



**General:** A common theme among meetings that we have attended regarding IRWM has been uncertainty about DWR's expectations for the IRWM program as it moves forward. IRWM groups are hesitant to update their plan because they don't understand what the guidelines will say. In addition, in some regions, NGOs, tribes, and community groups are uncertain of their role in these planning efforts under future guidance. For that reason, we think the most important thing that these guidelines can provide is clarity. We urge staff to be very precise in their demands, and to set specific and enforceable minimum. We've prepared draft standards and guidance (attached) for disadvantaged community engagement, stakeholder involvement, climate change, and integration.

We also urge staff, in setting minimum standards, to encourage IRWM groups to exceed the minimum requirements by providing incentives – for example, allot additional planning funds - for proposals that exceed minimum standards for involving stakeholders.

**Planning Funding:** It has been proposed that portions of each hydrologic region's allocation will comprise the planning funds issued from P84. We recommend that the Department initiate further discussion to determine precisely how regional pots will contribute to this planning fund. The regional pot contribution should be sized according to the need for planning dollars in that hydrologic region. This calculation should also consider the size of the region and the number IRWM plans who are in the earliest stages of planning.

**Implementation Funding:** Currently, funding regions include "blank spots," which are not covered by the existing IRWM plans in that region. Many of these areas are at the early stages of IRWM efforts and will not be prepared to apply to the first round of 84 funding. To ensure all the water-related needs are across the regions, DWR should plan the expenditure of the Proposition 84 money to allow for a second round of funding with available funds reserved for application from these newly formed IRWM entities.

**Eligibility Requirements for Fiscal Sponsorship:** The eligibility requirements for Prop 50 allowed for Non-profit applicants to apply for IRWM Planning and Implementation funding as long as they are working with a Regional Management Group. We would like Prop 84 to continue to keep the application eligibility open to non-profit organizations and resource conservation. In some cases, non-profits, tribal governments, disadvantaged communities, and resource conservation districts are most able and appropriate to act as the fiscal sponsor for an IRWM Planning or Implementation grant as long as they are working with a broad stakeholder group that includes the entities who do have statutory authority over water and land use management.

**Regional Definition:** The draft criteria made available at the May workshops are good. We agree that the definition of a region is related to the governance of an IRWM plan. We would add the following key criteria:

- A logical basis for drawing regional boundaries, such as watershed limits. (In other words, an assurance that boundaries have not been drawn to exclude specific communities or water issues that are the responsibility of those groups engaging in the IRWM);
- Identification of agencies with decision-making authority over water, including those representing disadvantaged communities and resources agencies with land use or water authority in the region. Include a proposal for engaging these entities in the decision-making, planning, and project prioritization process;
- A proposal for identifying and engaging non-governmental stakeholders, disadvantaged communities, and tribes in the decision-making process, planning, and project prioritization,

When existing plans are being considered, additional requirements should include a more complete review of the governance structure, including

- Who makes decisions and by what process
- How the plan is being implemented in the absence of state funding;
- Whether and how the plan is being updated in the absence of state funding;
- How both water agencies, nongovernmental stakeholders, Counties/Cities, tribal governments, and resource agencies are included in plan amendment and implementation;
- How communication between decision-makers and stakeholders is maintained.

## Climate Change

**Standard:** IRWM plans, under Proposition 84, are required to fully integrate climate change. Additionally, both the Department of Water Resources and the state’s water agencies are required to implement AB 32 greenhouse gas reduction actions. As logical forums for staging regional responses to these two mandates, IRWM plans should include consideration of how climate change may affect the regional water resources and how the region’s water use affects greenhouse gas emissions and climate change, by:

1. Prioritizing projects, for funding, which employ water management strategies to reduce regional water-use, including through the reduction of water-loss in disadvantaged communities.
2. Identifying regional impacts of climate change as made available by existing science and resources from the Department, including resource management strategies that can reduce, mitigate and address those impacts;
3. Identifying opportunities to meet AB 32 greenhouse gas reduction goals; develop programs to monitor and quantify achievements;
4. Promoting regional implementation of Urban Water Conservation Best Management Practices contained in the MOU of the California Urban Water Conservation Council (CUWCC);
5. Including the production of renewable energy as a resource management strategy;
6. Outlining existing and forecasted a region-wide conservation plan – to comply with Governor’s Executive Order for the statewide reduction in water use by 20% per capita by 2020.

**Guidance:** Long-term water planning, as captured by the 20-year planning horizon of IRWM, is imperative to formulating a regional response the water-related impacts of climate change. Climate change predictions still contain a small degree of uncertainty, but the Department has forecasted that a 50% reduction in the Sierran snowpack due to sublimation and other factors that will undoubtedly threaten the reliability of our surface water resources.

“Climate-resilient” supplies will increase the independence of regional water systems and heighten the reliability of water service for both agricultural and urban users. For these reasons, the Department should require that IRWM plans prioritize water supply projects that invest in the planning, development, and augmentation of such water supply alternatives. Water supply options can generally be characterized as “climate-resilient” if: they aren’t derived directly from mountain snowpack, both the source and point-of-use of the supply are localized, they don’t further degrade the region’s water ecosystems, and they require low to zero energy generation.

“Climate-Resilient” water supply options are:

1. Stormwater capture,
2. Greywater systems,
3. Recycled water programs and facilities,
4. Agricultural and urban (indoor and outdoor) conservation and water-use efficiency enhancement programs,
5. Groundwater remediation programs, treatment facilities, and basin restoration projects.

6. Infrastructure rehabilitation resulting in reduced water loss due to leaking pipes or reduced need to flush pipe systems.

## Disadvantaged Communities

**Standard:** At a minimum, plans must identify the location and conditions of disadvantaged communities in the region and make a reasonable effort to contact them, invite, and support their participation with the goal of integrating DAC and EJ community needs fully into the IRWMP and in subsequent implementation grants.

Specifically, the plan should identify all water related threats to public health in the region, including lack of access to safe drinking water, failing septic and wastewater systems, etc. These issues should be identified and documented in the plan, and projects identified to address the most serious public health threats to disadvantaged communities in the region should be developed and included in the plan.

In addition, the planning process should include a thorough analysis of the potential for targeted benefits to DACs through basic alterations of existing project proposals and a thorough analysis of the potential negative impacts associated with non-DAC project proposals. This analysis is especially critical when constructing an implementation grant.

To ensure that IRWM groups have the necessary resources to address the DAC standard the planning and on-going governance of the IRWMP must include adequate technical assistance. Thus, the IRWMP group, in consultation with local NGOs working with DACs in the region, should offer technical assistance to these communities to facilitate their involvement. The Department shall award technical assistance grants for the following purposes:

- Enable participation of community representatives in the planning and implementation process;
- Assist communities in the development of projects for inclusion in the Plan;
- Assist communities in project implementation.

**Guidance:** Including environmental justice (EJ) and Disadvantaged Community (DAC) members will strengthen the IRWMP and make it more reflective of the array of needs in the region. Integrating DAC and EJ community needs into the IRWM has the added benefit of improving community relations between water agencies and DACs in their service area and the potential to improve service provision.

Identification of the DAC and EJ communities can be done in a number of ways. Specific census tract data for communities that meet the state definition is a good first step. In rural regions where census tracts cover much larger areas, this information is often insufficient, so community surveys are often used to pinpoint small disadvantaged communities. In many areas, local universities, county health departments and NGOs maintain data identifying disadvantaged communities based on additional factors such as proximity to polluting industries, air quality, health indicators and other socio-economic indicators such as mother's highest level of education achieved. Partnering with a local entity that already maintains this information would be a good way to identify communities and potential stakeholders. For instance, in the San Francisco Bay Area, the Bay Area Environmental Health Collaborative has completed an extensive mapping project of environmental stressors and their link to poor communities and communities of color,

yielding maps that also closely correlate to the location of wastewater treatment plants and flood plains.

It is important to understand that water issues are seldom the only or even the priority issue in an EJ or DAC community. Rather, it is one of several stressors that affect their environment. Once information about water issues is superimposed on existing maps with other environmental or social stressors, priorities surface very quickly. An IRWM group's efforts to connect water issues with the priority issues in a community may help to engage the DAC more meaningfully in the IRWM process.

To ensure that DAC and EJ input and feedback is integrated into the entire planning and implementation process, it is essential to include these communities in the process. However, it is often difficult for these communities to participate on the same terms as agency staff - community members may be volunteers, or may be part of an NGO that has no funding to work on this issue. And because there are so many pressing issues in these communities, water issues may only rise to a level of concern if there is a crisis. To engage EJ and DAC communities, IRWM plan proponents should consider funding their participation, and also consider a process that allows communities to participate at a sustainable level. That could include the following;

- A survey or other form of direct inquiry to DAC and EJ communities in the region to solicit their direct feedback about existing problems and potential solutions;
- Maintaining communications and feedback through an existing community forum or group (church, school, public safety, NGO, etc.);

Once communities and representatives have been identified, it is important for EJ and DAC community concerns and priorities to be integrated into the plan. There are two forms of integration; first, the inclusion of community priorities and associated projects into the plan, and second a review of all projects for their potential to impact these communities. For the first, there are two types of projects:

1. Public health and safety. These projects, such as the provision of safe drinking water and sufficient wastewater facilities, should always have first priority.
2. Community generated projects. These projects are those identified by communities as a priority. They could include mitigation of existing water-related pollution sources, public education programs, or development of community open space.

In reviewing existing projects, the following should be considered;

1. Projects that have the potential to negatively impact DAC or EJ communities; this could include expansion of existing facilities or the siting of new plants in DAC or EJ communities, or upstream flood control projects that have the potential to increase flow in downstream communities.
2. Projects that have the potential to directly benefit DAC or EJ communities; these would be projects that were developed without DAC or EJ input, but that could be amended to have a beneficial effect. This could include watershed restoration projects that could be extended downstream to a DAC or EJ community; pipeline or right-of-way projects that could add local open space and habitat; conservation programs that can be amended to include direct install programs specifically targeted to DAC and

EJ neighborhoods and structured so that DAC/EJ community members receive a grant and not a rebate which tend to make these programs inaccessible to cash-strapped DAC community members.

Technical assistance is the key to successfully working with DACs in the IRWMP environment. The process is sufficiently complex and requires knowledge and resources that make it difficult and unappealing to DACs, especially when they discover that real project funding for their communities is, best case scenario, years away. In addition, technical assistance can provide an opportunity to build capacity in these communities to be stronger partners with their water agencies in protecting water quality and conserving water.

## Stakeholder Engagement

**Standard:** The Department considers stakeholder engagement a critical component of successful IRWM planning and decision-making, and will expect stakeholder involvement to be a discrete item in any planning grants application.

Any IRWM effort must include a public process that provides outreach and an opportunity to participate in decision-making, governance, plan development, and implementation to appropriate local agencies and stakeholders, as applicable to the region, including the following:

- (1) Wholesale and retail water purveyors, including a local agency, mutual water company, or a water corporation as defined in Section 241 of the Public Utilities Code.
- (2) Wastewater agencies.
- (3) Flood control agencies.
- (4) Municipal and county governments and special districts.
- (5) Electrical corporation, as defined in Section 218 of the Public Utilities Code.
- (6) Native American tribes that have lands within the region.
- (7) Self-supplied water users, including agricultural, industrial, residential, park districts, school districts, colleges and universities, and others.
- (8) Environmental stewardship organizations, including watershed groups, fishing groups, land conservancies, and environmental groups.
- (9) Community organizations, including landowner organizations, taxpayer groups, and recreational interests.
- (10) Industry organizations representing agriculture, developers, and other industries appropriate to the region.
- (11) State, federal, and regional agencies or universities with specific responsibilities or knowledge within the region.
- (12) Disadvantaged community members and representatives, including environmental justice organizations, neighborhood councils, and social justice organizations.
- (13) Any other interested groups appropriate to the region.

The IRWMP shall develop, through a collaborative process, document, and make public both of the following:

- (1) The process by which decisions are made in consultation with the persons identified in subdivision (c).
- (2) Demonstrate how a balance of interested persons representing different sectors and interests listed in subdivision (c) have been or will be engaged in the process described in paragraph (1), regardless of their ability to contribute financially to the plan.

### **Guidance:**

#### 1. Broad Stakeholder Involvement in Governance and Decision-Making:

The IRWM Group should specifically identify stakeholders in the categories below, and ensure that they are represented in the IRWMP governance structure. Participation on the governance structure should not be a “pay to play” arrangement but rather, focus on representing the broad interests across the region in order to strive for the highest level of integration. DWR should

provide incentives for broad stakeholder governance through its guidelines and its scoring criteria.

Broad stakeholder involvement on IRWMP governance should include the appropriate entities from the general categories below:

- Water agencies, sanitation districts, irrigation districts, and hydropower utilities
- Private water systems, small agencies, water rights associations, and small irrigation districts that lack the resources to participate. Involvement of these agencies is important as their lack of resources can also mean that they have water challenges that impact public health and safety.
- Government and public agencies who deal with water management, land use management or recreation. This could be planning, land use, public works agencies at the county or municipal level or resource conservation districts. Some of these agencies often have limited background in water issues, so may require additional education to understand the importance of IRWM efforts and its linkages to their efforts. State and Federal Resource agencies often have instream flow requirements, management plans, regulations and projects that make them necessary to involve in IRWMPs.
- Elected officials at the municipal or county level. While they may not have direct influence on water decisions, their participation is critical to ensure widespread acceptance and integration of IRWM priorities.
- Watershed groups and other NGOs. These groups typically have in-depth knowledge of a specific area or issue with regards to water and land use in the geographic region.
- Disadvantaged or EJ communities (see separate guidance). These communities often face water challenges that they have neither the resources nor expertise to address.
- Tribes – both federally recognized and unrecognized tribes have water rights, land management authority, significant knowledge of the region’s water systems

## 2. Stakeholder Engagement:

The IRWMP should develop additional strategies for soliciting and integrating stakeholder input. Stakeholder involvement in IRWMP group should facilitate the integration of multiple viewpoints into plan development. Broad stakeholder involvement is a sign of integration in an IRWMP (see separate guidance on Integration); has the potential to increase public support for water-related programs; and identify controversial issues early in the development process.

Beyond involving a range of stakeholders with different interests in the governance structure of the IRWMP, further stakeholder engagement and outreach is necessary. This is particularly true for engaging the general public and not just special interest groups. In some cases, the public may be a specific target of a plan, for instance in plans that prioritize development of recycled water supply.

The mechanisms for engagement with stakeholders will vary. For many of these groups, the typical public meeting, with a presentation followed by questions, is not the best tool. Alternatives could include one-on-one meetings, presentations for elected officials at public meetings, or inclusion of IRWM issues in local meetings. For many groups, participation at the

regional level is not feasible, so the IRWM group should consider local outreach where appropriate.

In preparing a planning grant, DWR should provide IRWM groups with funding in order to provide stipends to allow specific groups to participate in order; this will help ensure a broad and balanced planning group. NGOs, EJ and DAC groups in particular find it difficult to fund participation in planning processes.

For the general public, outreach could include;

- Making information on the plan, projects and meetings publicly available via website, newsletters, or press releases.
- Publicly noticing governance meetings, both electronically and in local media outlets, as well as outlets targeted to environmental justice communities in the region
- Making information, including meeting agendas and minutes, as well as planning documents, available via a website
- Holding workshops or presenting at other public meetings.
- Presentations to public officials at noticed meetings.

## Integration

**Standard:** In terms of IRWMPs, “integration” refers to both the decision-makers, project proponents, strategy and objectives, project portfolio, and geographic scope of an IRWM planning process.

At minimum:

1. The regional IRWM group must have an outreach plan for a broad range of water resource stakeholders.
2. The IRWM must have a governing body that represents a broad range of water resource stakeholders in the region
3. IRWM plan objectives reflect a collaborative approach to identifying and solving the regions water-related challenges
4. The plan and a substantial number of the highest ranked projects must be authored by a collaborative effort representing multiple water resource interests (ie. water agencies and conservation groups).
5. The plan and a substantial number of the highest ranked projects must be replicable across the region or demonstrate benefits to the entire geographic region in some other way ie. fiscally benefiting multiple sectors across the region; multiple same issue projects replicated across the region; a program that benefits the entire region.

**Guidance:** The goal of “integration” is for a broad stakeholder group representing the water resources interests in the region to design a plan and accompanying projects that most effectively and collaboratively address the multiple the water resource issues across the geographic scope.

Integration does not mean that every project must be regional. Rather the first role of integration is to ensure that the plan is being developed, reviewed and adopted by a diverse stakeholder group that includes all sectors of water management, including nongovernmental organizations and representatives of disadvantaged communities.

Having different viewpoints at the table during a plan’s development allows a full spectrum of water issues to be discussed and increases the potential for organic integration – and for widespread acceptance of the plan and projects. That integration can take the form of objectives that benefit multiple water sectors, such restoration of a waterway that provides habitat, subsistence fishing opportunities, drinking water supplies and flood control potential. Integration should also be based on projects of regional significance, such as regional water supply reliability, flood control projects, and pilot or demonstration projects that can have widespread application.

Integration of the project portfolio means that projects demonstrate collaboration across sectors so that fiscal beneficiaries and project proponents represent multiple sectors; are multibenefit, meeting water supply, quality, environmental, land use, and recreation objectives; and provide benefits across the geographic scope of the region or at least are replicable and valuable across the region.

Another form of integration is the link of upstream and downstream in terms of the natural watershed or the engineered supply and delivery areas. This type of integration (which could be interregional, as well) should again reflect a collaboration of interests that will generate interregional solutions that fiscally benefit multiple water resources interests across the coordinating regions.