



MONTHLY REGULATORY ROUNDUP



August 2022

UPCOMING ACWA REGULATORY EVENTS

ACWA BI-MONTHLY WUE MEETING

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

POLICY UPDATES

DROUGHT

Water Conservation Emergency Regulations

- The State Water Resources Control Board (State Water Board) continues to request that water suppliers submit water use data by the third business day of the following month or as soon as possible through the following [online form](#).

Delta Watershed Curtailments

- On July 25, the State Water Board released a [notice of proposed emergency rulemaking](#): Amendment and Renewal of Emergency Curtailment and Reporting Regulation for the Sacramento-San Joaquin (Delta) Watershed. On July 20, the State Water Board adopted a resolution to revise and renew the emergency curtailment and reporting regulation adopted in 2021. The notice is in accordance with current law requires that, at least five working days prior to the submission of proposed emergency action to the Office of Administrative Law, the adopting agency must provide a notice of the proposed emergency action.

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WATER MANAGEMENT

\$193 Million in Water Infrastructure and Resilience Grant Funding

- On June 9, the Department of Water Resources (DWR) released the [Grant Program Guidelines](#) and [Proposal Solicitation Package](#) for approximately \$193 million in grant funding to help local agencies advance water infrastructure and resilience projects. The funding is available through the Integrated Regional Water Management (IRWM) Program, with \$25.5 million reserved for projects that will benefit disadvantaged communities.
 - First phase of applications due August 19
 - Second phase of applications due February 1, 2023

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Bay-Delta Plan: Lower San Joaquin River Flow Objectives – Biological Goals

- On July 22, the State Water Board issued a [revised notice](#): Availability of Revised Draft Initial Biological Goals for Lower San Joaquin River (LSJR) Flow Objectives (Draft) for public comment and notice of a workshop. The State Water Board is seeking input on biological goals that will contribute to meeting the overall goals for salmon populations, including the salmon doubling objective, and inform management of flow conditions to maintain viable native San Joaquin River fish populations migrating through the Delta.
 - Technical workshop on August 4 from 1:00 – 5:00 pm
 - Written comments due August 11 by noon

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Bay-Delta Plan: Public Scoping Meeting – Proposed Regulation to Implement LSJR Flows

- The State Water Board issued a [notice of preparation and CEQA Scoping Meeting](#): Regulation to Implement LSJR and Southern Salinity Objectives in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta. The State Water Board will seek input and recommendations on the scope and content of the environmental information, including significant environmental impacts, reasonable alternatives, and mitigation measures for a proposed regulation to implement LSJR flows and southern Delta salinity objectives in the Bay-Delta Plan
 - [Public scoping meeting](#) on August 10 from 10:00 am – 5:00 pm
 - Written comments due August 19 by noon

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**Dam Safety Enforcement Regulations**

- On July 20, DWR's Division of Safety of Dams presented a [rulemaking package](#) to the California Water Commission (CWC) that establishes regulations to ensure compliance with California's Dam Safety Program, including the imposition of administrative civil penalties and reservoir restrictions.

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Delta Conveyance Project Draft EIR

- On July 27, DWR released the proposed [Delta Conveyance Project Draft Environmental Impact Report \(EIR\)](#). DWR prepared the EIR in compliance with the California Environmental Quality Act (CEQA). DWR is soliciting public input on the proposed EIR is now open for public comment and DWR will host three virtual public hearings in September.
 - Public Workshop on September 13 from 9:00 – 11:00 am
 - Public Workshop on September 22 from noon – 2:00 pm
 - Public Workshop on September 28 from 5:30 – 7:30 pm
 - Public comments due October 27 by 5:00 pm

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Regulation Modifying Water Rights

- On June 13, the State Water Board issued a [notice of staff workshop and opportunity for public input](#): Proposed Rulemaking on the Proposed Regulation Modifying Water Right Ownership Notice Requirements and Reporting Dates (Proposed Regulation). The Proposed Regulation would amend requirements for the water rights change of ownership and notices of address.
 - Workshop on August 23 at 10 am
 - Comments due August 31 by 5 pm
 - Public Hearing on September 20 at 9:30 am (hybrid)

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Six-Year Drought White Paper

- The CWC expects to host a second panel to explore potential strategies for long-term management to protect communities and fish and wildlife in a [six-year drought](#), in accordance with Water Resilience Portfolio Action 26.3. In March, the CWC released a [work plan](#) for developing the strategies.
 - CWC Meeting on September 21 at 9:30 am

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**Southern California Steelhead**

- On July 15, the California Department of Fish and Wildlife (CDFW) initiated a [status review](#) for Southern California Steelhead under the California Endangered Species Act and invites data or comments on a petition to listing the species. CDFW issued this notice following a decision by the California Fish and Game Commission approving a petition to list Southern California Steelhead as candidate species under the California

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Endangered Species Act. CDFW has twelve months to review the petition and any data submitted by third parties. ○ Comments and data due by September 30	
Water Use Efficiency Standards, Natural Parklands, and Urban Tree Health • The State Water Board will hold an informational public workshop to solicit input on how Making Conservation a California a Way of Life might impact developed and natural parklands and urban tree health. ○ Public Workshop on August 12 from 1:00 – 4:00 pm	Staff Contact Chelsea Haines chelseah@acwa.com 
GROUNDWATER	
CEQA Suspension for Groundwater Recharge • Drought Executive Order N-7-22, Action 13 allows for the suspension of CEQA, under specified circumstances, for eligible groundwater recharge projects that mitigate drought impacts on groundwater conditions that take place on open or working lands. On July 21, DWR released a Fact Sheet to describe the intent and requirements of Action 13, as well as a process for local agencies to submit a Self-Certification Form requesting DWR to review the eligibility of their groundwater recharge projects for CEQA suspension.	Staff Contact Soren Nelson sorenn@acwa.com
SAFE AND AFFORDABLE FUNDING FOR EQUITY AND RESILIENCE (SAFER)	
Drinking Water Capacity Development Strategy Update • On July 22, the State Water Board issued a notice of public webinar: Drinking Water Capacity Development Strategy Update Workshop 2. The public webinar will give stakeholders the opportunity to review and discuss the proposed revisions to the state's Capacity Development Strategy for public drinking water systems. The Capacity Development Strategy is intended to incorporate the new SAFER program as a key element. ○ Public Webinar on August 22 10:30 am – 12:00 pm ○ Written comments due August 7	Staff Contact Nick Blair nickb@acwa.com 
Drinking Water Cost Assessment Model • On July 21, the State Water Board issued a notice of public webinar: SAFER: Overview of Proposed Updates to the Drinking Water Cost Assessment Model. The workshop will provide an opportunity for stakeholders to learn about and contribute to the State Water Board's proposed updates to the Cost Assessment Model for estimating interim and/ or emergency measures and long-term solutions for failing public water systems, at-risk public water systems, at-risk state small water systems, and domestic wells. ○ Public webinar on August 8 from noon to 2:00 pm	Staff Contact Cindy Tuck cindy@acwa.com
State Audit Report • On July 26, the California State Auditor released an audit on the State Water Board's efforts to help provide Californians with safe drinking water. The audit found that the State Water Board lacks the urgency necessary to ensure that failing water systems receive needed assistance in a timely manner and provides recommendations.	Staff Contact Cindy Tuck cindy@acwa.com
WATER QUALITY	
2022-23 Drinking Water & ELAP Fees • The State Water Board will hold stakeholder workshops to discuss water quality, drinking water and Environmental Laboratory Accreditation Program (ELAP) fees for FY 2022-'23. ○ Workshop on Water Quality Fees on August 4 at 9:00 am	Staff Contact Nick Blair nickb@acwa.com

○ Workshop on ELAP Fees on August 5 at 9:00 am	
Proposed Statewide Construction Stormwater General Permit • On July 22, the State Water Board issued a notice: Opportunity for Written Comments, Public Workshop and Consideration of Adoption on Proposed Statewide Construction Stormwater General Permit Reissuance. ○ Public Workshop August 9 from 9:00 am – 1:00 pm ○ Comments due by noon August 23 ○ Board to consider adoption on September 8	Staff Contact Nick Blair nickb@acwa.com
Restoration Projects Statewide Proposed General Order • The State Water Board will consider adoption of the proposed Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide (proposed General Order) and certification of the supporting proposed CEQA consolidated final Program Environmental Impact Report (PEIR) at the regularly scheduled Board meeting on August 16. The State Water Board will also hold a Public Workshop on the proposed General Order and supporting consolidated final PEIR. ○ Public Workshop on August 4 at 10:00 am ○ Board Workshop August 16 at 9:30 am	Staff Contact Nick Blair nickb@acwa.com
ENERGY	
Utility Preparedness for 2022 Public Safety Power Shutoffs • The California Public Utilities Commission (CPUC), in ongoing efforts to hold utilities accountable for executing safe and appropriate Public Safety Power Shutoff (PSPS) events, is requiring the state’s electric utilities to publicly present on their preparedness for PSPS events. The electric utilities will provide updates on the status of preparation efforts and coordination with public safety partners, critical infrastructure and facilities, and customers, including those most vulnerable or with access and functional needs. ○ Public Workshop with Southern California Edison, San Diego Gas & Electric, and Bear Valley Electric Service on August 1 from 1:00 – 5:00 pm ○ Public Workshop with Pacific Gas & Electric, PacifiCorp, and Liberty Utilities on August 2 from 9:00 am – 1:00 pm	Staff Contact Nick Blair nickb@acwa.com 
High Distributed Energy Resources (DER) Grid Planning Proceeding • The CPUC will host a Grid and Distribution System Operator education and outreach public workshop. The workshop will update stakeholders on the function and operations of the distribution grid and distribution planning and outline “listening sessions” that the CPUC expects to conduct in September and October in order to hear directly from stakeholders representing Tribes, community based organizations, and local governments. ○ Public Workshop (notice not yet released) on August 23 at 9:00 am	Staff Contact Nick Blair nickb@acwa.com