

MONTHLY REGULATORY ROUNDUP



January 2024

UPCOMING EVENTS

ACWA Bi-Monthly WUE Meeting

Join ACWA's Water Use Efficiency (WUE) Subcommittee on January 10 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

WATER MANAGEMENT

Bay-Delta Plan: Draft Staff Report/SED for Sacramento/Delta Update

- On November 17, December 1, and December 11, the State Water Resources Control Board (State Water Board) held public hearings on the [draft Staff Report/Substitute Environmental Document](#) (draft Staff Report) for the Sacramento/Delta update to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan). The draft Staff Report analyzes a range of alternatives for updating the Sacramento/Delta portions of the Bay-Delta Plan, including an unimpaired flows alternative based on the [2018 Framework](#) and an alternative for the proposed [Agreements to Support Healthy Rivers and Landscapes](#) (formerly referred to as the Voluntary Agreements).
 - Written comments due January 19

Staff Contact

Stephen Pang
stephenp@acwa.com



Dam Safety and Enhancements

- On December 11, the Department of Water Resources (DWR) [announced](#) the release of the Dam Safety and Enhancements Grant Program (Program) [Guidelines](#) and [Proposal Solicitation Package](#). The Program will make up to \$96 million for repairs, rehabilitation, enhancements, and other dam safety projects at existing state jurisdictional dams and associated facilities.
 - Public Meetings: dates TBD
 - Written comments due January 24

Staff Contact

Chelsea Haines
chelseah@acwa.com

Delta Conveyance Project

- On December 21, DWR certified the [Final Environmental Impact Report](#) for the Delta Conveyance Project and [approved](#) the project. DWR will next pursue state and federal permits or authorizations, including those required by the State Water Board and the Delta Stewardship Council, and for compliance with the state and federal Endangered Species Acts.

Staff Contact

Stephen Pang
stephenp@acwa.com

Direct Potable Reuse

- On December 19, the State Water Board voted unanimously to [adopt](#) the [proposed Direct Potable Reuse regulations](#) (regulations). The adopted regulations establish criteria for the introduction of recycled water either directly into a public water system or into a raw water supply immediately upstream of a water treatment plant.

Staff Contact

Stephen Pang
stephenp@acwa.com



Electronic Annual Report

- On January 2, the State Water Board [announced](#) it is closing the reporting year (RY) 2022 [Electronic Annual Report](#) (eAR) Survey. All public water systems are required to complete the eAR under the [January 2024 Technical Reporting Order](#) (Order).

Staff Contact

Nick Blair
nickb@acwa.com

○ eAR Survey closure: January 5 ○ RY 2023 eAR release: February 1	
Making Conservation a California Way of Life • On January 4, the Legislative Analyst's Office released a report to the Legislature, Assessing Early Implementation of Urban Water Use Efficiency Requirements. The report evaluates the state's implementation of the Making Water Conservation a Way of Life Framework, and specifically the State Water Board's draft Regulation.	Staff Contact Chelsea Haines chelseah@acwa.com 
Model Water Efficient Landscape Ordinance • On November 16, DWR released a Rulemaking Announcement on the Model Water Efficient Landscape Ordinance (MWELO). DWR is proposing amendments to MWELO by resolving ambiguities, providing clarity, and improving organization. ○ Public Hearing: January 9 at 9:00 am ○ Written comments due January 16	Staff Contact Chelsea Haines chelseah@acwa.com
Reporting Requirements • On January 1, the State Water Board issued an Order that specifies due dates and updated reporting requirements for the Clearinghouse Annual Inventory Reports (AIR), eAR, Drought and Conservation Reports, Monthly Potential Water Outage Reports, and Weekly Water Outage Reports. This Order supersedes the most recent Order issued on March 13, 2023. ○ AIR due March 31 ○ eAR due April 15 ○ Drought and Conversation Report due quarterly ○ Single and Aggregated Urban Drought and Conversation Report due monthly ○ Monthly Potential Water Outage Report and Weekly Water Outage Report due monthly/weekly	Staff Contact Nick Blair nickb@acwa.com 
Temporary Water Transfer • On December 28, the State Water Board announced a streamlined noticing process (notice) for those seeking temporary water transfer approval. The notice is optional and reduces the maximum processing time for a temporary transfer from 65 days to 55 days. ○ Notice due January 31	Staff Contact Nick Blair nickb@acwa.com
AGRICULTURE	
2024 Alliance Grants Program • On October 17, the California Department of Pesticide Regulation (DPR) opened its 2024 Alliance Grants Program (Program). The Program makes \$1.1 million available to eligible projects that align with California's goal of transitioning to systemwide adoption of safer, more sustainable pest management and uplift objectives in the Sustainable Pest Management Roadmap. ○ Applications due January 18	Staff Contact Stephen Pang stephenp@acwa.com
Agricultural Use of Restricted Materials • On November 2, DPR released a Notification of Agricultural Use of Restricted Materials (DPR Regulation No. 23-003) (Notification) which proposes amendments that would affect pesticide regulatory programs related to the submission of notices of intent for the agricultural use of restricted materials. ○ Written comments due January 12	Staff Contact Stephen Pang stephenp@acwa.com

GROUNDWATER

SGMA: State Intervention

- On December 19, State Water Board staff provided an [update](#) on the probationary hearing process for six basins under the Sustainable Groundwater Management Act (SGMA). State Water Board staff shared an updated schedule for probationary hearings and provided greater detail on steps that groundwater sustainability agencies (GSAs) can take to exit state intervention. A final report of State Water Board-identified deficiencies with the Tulare Lake Subbasin's Groundwater Sustainability Plan is expected in March.

Staff Contact

Soren Nelson
sorenn@acwa.com



SAFE DRINKING WATER

SAFER Program: Proposed Updates for the 2024 Drinking Water Needs Assessment

- On December 13, the State Water Board released a [Draft White Paper Discussion on Proposed Updates for the 2024 Drinking Water Needs Assessment](#). The State Water Board is proposing to expand the existing criteria for "Failing Systems" to include new Source Capacity and Water Outage related violations, among other changes.
 - Written comments due January 19

Staff Contact

Soren Nelson
sorenn@acwa.com



SAFER Program: Proposed Updates to the Drinking Water Cost Assessment Model

- On December 12, the State Water Board released a [Draft White Paper on Proposed Updates to the Drinking Water Cost Assessment Model: Other Essential Infrastructure, Admin Needs, and Interim Solutions](#). The State Water Board is increasing its estimate for the cost of capital improvements to support long-term solutions from \$4.56 billion (2021 estimate) to \$10.57 billion, driven by the addition of \$2.86 billion for private well construction and an increase in the number of systems needing assistance.
 - Written comments due January 19

Staff Contact

Soren Nelson
sorenn@acwa.com



WATER QUALITY

California Clean Water Act: 2024 California Integrated Report

- On December 21, the State Water Board released a [Notice of Public Meeting and Consideration of Adoption of California's 2024 Clean Water Act Section 303\(d\) List Portion of the 2024 California Integrated Report \(2024 303\(d\) List\), and Notice of Availability of Proposed Final Documents and Response to Comments](#). The 2024 303(d) List includes new proposed listings and delistings for waterbodies in the San Francisco Bay, Los Angeles, Santa Ana, Central Valley, Central Coast, and San Diego Regional Water Quality Control Boards.
 - Public Meeting: February 6 at 9:00 am
 - Anticipated submission to US EPA: Spring 2024

Staff Contact

Stephen Pang
stephenp@acwa.com

Cross Connection Control Policy Handbook

- On December 19, the State Water Board adopted the [proposed changes to the Cross Connection Control Policy Handbook](#) (CCCPH). The primary objective of the CCCPH is the protection of public health through the establishment of standards intended to ensure a public water system's (PWS) drinking water distribution system will not be subject to the backflow of liquids, gases, or other substances. CCCPH and its standards apply to all California PWS. Changes included new PWS responsibilities, preparation of a CCCPH compliance plan, certification training for staff specialists to work on cross connection control, updated hazard assessment

Staff Contact

Nick Blair
nickb@acwa.com



requirements, and backflow requirements in certain situations. Changes to the CCCPH are expected to take effect mid-2024, and State Water Board staff will develop a guidance document for PWS. ○ Effective Date: Expected Mid-2024	
Hexavalent Chromium Public Health Goal • On November 24, the Office of Environmental Health Hazard Assessment (OEHA) announced the release of its First Draft of the Proposed Health-Protective Concentration (HPC) for the Noncancer Effects of Hexavalent Chromium (Cr(VI)) in Drinking Water (draft HPC), as part of the update to the Cr(VI) Public Health Goal (PHG). The draft HPC proposes updating the noncancer HPC from 2 ppb to 5 ppb. ○ Public Workshop: January 8 at 1:00 pm ○ Written Comments due January 8	Staff Contact Nick Blair nickb@acwa.com 
Water Plan Update • On December 20, DWR held a Public Workshop to discuss the Draft Urban Stormwater Runoff Capture and Management Resource Management Strategy (Draft RMS). The Draft RMS proposes actions to increase the capture and management of urban stormwater, discusses the associated costs and benefits, and provides an overview of anticipated implementation challenges. ○ Written comments due January 12	Staff Contact Stephen Pang stephenp@acwa.com
Water Quality Enforcement Policy • On December 5, the State Water Board adopted the Proposed Amendments to the Water Quality Enforcement Policy (Enforcement Policy Amendments). The Enforcement Policy Amendments help ensure a transparent and consistent application of the statutory factors outlined in the California Water Code that the State Water Board and Regional Water Quality Control Boards must consider when assessing a civil liability. Pending Office of Administrative Law approval, the Enforcement Policy Amendments would become effective March 1, 2024. ○ Effective Date: March 1	Staff Contact Nick Blair nickb@acwa.com
ENERGY	
Advanced Clean Fleets: Implementation Group • On December 4 and 8, the Advanced Clean Fleets (ACF) Truck Regulation Implementation Group (TRIG) held its first quarterly meetings to discuss processes for and challenges with implementing rule provisions, deploying infrastructure, and outreach. TRIG will next meet in early 2024. ○ Upcoming TRIG Meetings: Early 2024	Staff Contact Nick Blair nickb@acwa.com 
Advanced Clean Fleets: Reporting • On December 19, the California Air Resources Board released an ACF Reporting Update. The Update provides information on the Truck Regulation Upload, Compliance, and Reporting System (TRUCRS), which is the reporting system for fleets to meet reporting and compliance requirements. ○ ACF Purchase Requirements began January 1 ○ Initial ACF Compliance Report due April 1	Staff Contact Nick Blair nickb@acwa.com 
Clean Hydrogen Program • In November, the California Energy Commission (CEC) accepted comments on the Draft Solicitation Attachment for Community Engagement, Benefits, and Impacts Requirements for projects funded under the Clean Hydrogen Program's Distributed	Staff Contact Nick Blair nickb@acwa.com

Clean Hydrogen Production with Onsite End Use (H2ONSITE). The solicitation focuses on funding eligible hydrogen production projects with onsite storage and identified end uses that increase technology readiness and decrease clean hydrogen production costs. ○ Release date of Final Solicitation: Expected second quarter of 2024	
Distributed Electricity Backup Assets Program • On December 8, the CEC released Grant Funding Opportunity (GFO) - 23-241 through the Distributed Electricity Backup Assets (DEBA) Program. The DEBA Program makes funding of up to \$150 million available to award to eligible projects for the purchase and installation of efficiency upgrades and capacity additions to existing bulk grid power generators in California. ○ Applications due February 20	Staff Contact Nick Blair nickb@acwa.com 
Electric Vehicle Fast Track Application • On December 19, EnergIIZE Commercial Vehicles announced that it will hold a workshop to provide an overview of the Electric Vehicle (EV) Fast Track Application process and to prepare applicants in applying for funding. EV Fast Track, whose application process is first come first serve, is one of four funding lanes under EnergIIZE. Eligible applicants may receive up to \$500,000 of funding per project. ○ Workshop: January 17 at 2:00 pm	Staff Contact Nick Blair nickb@acwa.com
ACWA COMMENT LETTERS	
Motion to Consider Renewal of the Electric Program Investment Charge Program, California Public Utilities Commission, December 8, 2023	
Tulare Lake Subbasin Probationary Hearing Draft Staff Report, State Water Resources Control Board, December 8, 2023	
Proposed Hexavalent Chromium Maximum Contaminant Level and Addendum to Initial Statement of Reasons, State Water Resources Control Board, December 15, 2023	
To receive a monthly email of the Regulatory Roundup, please contact Sonja Eschenburg. The Regulatory Roundup is also available on ACWA's website.	