

MONTHLY REGULATORY ROUNDUP



December 2022

POLICY UPDATES

WATER MANAGEMENT

Initial State Water Project Allocation

- On December 1, the Department of Water Resources (DWR) announced an initial State Water Project allocation of 5 percent of requested supplies for 2023. As the state prepares for a fourth dry year and continued extreme drought conditions in California, DWR will also assess requests for additional water that may be necessary for health and safety including minimum domestic, sanitation, and fire suppression needs. If dry conditions persist, DWR may also pursue submission of a Temporary Urgency Change Petition (TUCP) and re-installation of the West False River Emergency Drought Salinity Barrier in the Sacramento-San Joaquin Delta.

Staff Contact

Chelsea Haines
chelseah@acwa.com

Prohibited Wasteful Water Uses Emergency Regulation for Water Conservation

- On December 7, the State Water Board readopted [Emergency Regulations](#) that prohibit water uses for specified purposes considered wasteful. The State Water Board previously adopted the Emergency Regulations on January 4, 2022.

Staff Contact

Chelsea Haines
chelseah@acwa.com



Six-Year Drought White Paper

- On October 19, the California Water Commission (CWC) presented a [Long-term Drought Framework](#) as part of its process to explore potential strategies for long-term management to protect communities and fish and wildlife in a [six-year drought](#). The CWC expects to host a series of public workshops on the topic in early 2023. A final whitepaper will be released by July 2023.

Staff Contact

Soren Nelson
sorenn@acwa.com



Striped Bass Slot Limit

- California Department of Fish and Wildlife is considering a proposal submitted by the Nor-Cal Guides and Sportsmen's Association that would restrict the harvest of striped bass to a "slot limit" between 20 and 30 inches for inland anadromous waters. The stated goal of the proposal is to protect bass populations by increasing the minimum length to allow more fish to mature and successfully spawn prior to harvest and to protect the larger fish that tend to be the most prolific spawners and are becoming increasingly rare in the fishery. The Commission is expected to make a decision in early 2023.

Staff Contact

Soren Nelson
Sorenn@acwa.com



Groundwater

LandFlex Program

- On December 9, DWR launched a public comment period on the [draft guidelines](#) for the [LandFlex Program](#). The Landflex Program aims to free up water in the event of a fourth consecutive dry year, accelerate implementation of the Sustainable Groundwater Management Act (SGMA), and prevent drinking water supply problems in 2023. The \$25 million grant program would award funds to local groundwater sustainability agencies to pay growers to immediately idle land as a one-year drought-relief measure.
 - Written comments [due](#) December 29

Staff Contact

Soren Nelson
Sorenn@acwa.com

- Applicant workshop on January 19

WATER QUALITY

Cross Connection Control Policy Handbook

- On December 5, the State Water Board held a [public workshop](#) to discuss the latest release of the [Cross Contamination Control Policy Handbook](#) (CCCPH). The State Water Board is required to adopt standards for backflow protection and cross-connection control through the adoption of the CCCPH.
 - Written comments [due](#) December 9 at 12 PM

Staff Contact

Nick Blair
nickb@acwa.com



ENERGY

Advanced Clean Fleets Regulation

- The California Air Resources Board (CARB) announced additional [public workshops](#) to discuss the Advanced Clean Fleets Regulation (Proposed ACF) prior to draft language for public comment in early 2023. On October 27, CARB held the first of two [public hearings](#) to consider the Proposed ACF. The Proposed ACF would require California fleet owners and operators to start purchasing zero emission vehicles in 2024, with the goal to move California's medium- and heavy-duty trucks to zero emission, where feasible, by 2045. CARB will consider adoption of the Proposed ACF in Spring 2023.
 - Public workshop [on](#) Waste Fleet Provisions on December 12 at 9 AM
 - Public workshop on Commercial Availability and Grid Reliability on TBD
 - Public Workshop on 15 Day Language on TBD

Staff Contact

Nick Blair
nickb@acwa.com



California Energy Commission Business Meetings

- The California Energy Commission is holding two business meetings in December to discuss, among other things, a forecast on new energy technology costs, and the program update for the 2022-23 Clean Transportation Program funding priorities.
 - Business Meeting [on](#) December 14 at 10:00 AM
 - Business Meeting [on](#) December 28 at 10:00 AM

Staff Contact

Nick Blair
nickb@acwa.com

Net Energy Metering 3.0 Program

- On November 14, the California Public Utilities Commission (CPUC) re-issued a [Proposed Decision](#) that would adopt a successor net energy metering (NEM) tariff. 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. The CPUC is expected to vote on the Proposed Decision on December 15. Should it pass, the 120 day sunset period for NEM 2.0 would start upon adoption of the NEM 3.0.
 - Voting Meeting [on](#) December 15

Staff Contact

Nick Blair
nickb@acwa.com

AGRICULTURE

Multibenefit Land Repurposing Program

- On November 28, the Department of Conservation announced the release of the Round 2 (FY 22/23) Multibenefit Land Repurposing Program [Draft Guidelines](#) for public comment. Round 2 is funded by the Public Resources Trailer Bill (AB 211, Ch. 574, Stat. of 2022), which appropriated \$40 million to DOC to fund groundwater sustainability projects that reduce groundwater use, repurpose irrigated agricultural land, and provide wildlife habitat.
 - Public Workshop [on](#) December 13 at 11 AM
 - Written comments [due](#) December 30

Staff Contact

Ivy Brittain
ivyb@acwa.com



WATER RESILIENCE FUNDING

2021-'22 Water Resilience Funding Matrix

- In May of 2021, Governor Gavin Newsom's Administration unveiled a four-year \$5.16 billion package of immediate drought response and long-term water resilience investments to address immediate emergency needs, build regional capacity to endure drought and safeguard water supplies for communities, the economy, and the environment. The final 2021-'22 state budget included \$3.58 billion of the Water Resilience Package funding.
 - Track funding [here](#)

Staff Contact

Sarah Brennan
sarahb@acwa.com

ACWA COMMENT LETTERS

- [Draft Assumptions and Estimates for California Water Plan Update 2023](#), DWR, 11/18/2022
- [Cross-Connection Control Policy Handbook](#), SWRCB, 12/9/2022

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