacity building, mitigation and other preparation actions, monitoring, forecasting, and reporting; and

**WHEREAS**, SB 552 requires water suppliers to adopt a Water Shortage Contingency Plan that creates procedures for the event of an expected or unforeseen emergency that can directly improve the ability to manage an emergency water shortage condition; and

**WHEREAS**, the Heber Public Utility District published the notice of a hearing on Water Shortage Contingency Plan; and

**WHEREAS**, the Heber Public Utility District Board of Directors, having heard the matter as scheduled or as postponed or duly continued; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Heber Public Utility District:

1. The District's Water Shortage Contingency Plan dated November 17, 2022 is hereby approved.

Passed and Adopted by the Board of Directors on this 17th day of November, 2022, by the following vote:

AYES:

NAYES:

ABSTAINED:

EXCUSED OR ABSENT:

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Kaine Garcia, President  
Board of Directors

ATTEST:

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Moises Cardenas, Clerk of the Board

APPROVE AS TO FORM:

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Steven M. Walker, General Counsel

STATE OF CALIFORNIA )  
COUNTY OF IMPERIAL )  
HEBER PUBLIC UTILITY )  
DISTRICT )

I, MOISES CARDENAS, Clerk of the Board of the Heber Public Utility District, County of Imperial, State of California, DO HEREBY CERTIFY that the foregoing resolution was dully passed, approved and adopted by the Board of Directors of the Heber Public Utility District at its regularly scheduled meeting held on the 17th day of November, 2022.

By \_\_\_\_\_  
Moises Cardenas, Clerk of the Board