



MONTHLY REGULATORY ROUNDUP



November 2022

UPCOMING ACWA REGULATORY EVENTS

ACWA FALL CONFERENCE & REGULATORY COMMITTEE MEETINGS

Register [now](#) to attend ACWA's 2022 Fall Conference at the Renaissance Esmeralda and Hyatt Regency in Indian Wells, CA from Nov. 29 – Dec 1! View the Preliminary Agenda [here](#).

ACWA REGULATORY COMMITTEE MEETINGS

ACWA's regulatory committee meetings will be held on Tuesday, November 29, at Fall Conference. Registration to attend committee meetings is complementary. Attendance at any part of the conference, including committee meetings, will require applicable registration and adherence to current health and safety requirements.

Tuesday, November 29

- 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

POLICY UPDATES

WATER MANAGEMENT

California Water Plan Update 2023

- On October 18, DWR released its [Draft Assumptions and Estimates Report](#) (Draft Report) as part of the [California Water Plan Update 2023](#) (Update 2023). The Draft Report describes data and data sources; improvements to analytical tools, methods, and approaches; and the supporting documents and companion State plans being used to prepare Update 2023. DWR is interested in receiving comments about the information presented in the Draft A&E Report. DWR also welcomes suggestions about improving the usefulness of the report.
 - Written comments due November 18

Staff Contact

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Delta Conveyance Project Draft EIR

- On July 27, DWR released the [Delta Conveyance Project Draft Environmental Impact Report](#) (Draft EIR). On September 20, DWR released a [change sheet](#) that has corrected formatting and editorial issues in the Draft EIR. DWR additionally extended the public comment period.
 - Written comments [due](#) December 16

Staff Contact

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Delta Levees Investment Strategy

- On September 23, the Delta Stewardship Council issued a corrected version of the proposed regulatory text for the [Delta Levee Investment Strategy](#) (Strategy). The proposed Strategy would assign a priority of *very-high*, *high*, or *other* to each island or tract located within the legal boundaries of the Delta and Suisun Marsh.
 - Written comments now due on November 16 by 11:59 PM
 - Public hearing [on](#) November 17

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Electronic Annual Report - The State Water Board is updating the electronic Annual Report (eAR) for reporting year 2022 and will be hosting a second virtual Input Forum to provide information about proposed changes. The eAR is a survey of public water systems to collect critical water system information intended to assess the status of compliance with specific regulatory requirements, provides updated contact and inventory information and provides information that is used to assess the financial capacity of water systems. - Public workshop on November 8 at 1 pm	Staff Contact Ivy Brittain ivyb@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 
Stanislaus, Tuolumne, and Merced Working Group - On October 3, the State Water Board formalized the membership of the Stanislaus, Tuolumne, and Merced (STM) Working Group in accordance with the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. The State Water Board will hold two STM Working Group meetings to discuss the revised draft initial biological goals for fall-run Chinook salmon in the lower San Joaquin River and its three salmon-bearing tributaries, the Stanislaus, Tuolumne, and Merced Rivers. Meetings on November 21 and December 7	Staff Contact Soren Nelson sorenn@acwa.com 
Southern California Steelhead Status Review On October 12, the California Fish and Game Commission approved a request from California Department of Fish and Wildlife (Department) staff for a six-month extension to deliver the one-year status review report on California Trout's petition to list Southern California steelhead as endangered under CESA. Department staff have until November 11, 2023, to complete the status review.	Staff Contact Soren Nelson sorenn@acwa.com 
Water Loss Regulation On October 19, the State Water Board adopted Water Loss Performance Standards for Urban Retail Water Suppliers (Regulation). The Regulation will require urban water suppliers to comply with an individualized volumetric water loss standard based on real loss by 2028, using an economic model developed by the State Water Board. The regulation, required by SB 555 (Wolk 2015), is the State Water Board's first adopted water use efficiency standard as part of a water budget-based approach for "Making Water Conservation a California Way of Life."	Staff Contact Chelsea Haines chelseah@acwa.com 
Water Use Efficiency Recommendations On October 28, DWR transmitted a full recommendation package of 21 reports including technical appendices for urban water use efficiency to the State Water Board, required by SB 606 and AB 1668 (2018). DWR is recommending an outdoor residential water use efficiency standard (ORWUS) of 0.80 in 2023 for existing landscapes, transitioning to an ORWUS of 0.63 and no higher in 2030 and beyond.	Staff Contact Chelsea Haines chelseah@acwa.com 

GROUNDWATER

Sustainable Groundwater Management Funding Round 2

- On October 4, DWR opened the Sustainable Groundwater Management Grant Program's SGMA Implementation [Round 2 grant solicitation](#). Round 2 will provide approximately \$230 million for planning and implementation projects to help with SGMA compliance and is open to medium and high priority basins.
 - Solicitation Round 2 closes November 30 at 5pm

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

- The State Water Board is in the processes of developing the 2023 Drinking Water Needs Assessment. The annual Drinking Water Needs Assessment helps inform the implementation of SAFER Program. The State Water Board is proposing enhancements to how it incorporates affordability into the Drinking Water Needs Assessment for public water systems, state small water systems, and domestic wells.
 - Public workshop [on](#) November 1

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**WATER QUALITY****Clean Water State Revolving Fund and Drinking Water State Revolving Fund Integrated Use Plans FY 2022-23**

- On October 3, the State Water Board adopted the Final FY 2022-23 [Clean Water State Revolving Fund and Drinking Water State Revolving Fund Integrated Use Plans \(IUPs\)](#). The IUPs outline the State Water Board's business plan for administering the Clean Water State Revolving Fund, Drinking Water State Revolving Fund, and their complementary funding for state fiscal year (SFY) 2022-23. The IUPs also include Supplemental IUPs for new State Revolving Funds appropriated through the Bipartisan Infrastructure Law (BIL), including Emerging Contaminants funding and Lead Service Line Replacement funding. Please see the [change sheet](#) to the [draft IUP](#). You can watch the staff presentation and Board discussion [here](#).

Staff Contact

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**Metal Detection Limits**

- On October 19, the State Water Board issued a [notice of public workshop and opportunity for public comment](#): Metal Detection Limits for Purposes of Reporting (DLR). DLRs are the designated minimum levels at or above which any analytical finding of a contaminant in drinking water resulting from monitoring must be reported to the State Water Board. State Water Board staff have developed a draft proposal for revisions to the metal DLRs in two phases. Phase I would lower the lead and nickel DLRs and establish DLRs for iron, manganese, and zinc. Phase II would lower the DLRs for antimony, arsenic, beryllium, cadmium, lead, manganese, mercury, and thallium with a three-year compliance schedule. The formal rulemaking process for the metal DLRs regulation will be begin later this year.
 - Public Workshop [on](#) November 3 at 9:30 AM
 - Written comments [due](#) November 18

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Cross Connection Control Policy Handbook

- On October 20, the State Water Board issued a [notice of public hearing and public comment period](#): Cross-connection 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.
 - Release of CCCPH is expected November 2
 - Public Workshop [on](#) December 5 at 9:30 AM

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- Written comments [due](#) December 9 at 12 PM

Perfluorohexane Sulfonic Acid (PFHxS) Notification and Response Levels

- On October 31, the State Water Board [issued](#) a notification level of 3 parts per trillion (ppt) and a response level of 20 ppt for perfluorohexane sulfonic acid (PFHxS). Notification and response levels are established as precautionary measures for contaminants that may be considered candidates for establishment of maximum contaminant levels, but have not yet undergone or completed the regulatory standard setting process. The State Water Board will also [release](#) a new monitoring order (DW 2022-0001-DDW) which completely rescinds and replaces Orders DW 2020-0003-DDW and DW-2021-0001-DDW. Water systems with sources requiring PFAS monitoring under Order DW 2022-0001-DDW will receive email correspondence from their district office in the first week of November 2022.

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ENERGY

Advanced Clean Fleets Regulation

- On October 27, the California Air Resources Board (CARB) held the first of two [public hearings](#) to consider the proposed Advanced Clean Fleets Regulation (Proposed ACF). The ACF would require California fleet owners and operators to start purchase zero emission vehicles in 2024, with the goal to move California's medium- and heavy-duty trucks to zero emission, where feasible, by 2045. The Board will not consider adoption of the Proposed ACF until Spring 2023. Prior to consideration to adopt, CARB will release a revised draft of the Proposed ACF for public comment.

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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](#)

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RECENT ACWA COMMENT LETTERS

- [Advanced Clean Fleets Regulation](#), CARB, 10/17/2022
- [Coalition Letter - Public Fleet Requirements regarding "commercially available"](#), CARB, 10/17/2022
- [Racial Equity Action Plan](#), SWRCB, 10/21/2022
- [Drinking Water Needs Assessment](#), SWRCB, 10/26/2022

To receive a monthly email of the Regulatory Roundup, please contact [Sarah Brennan](#), ACWA Regulatory Relations Assistant, to be included on the distribution list. The Regulatory Roundup is also available on ACWA's [website](#).