



2023 KEY FEDERAL WATER ISSUES

ABOUT ACWA

ACWA was formed in 1910 when five irrigation districts came together to address common needs. First known as the Irrigation Districts Association, members voted in 1973 to rename the organization the Association of California Water Agencies (ACWA) to better reflect its changing role in California water.

Today, ACWA is the largest statewide coalition of public water agencies in the country. A leader on California water issues and a respected voice for its members in both Sacramento and Washington, D.C. ACWA has been a driving force in California water policy for more than a century and continues to help shape the laws and regulations that affect the State's water agencies and their customers.

ACWA's more than 460 public agency members are responsible for 90 percent of the water delivered to communities, farms and businesses in California. Together, they play an active role in managing the State's water resources and promoting investments in safe drinking water, water use efficiency, water recycling, surface and groundwater storage and other strategies to meet California's water needs.

ACWA's mission is to provide comprehensive leadership, advocacy and resources for California public water agencies to ensure a high quality and reliable water supply in an environmentally sustainable and fiscally responsible manner.

WATER MANAGEMENT

Infrastructure Legislation Implementation

- On November 15, 2021, President Joe Biden signed a bipartisan infrastructure package, the Infrastructure Investment and Jobs Act (IIJA) (P.L. 117-58), into law. The \$1.2 trillion package features \$8.3 billion for Western water infrastructure, \$3.3 billion for wildfire mitigation, \$2.1 billion for ecosystem restoration, and \$55 billion for drinking and clean water investments.
- IIJA implementation is now in its second year. As of early January 2023, the Bureau of Reclamation (Reclamation) has funded 248 specific projects with IIJA funding; the Environmental Protection Agency (EPA) has awarded \$5.5 billion in funding. ACWA is advocating that federal agencies expedite their funding distributions.
- ACWA strongly supports IIJA funding and continued implementation of the law. Protecting this generational funding provided by the 117th Congress is vital to ensuring the future of California water supplies through investment in water infrastructure.
- The White House Office of Management and Budget (OMB) released guidance for the Buy America provisions within the IIJA on April 18, 2022. ACWA worked closely with a coalition of national water associations that sought flexibility in federal agency implementation of the Buy America provisions. ACWA is continuing to advocate for waivers and other implementation assistance with Buy America.

Water Use Efficiency

- Despite the historic IIJA investments underway, with the expiration of the Water Infrastructure Improvements for the Nation (WIIN) Act and the ravages of drought, ACWA encourages Congress to make additional important appropriations to drought resiliency and water use efficiency. ACWA appreciates continued support from Congress to provide robust water use efficiency opportunities.
- ACWA continues to engage with the State on its implementation of Making Water Conservation A California Way of Life to ensure that urban retail water suppliers' water use efficiency objectives and water use efficiency standards will be feasible and cost-effective.



Photo courtesy of Placer County Water Agency.

Headwaters Management

- ACWA appreciates the funding provided through the IIJA and the Inflation Reduction Act (IRA) (P.L. 117-169) to improve forest management, fight fires, and implement fire prevention programs. However, continued investments are necessary to increase the pace and scale of vital forest management projects. ACWA looks forward to collaborating on these issues in the 2023 Farm Bill process.
- ACWA recommends expanding funding for U.S. Forest Service restoration activities within the Pacific Southwest Region. Eligible categories should include: biomass management and removal; long-term monitoring of post-fire recovery efforts; landscape-scale adaptive research programs; decommissioning or improved maintenance of roads; wildfire prevention activities such as forest thinning and watershed restoration; and overall water resources monitoring.

Bay-Delta Voluntary Agreements

- ACWA supports Voluntary Agreements (VAs) as the preferred alternative to the State Water Resources Control Board (State Water Board) update to the San Francisco Bay/ Sacramento-San Joaquin Delta Estuary Water Quality Control Plan (Bay-Delta Plan). As needed, ACWA will support appropriate levels of state and federal funding to implement the VAs.

Waters of the United States

- On January 18, 2023, EPA and the Army Corps of Engineers (Corps) published a final rule revising the definition of "waters of the United States" (WOTUS). A second forthcoming rulemaking is expected to further refine and build upon that regulatory foundation. ACWA continues to advocate for a functional regulatory framework for our members.

WATER SUPPLY

Bureau of Reclamation and United States Geological Survey Budgets

- For Fiscal Year 2024 (FY '24), ACWA requests that the Bureau of Reclamation's (Reclamation's) budget include \$150 million for storage, \$35 million for CALFED, \$100 million for WaterSmart grants, \$30 million for desalination, and at least \$100 million per year for the Title XVI water recycling program and the water recycling competitive grant program created in WIIN section 4009(c).
- Reclamation's Safety of Dams program evaluates and implements corrective actions to address dam safety concerns. ACWA requests \$300 million for Reclamation's Dam Safety Program.
- ACWA urges Congress to provide at least \$30 million to the United States Geological Survey (USGS) for federal priority streamgages in FY '24 and \$33 million for streamgage support within the cooperative matching fund program. These gages provide valuable information to help manage our nation's water resources.

Water Storage

- Additional above- and below-ground water storage projects are essential to helping California achieve the coequal goals of improving water supply reliability and enhancing ecosystem health.

- ACWA supports including funding for stormwater infrastructure and capture projects to help to capitalize on runoff from atmospheric rivers and alleviate the ongoing effects of drought.

Water Recycling and Desalination

- ACWA embraces water recycling and believes it is a significant component of Reclamation's mission. ACWA requests \$100 million in FY '24 for the Title XVI water recycling program and the water recycling competitive grant program created in WIIN section 4009(c).
- ACWA sees desalination as one of many strategies that can play a role in boosting California's water supply reliability. ACWA requests \$30 million for desalination in FY '24.

Colorado River Update

- As the Colorado River drought continues, ACWA supports further collaboration between impacted states, tribes, and Mexico and continued funding for the various Colorado River salinity control programs.
- ACWA also supports California water agencies in their plan to reduce Colorado River water usage. California has and will continue to lead the way in reducing reliance on Colorado River supplies.



Photo courtesy of California Department of Water Resources

WATER INFRASTRUCTURE

Financing Water Infrastructure

- ACWA supports EPA's State Revolving Fund (SRF) programs for drinking water and clean water projects and requests that Congress provide at least \$5 billion for these low interest loan and grant programs in FY '24.
- ACWA supports EPA's Water Infrastructure Finance and Innovation Act (WIFIA) program and encourages Congress to provide \$100 million for this program in FY '24. WIFIA complements the SRF program by providing low interest loans for large water infrastructure projects.
- No single solution can address the full range of water and wastewater infrastructure challenges. ACWA recommends that a variety of financing tools be made available for these projects.

Water Resources Development Act Implementation

- ACWA applauds Congress' success in returning to a two-year authorization schedule for the Water Resources Development Act (WRDA) bills and appreciates the opportunity to work with Congress and the Corps as WRDA 2022 (P.L. 117-263) is implemented.

Forecast-Informed Reservoir Operations Implementation

- ACWA strongly supports and appreciates the Corps' work on Forecast-Informed Reservoir Operations (FIRO) and applauds the National Oceanic and Atmospheric Administration (NOAA) and other federal agencies for continued improvements in forecasting and modeling.
- The recent successive atmospheric rivers demonstrate the impact these storms have on California's water supply. ACWA encourages Congress to include additional appropriations for the FIRO program and weather forecasting.

Drinking Water Contaminants

- ACWA supports the development of drinking water standards that are health-protective and technically and economically feasible with available technology. ACWA supports EPA's efforts to set a national drinking water standard for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS).

- ACWA appreciates Congress providing funding in the IIJA to help address PFAS contamination nationwide. To help water agencies implement new regulations, Congress should continue to provide robust funding for EPA's Drinking Water SRF and assistance to impacted public water systems to address PFAS. On February 13, 2023, EPA announced the allocation of \$2 billion for small and disadvantaged communities to address emerging contaminants in drinking water systems including PFAS.
- ACWA strongly supports the "polluter pays" model within the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), which holds entities financially responsible for the cleanup of contaminated sites they created. Potential liability for public water and wastewater agencies from a proposed CERCLA designation for certain PFAS and the associated costs are a serious concern for ACWA member agencies that did not cause the contamination. ACWA urges Congress to create a narrowly tailored exemption for water and wastewater agencies from liability under CERCLA if PFAS chemicals are designated as hazardous substances.

Climate Resiliency

- ACWA supports EPA's WaterSense program and appreciates Congress' continued funding of the program. Additionally, ACWA encourages Congress to provide tax parity for water and energy efficiency programs.
- ACWA is working to support a high quality and reliable water supply in a changing climate. Preparing for extreme climate change events will require significant additional state and federal funding assistance for climate adaptation planning and implementation of projects. ACWA appreciates Congress' focus on creating programs and opportunities to build infrastructure that provide climate resilience.

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- ACWA Toolkits
- Federal Regulatory Chart

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- News Releases
- Member Submitted News
- Voices on Water (Blog)
- Newsletters (ACWA News)
- Water News (eNews)

OUTREACH PROGRAM

www.acwa.com/my-acwa/outreach-program

POLICY DOCUMENTS

www.acwa.com/resources/policy-documents

POLICY PRIORITIES & LEGISLATIVE POSITIONS

www.acwa.com/about/policy-agenda

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www.quenchca.com

Note: Some resources are protected for ACWA member access only.

Front cover photo: San Luis Reservoir, January 2023. Photo courtesy of California Department of Water Resources.