



MONTHLY REGULATORY ROUNDUP



APRIL 2022

UPCOMING ACWA REGULATORY EVENTS

ACWA REGULATORY COMMITTEE MEETINGS & SPRING CONFERENCE 2022

Register [now](#) to attend ACWA's 2022 Spring Conference at the SAFE Credit Union Convention Center in Sacramento from [May 3 – May 5](#)! View the Brochure [here](#).

ACWA REGULATORY COMMITTEE MEETINGS

Regulatory Committee meetings will be held at Spring Conference on Tuesday, May 3. Please be advised that attendance at any part of the conference, including the Committee meetings, will require applicable registration, and adherence to current health & safety attendance requirements. Registration to attend committee meetings is complementary.

Tuesday, May 3

- Agriculture Committee 8:00 – 9:45 am
- Groundwater Committee 10:00 – 11:45 am
- Energy Committee 10:00 – 11:45 am
- Water Management Committee 1:00 – 2:45 pm
- Water Quality Committee 3:00 – 4:45 pm

ACWA Bi-Monthly WUE Meeting

Join ACWA's Water Use Efficiency (WUE) Subcommittee on April 13 from 10:00 am – 12:00 pm to discuss the state's implementation of Making Water Conservation a California Way of Life. Click here to [attend](#).

POLICY UPDATES

Drought

Executive Order N-7-22

- On March 29, Gov. Newsom signed [Executive Order N-7-22](#) in response to California's ongoing drought emergency. The Executive Order builds on the recent drought Executive Orders and authorizes the State Water Resources Control Board (State Water Board) to adopt emergency regulations by May 25 that include: (1) a requirement that each urban retail water supplier submit a water supply and demand assessment to the Department of Water Resources (DWR) no later than June 1, 2022, (2) a requirement that each urban water supplier implement up to twenty percent (Level 2) of its water shortage contingency plan, and (3) to define and ban the irrigation of "non-functional turf" in commercial, industrial and institutional sectors. The Executive Order includes other additional provisions to advance groundwater recharge projects, implement water transfers, reduce illegal water diversions, and identify investment opportunities.
 - State Water Board Emergency Regulations due May 25
 - State agencies to submit investments by April 15

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Additional Recent State Drought Response Actions

- On March 18, DWR and the U.S. Bureau of Reclamation jointly filed a [Temporary Urgency Change Petition](#) requesting temporary modification to State Water Project and Central Valley Project operations from April 1 through June 30.
- On March 18, DWR announced reduced State Water Project [allocations](#) to 5% to conserve available water supply.
- On March 21, the State Water Board sent [early warning letters](#) to approximately 20,000 water rights holders to plan for curtailments in certain watersheds should dry conditions continue.
- The State Water Board's Jan. 4 [Emergency Regulations to prohibit wastewater water use](#) remain in effect.

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WATER MANAGEMENT**CESA Steelhead Endangered Species Listing**

- The California Fish and Game Commission (Commission) will [consider](#) listing Southern California Steelhead as a candidate species pursuant to the endangered species act, as well a regulation pursuant to Section 2084 of the Fish and Game Code to allow incidental take of Southern California Steelhead during a potential candidacy listing.
 - Commission [hearing](#) April 21

Staff Contact

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**Intended Use Plans: State Resolving Funds - Infrastructure Appropriation**

- On March 15, the State Water Board adopted amendments to the SFY 2021-22 [DWSRF](#) and [CWSRF](#) Intended Use Plans (IUPs). The IUPs will serve as the Implementation Plans for the Drinking Water and Wastewater Allocations from the 2021 Budget Act and multiple other funding sources. The Budget Act of 2021 appropriated \$1.55 billion to the State Water Board for the Infrastructure Appropriation, including \$650 million for [drinking water projects](#) and \$650 million for [wastewater projects](#).

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Low-Income Household Water Assistance Program

- On Feb. 16, 2022, the California Department of Community Services and Development (CSD) released the draft [Program Guidelines for the Low Income Household Water Assistance Program](#) (LIHWAP). Established by Congress in December 2020, the federally funded LIHWAP will help low-income households pay down their outstanding water bills. California has been allocated \$116 million in one-time funding to provide to LIHWAP assistance. Enrollment of public water systems in the LIHWAP program is starting immediately, and payments may occur as early as May. More details are available on ACWA's [advisory](#).

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Voluntary Agreements

- On March 29, members of the Newsom Administration joined federal and local water leaders in the signing of a [memorandum of understanding](#) (MOU) that advances integrated efforts to improve ecosystem and fisheries health within the Sacramento-San Joaquin Bay-Delta. The MOU indicates that signatories intend to cooperate to submit the Term Sheet to the State Water Board so that it may consider including the Voluntary Agreements Program as the pathway to updating the [Bay-Delta Water Quality Control Plan](#).

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Water Loss Performance Standard

- The State Water Board has revised its April 5 Board Meeting [agenda](#) to postpone the Water Loss Performance Standards Board Workshop to a future board meeting.

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**Water Storage Investment Program**

- On March 16, the California Water Commission (CWC) voted to allocate the remaining \$64 million in [WSIP](#) funds. The CWC voted to increase the potential funding amount for the Sites Reservoir Project by \$25 million, correcting a shortage from 2018 due to limited funding. In addition to adjusting the Sites Project's allocation, the CWC also voted to increase the funding to all existing projects by 1.5% to account for inflation.

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Wildfire and Forest Resilience

- On March 30, the Governor's Wildfire and Forest Resilience Task Force released its final [Strategic Plan for Expanding the Use of Beneficial Fire](#). The Strategic Plan sets a target of expanding beneficial fire to 400,000 acres annually by 2025, a shared goal between state, federal, tribal, and local entities. The Strategic Plan is part of an overall goal to treat 1 million acres annually in California by 2025, referred to as "Roadmap to a Million Acres."

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GROUNDWATER**Groundwater Trading White Paper**

- The CWC delayed finalizing its White Paper, *A State's Role in Groundwater Trading with Safeguards for Vulnerable Users: Findings and Next Steps* (White Paper). On Jan. 19, the CWC released a draft [White Paper](#) that included state considerations around how Groundwater Sustainability Agencies might shape well-managed groundwater trading programs with appropriate safeguards for communities, farms and the environment. The CWC is expected to finalize the White Paper in May of this year.
 - CWC [meeting](#) on May 18 at 9:30 am

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**SAFE AND AFFORDABLE FUNDING FOR EQUITY AND RESILIENCE (SAFER)****SAFER Drinking Water Needs Assessment for 2022**

- On Jan. 28, the State Water Board released [Proposed Changes for the 2022 Drinking Water Needs Assessment](#). The final Needs Assessment will guide the implementation of the SAFER program, which provides up to \$130 million per year through 2030 for underperforming drinking water systems. The initial draft proposed expanding the inventory of water systems assessed to include large community water systems with more than 3,300 service connections. On March 22, State Water Board staff shared preliminary modifications to their proposed Needs Assessment which included limiting the proposed scope of water systems assessed to only include systems with 30,000 connections or less or a population served of 100,000 or less.
 - Final Needs Assessment anticipated in April

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**WATER QUALITY****Hexavalent Chromium****Staff Contact**

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- The State Water Board will hold two workshops this month to receive stakeholder input on the Hexavalent Chromium Administrative Draft (Administrative Draft). The Administrative Draft proposes a Maximum Contaminant Level (MCL) of 10 parts per billion and offers compliance dates, based on size of water system, following the adoption of the MCL. - State Water Board workshop on April 5 at 5:30 pm - State Water Board workshop on April 7 at 9:00 am	
PFAS (Per- and Polyfluoroalkyl Substances) - The State Water Board is holding a technical workshop to provide an overview of the proposed implementation plan for the Per- and Polyfluoroalkyl Substances (PFAS) Funding. \$100 million in funding is available for technical and financial assistance to drinking water systems. The workshop will provide an overview of the PFAS funding available, and proposed projects that may be considered for funding. - State Water Board meeting on April 5 – see agenda item 5 - State Water Board workshop on June 21 at 9:30 am	Staff Contact Nick Blair nickb@acwa.com 
Manganese On March 29, the State Water Board initiated the process of developing revised notification and response levels for manganese. This process could result in proposed new notification level and response level concentrations for manganese. Additional notice will be provided when the proposed revisions are available.	Staff Contact Nick Blair nickb@acwa.com
ENERGY	
Net Energy Metering (NEM) 3.0 The California Public Utilities Commission is expected to bring a revised Proposed Decision for revising Net Energy Metering (NEM) Tariffs and Subtariffs to a voting meeting this month. NEM allows customers who generate energy to serve their energy needs directly onsite to receive a financial credit on their electric bills for any surplus energy sent back to their electric utility.	Staff Contact Nick Blair nickb@acwa.com
AGRICULTURE	
Multibenefit Land Repurposing - On Feb. 22, the Department of Conservation released the Multibenefit Land Repurposing Program's (Program) final Solicitation Notice and Application. The Budget Act of 2021 allocated \$50 million to the Program for the implementation of groundwater sustainability projects that reduce groundwater use, repurpose irrigated agricultural land, and provide wildlife habitat. - Applications due on April 1 - Awards announced on May 16	Staff Contact Ivy Brittain ivyb@acwa.com 
RECENT ACWA COMMENT LETTERS	
2022 Draft Drinking Water Needs Assessment, SWB, 3/2/22 SB 100- Analysis of Land Use Implications, CEC, CPUC & CAISO, 3/10/22 Annual Water Supply and Demand Assessment Guidance, DWR, 3/21/2022	