

MONTHLY REGULATORY ROUNDUP



APRIL 2024

UPCOMING ACWA EVENTS

ACWA 2024 LEGISLATIVE SYMPOSIUM

ACWA will host its 2024 Legislative Symposium on April 10 from 1:00 – 5:00 pm in Sacramento. Register [here](#) to attend.

ACWA REGION EVENTS

ACWA Region 9 / Agency Tour and Board Meeting / April 12 at 10:00 am / Register [here](#).

ACWA SPRING 2024 CONFERENCE

ACWA will host its 2024 Spring Conference and Exhibition in Sacramento, CA from May 7-9. ACWA Regulatory Committee Meetings will be held in person on Tuesday, May 7 (schedule below). Click [here](#) to register for Spring Conference, including the Regulatory Committee Meetings.

8:00 am – 9:15 am	Agriculture Committee
9:30 am – 10:45 am	Groundwater Committee
11:00 am – 12:15 pm	Water Management Committee
11:00 am – 12:15 pm	Energy Committee
1:45 pm – 3:00 pm	Water Quality Committee

POLICY UPDATES

FEDERAL

ACWA's Federal Regulatory Issues chart is accessible [here](#).

WATER MANAGEMENT

PRIORITY Bay-Delta Plan: Agreements to Support Healthy Rivers and Landscapes - On March 8, the State Water Resources Control Board (State Water Board) released a Notice of Board Workshop on Proposed Voluntary Agreements Related to the Sacramento/Delta Update to the Water Quality Control Plan for the Bay-Delta Plan (Bay-Delta Plan Update). The State Water Board will hold a three-day workshop to provide a detailed overview of the Voluntary Agreements (now referred to as the Agreements to Support Healthy Rivers and Landscapes) and receive input and answer questions from Board members, and receive input from the public. - Public Workshop: April 24-26 at 9:00 am	Staff Contact Stephen Pang stephenp@acwa.com 
PRIORITY Bay-Delta Plan: Lower San Joaquin River and Southern Delta On March 15, the Sacramento Superior Court ruled in favor of the State Water Board's 2018 Bay-Delta Plan Update for the Lower San Joaquin River flow and Southern Delta salinity components, denying all 116 claims that challenged the action.	Staff Contact Stephen Pang stephenp@acwa.com 
Delta Protection Advisory Committee Applications to fill six seats on the Delta Protection Advisory Committee (DPAC) are now open. DPAC provides recommendations to the Delta	Staff Contact Stephen Pang stephenp@acwa.com

Protection Commission on diverse interests within the Delta. DPAC meets every other month and committee members, who serve three-year terms, are expected to attend six meetings per year. ○ Deadline to submit Committee member application: April 12	
Flood-MAR • The Flood-MAR Network will host a series of public webinars to discuss topics relevant to Flood-MAR. ○ Public Workshops: April 3 from 12:30 – 1:30 pm	Staff Contact Soren Nelson sorenn@acwa.com
Instream Flow Recommendations • On March 6, the State Water Board released a corrected message on its receipt of the California Department of Fish and Wildlife's (CDFW) letter regarding its submission of instream flow recommendations to inform a long-term flow-setting process to support anadromous salmonids and year-round ecological stream function on Mill, Deer, and Antelope Creeks. CDFW's letter is available upon request.	Staff Contact Stephen Pang stephenp@acwa.com
PRIORITY Making Conservation a California Way of Life • On March 12, the State Water Board issued a Notice of Public Availability of Changes to the Proposed Regulation regarding Making Conservation a California Way of Life. Written comments on the updated proposed text were due March 27. On March 20, the State Water Board held a Board Workshop to receive oral comments and on March 25, the Board held a staff workshop and question and answer session.	Staff Contact Chelsea Haines chelseah@acwa.com 
Model Water Efficient Landscape Ordinance • On March 18, the Department of Water Resources (DWR) published a Notice of Public Availability of Modified Text and 15-day Comment Period Amendments to California Code of Regulations, Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO). The proposed changes are intended to simplify and clarify MWELO's requirements. ○ Written comments due April 3 by 5:00 pm	Staff Contact Chelsea Haines chelseah@acwa.com
State Water Project • On March 6, DWR released its five-year strategic plan, Elevate to '28, for the State Water Project. The plan outlines goals and corresponding actions, including strengthening resiliency for a changing climate, that the State Water Project will implement.	Staff Contact Stephen Pang stephenp@acwa.com
UPWARD Advisory Group • The State Water Board will convene the second UPWARD Advisory Group meeting. The meeting will showcase granular aspects of the legacy data system (eWRIMS) and demonstrate ways the new CalWATRS system will provide new functionalities and improve data quality. ○ Advisory Group meeting: May 1 from 1:00 – 3:00 pm	Staff Contact Chelsea Haines chelseah@acwa.com
Urban Water Management Plan • DWR will hold a scoping meeting to discuss updates to its 2025 Urban Water Management Plan Guidebook. DWR will solicit input from water suppliers to help inform the updates.	Staff Contact Chelsea Haines chelseah@acwa.com

- [Scoping Meeting](#): April 10 from 9:00 – 11:00 am

GROUNDWATER

Airborne Electromagnetic Survey

- On March 6, DWR [announced](#) the completion of the first phase of its statewide [Airborne Electromagnetic \(AEM\) Survey Project](#). The [publicly available data](#) will help identify locations to implement [groundwater recharge projects](#). DWR is now moving into the next phase of the AEM Survey, the [Basin Characterization](#), which will provide data for understanding and managing groundwater on local, regional, and statewide levels.

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Groundwater Well Permitting Report

- On March 6, DWR released its [Groundwater Well Permitting Report regarding Observations and Analysis of Executive Orders \(EO\) N-7-22 and N-3-23](#). The Report summarizes different approaches taken by well permitting and groundwater sustainability agencies (GSA) to comply with the EOs' requirements and proposes policy recommendations that can be used to develop future solutions to align land use planning, well permitting, and groundwater management.

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SGMA Fees

- On March 26, the State Water Board released a [Notice of Proposed Emergency Rulemaking Regarding Sustainable Groundwater Management Act \(SGMA\) Fees Amendments to Division 3 of Title 23 of the California Coded of Regulations](#). The proposed text of the emergency regulation reduces the volumetric component of annual SGMA fees for extractors in probationary basins from \$40 per acre-foot extracted to \$20 per acre-foot. The existing \$300 fee per groundwater well remains in place.

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SGMA Implementation Funding Guide

- On March 22, DWR released a [Resource Guide on Funding SGMA Implementation](#). The Resource Guide outlines funding mechanisms available to GSAs and provides approaches to consider in their development of rate structures.

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PRIORITY State Intervention: Tulare Lake Subbasin Staff Report and Hearing

- On March 26, the State Water Board released the [Final Tulare Lake Subbasin Probationary Hearing Staff Report](#) (Final Staff Report). The Final Staff Report recommends that the Tulare Lake Subbasin be designated as probationary and identifies specific deficiencies in the Tulare Lake Subbasin 2022 Groundwater Sustainability Plan along with potential corrective actions to address them. If placed on probation, the subbasin will have one year to address and resolve these deficiencies.
 - Public Board Hearing: April 16 at 9:30 am

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State Intervention: Tule Subbasin Staff Report

- On March 7, the State Water Board released a [Notice of Opportunity to Provide Feedback, Public Staff Workshops, and Public Board Hearing for the Proposed Designation of Tule Subbasin as a Probationary Basin](#). The State Water Board will not decide on a probationary designation for

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Tule Subbasin prior to the Public Board Hearing, but it will accept input on the [Tule Subbasin Probationary Hearing Draft Staff Report](#).

- [Virtual Staff Workshop](#): April 5 from 11:00 am – 1:30 pm
- In-Person Staff Workshop: April 8 from 5:30 – 8:30 pm
- Public Board Hearing: September 17 at 9:00 am
- Written comments due May 7 at 12:00 pm

WATER QUALITY

California Clean Water Act: 2024 California Integrated Report

- On March 19, the State Water Board [announced](#) the availability of the final 2024 California Integrated Report. The report includes Section 303(d) lists and 305(b) reports which identify waters of the United States that do not meet applicable water quality standards and the overall conditions of the state's surface waterbodies, respectively. Final documents and comment summaries can be accessed [here](#).
 - Anticipated submission to U.S. Environmental Protection Agency: Spring 2024

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Central Valley Salinity Alternatives

- On February 28, the State Water Board released a [Notice of Public Hearing Concerning the Central Valley Salinity Alternatives for Long-Term Sustainability Nitrate Control Program Management Zone Implementation Plans \(MZIPs\)](#). MZIPs provide detailed strategies and actions for managing groundwater quality within specific groundwater basins and subbasins. The State Water Board will consider oral comments concerning the [MZIPs](#) and recommendations provided by Staff; formal action will not be taken.
 - Public Hearing: April 19 at 9:00 am

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Fresh Harmful Algal Bloom

- On March 7, the California Water Quality Monitoring Council [announced](#) the accessibility of freshwater harmful algal bloom data on the [Open Data Portal](#). Data may include waterbody name and location, potential algal bloom location and characteristics, field observations and/or analytical sampling results, water body and/or land management, general information, recommended advisory status, and bloom status.

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PRIORITY Hexavalent Chromium Maximum Contaminant Level

- On April 17, the State Water Board plans to adopt the proposed Hexavalent Chromium (Cr(VI)) Maximum Contaminant Level (MCL) regulations. The proposed Cr(VI) MCL is 0.010 milligrams per liter (mg/L) (or 10 parts per billion).
 - Adoption Hearing: April 17

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PRIORITY 2024 Drinking Water Priorities

- On March 5, the State Water Board adopted the [proposed Resolution](#) adopting the prioritization of drinking water regulations development for calendar year 2024. Priorities include, but are not limited to, MCLs for Cr(VI), perfluoro-octanoic acid (PFOA) and perfluoro-octane sulfonic acid (PFOS), arsenic, and lead and copper rule revisions.

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ENERGY

PRIORITY CARB Advanced Clean Fleets Regulation - On March 25, CARB held the first workshop to address amendments to the Advanced Clean Fleets regulation (ACF) as required by AB 1594 (Garcia, 2023) to more fully consider public agency utility fleet needs. CARB proposes to affirm which “traditional utility-specialized vehicles” are eligible for consideration under AB 1594, re-evaluate the 13 year minimum useful life threshold used to determine exemption eligibility under ACF, and expand the existing daily use exemption to allow for more comprehensive usage data plans. - Informal comments due April 30	Staff Contact Nick Blair nickb@acwa.com  WORKING GROUP
Senate Bill 100 Report - The California Energy Commission, California Public Utilities Commission, and CARB will hold a joint workshop to discuss the approach and implications of examining non-energy benefits and social costs in the upcoming 2025 Senate Bill (SB) 100 Report. SB 100 requires that renewable energy and zero-carbon resources supply 100 percent of electric retail sales to end-use customers by 2045 and that 60 percent of the State’s electricity is renewable by 2030. - Joint Workshop: April 16 from 9:30 am – 4:00 pm	Staff Contact Nick Blair nickb@acwa.com  WORKING GROUP

ACWA COMMENT LETTERS

- [Making Conservation a California Way of Life](#), State Water Resources Control Board, March 27, 2024

To receive a monthly email of the Regulatory Roundup, please contact [Sonja Eschenburg](#). The Regulatory Roundup is also available on ACWA's [website](#).



Indicates ACWA Working Group



Indicates ACWA Priority Issue