



MONTHLY REGULATORY ROUNDUP



October 2023

UPCOMING ACWA EVENTS

ACWA FALL 2023 CONFERENCE

ACWA will host its 2023 Fall Conference and Exhibition in Indian Wells, CA from November 28-30. Click [here](#) to register for Fall Conference including the ACWA Regulatory Committee Meetings on Tuesday, November 28 (preliminary schedule below):

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

ACWA REGION EVENTS

- ACWA Region 4 / C.W. “Bill” Jones Pumping Plan Tour / October 4 at 8:30 am / Sold out.
- ACWA Region 8 / Leadership to Leadership Listening Session / October 11 at 2:00 pm / Register [here](#).
- ACWA Regions 6 & 7 / Harris Ranch Tour and Water Forum / October 12, 13 at 8:00 am / Register [here](#).

POLICY UPDATES

WATER MANAGEMENT

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

- On September 28, the State Water Board released a [Notice of Availability and Opportunity for Public Comment, Hearing, and Staff Workshops on Draft Staff Report in Support of Potential Sacramento/Delta Updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary \(Bay-Delta Plan\)](#). The [draft Staff Report/Substitute Environmental Document](#) analyzes a range of alternatives for updating the Sacramento/Delta component 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. The State Water Board will hold two public workshops to provide an overview of the report and the modeling used, respectively, and a series of public hearings.
 - Public Workshops: [October 19](#) and [November 2](#) at 9:30 am
 - Public Hearings: November 17 at 9:30 am, December 1 at 9:30 am, and December 11 at 4:00 pm
 - Written Comments due December 15

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California’s Fifth Climate Change Assessment – Regional Workshops

- The Governor’s Office of Planning and Research is holding in-person workshops as part of [California’s Fifth Climate Change Assessment](#) (Fifth Assessment). Attendees are invited to provide input and identify local priorities for the Fifth Assessment.
 - October 3 at 10:00 am: [California Coast](#)
 - October 3 at 2:00 pm: [Southern California](#)

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October 4 at 10:00 am: Sacramento Valley, San Joaquin Valley, and Sierra Nevada	
Instream Flow Water Purchase Program - DWR and the California Natural Resources Agency are accepting proposals for the Instream Flow Water Purchase Program. Funding is available for projects that measurably enhance existing flow conditions to provide fisheries and ecosystem benefits, with a focus on the acquisition of instream flows in the Sacramento-San Joaquin watershed during January through June. Applicants are encouraged to contact DWR if there is any uncertainty about project eligibility. - Applications due as soon as possible	Staff Contact Stephen Pang stephenp@acwa.com
Making Conservation a California Way of Life - On August 18, the State Water Board initiated the formal rulemaking process for “Making Conservation a California Way of Life” and released the Proposed Text of the Regulation and supporting material that are intended to implement AB 1668 and SB 606 (2018). Under the Proposed Text of the Regulation, urban retail water suppliers would be required to meet an agency specific urban water use objective starting in 2025, implement Commercial, Industrial and Institutional Performance Measures, and comply with annual reporting requirements. The State Water Board is expected to adopt a final regulation in Summer 2024. - Public Workshop: October 4 - Written comments due October 17	Staff Contact Chelsea Haines chelseah@acwa.com 
Scott River and Shasta River Watershed Emergency Regulation - On September 8, the State Water Board released a Notice of Public Workshop Regarding Emergency Regulation Efforts in the Scott River and Shasta River Watersheds. The workshop will focus on technical items including minimum flows, the state of fisheries, data, and local cooperative solutions. State Water Board action will not be taken at the workshop; input received will inform the timing and content of a future emergency regulation. - Public Workshop: October 6 at 9:00 am	Staff Contact Stephen Pang stephenp@acwa.com
Water Plan Update 2023 Desalination Resource Management Strategy: On September 13, the Department of Water Resources (DWR) held a workshop to discuss the draft Desalination Resource Management Strategy (RMS). The Desalination RMS is a supporting document for the 2023 Update to the California Water Plan and describes the current status of desalination in California, challenges to increasing its use, and resources needed to meet demands and diversify water supplies on both regional and local levels. - Written comments due October 6 Public Review Draft: On September 20, DWR released the Public Review Draft of the California Water Plan Update 2023 (Update 2023). The Water Plan is California’s strategic plan for sustainably and equitably managing and developing water resources. Update 2023 focuses on climate urgency, watershed resilience, and equity in water. Plenary: DWR will host a 2-day plenary session as part of Update 2023. Keynote speakers, panel presentations, interactive sessions, and breakouts will provide participants an opportunity to learn about and provide feedback on the public review draft of Update 2023, scheduled for release in mid-September. Plenary Session: October 3 and 4 from 8:00 am – 5:00 pm	Staff Contact Soren Nelson sorenn@acwa.com 

AGRICULTURE

Streamlining Regulatory Processes for Agriculture

- On August 17, the California Department of Food and Agriculture, in collaboration with CalEPA and the State Water Board, announced a [Regulatory Alignment Study](#) to streamline administrative processes and data collection by evaluating food safety and water quality regulatory reporting requirements. Listening sessions are being conducted (in-person and virtually) with the agriculture community and stakeholders to identify streamlining opportunities. Email RegulatoryAlignmentStudy@crowe.com to schedule a listening session.
 - [Listening sessions](#): Ongoing

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SAFE DRINKING WATER

California Water and Wastewater Extended Arrearage Payment Program

- On August 25, the State Water Board released a [Notice of Opportunity for Public Comments, Public Workshop and Board Consideration of the Draft California Water and Wastewater Extended Arrearage Payment Program \(Arrearage Payment Program\) Guidelines](#). The expanded Arrearage Payment Program will provide payments to water and wastewater customer arrearages for the period of March 4, 2020 through December 31, 2022.
 - Meeting to Consider Adoption: October 3 at 9:30 am
 - Application Period: Estimated to begin November 2023

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SAFER: Drinking Water Cost Assessment Model

- The State Water Board will hold a second [public webinar](#) to provide an opportunity for stakeholders to learn and provide feedback on the proposed Drinking Water Costs Assessments Model updates, including proposed updates 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](#): October 5 at 9:00 am

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SAFER: 2023 – '24 Fund Expenditure Plan

- On October 3, the State Water Board will consider adoption of the [Draft Final FY 2023-24 Fund Expenditure Plan \(FEP\) for the Safe and Affordable Drinking Water \(SADW\) Fund](#). The FEP discusses FY 2023-24 funding targets, funding prioritization by solution type, distribution of prior FY 2022-23 funds, metrics and performance, funding process, financing and programmatic requirements, and schedule.
 - Meeting to Consider Adoption: October 3 at 9:30 am

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WATER QUALITY

Clean Water Act: Section 401

- On September 14, the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers issued their final [Clean Water Action Section 401 Water Quality Certification Improvement Rule](#) (2023 Rule) to protect water resources from adverse impacts that could result from federally licensed or permitted projects. The 2023 Rule restores the fundamental authority granted by Congress to states, territories, and authorized tribes and provides a clear and consistent certification process.
 - [Webinar](#): October 4 at 10:00 am

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Municipal Stormwater Cost Policy

- On August 25, the State Water Board released a [Revised Notice of Opportunity for Public Comment and Board Workshop on a Draft Water Quality Control Policy for](#)

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Standardized Cost Reporting in Municipal Stormwater Permits (Draft Policy). The proposed Draft Policy and associated Staff Report identify statewide cost reporting requirements for Phase I and Phase II MS4 permittees. If adopted, the policy would require the use of standardized cost categories to track MS4 permit implementation costs and the reporting of annual expenditures for implementing MS4 permits. Written comments due October 3 by 12:00 pm	
Cross Connection Control Policy Handbook - On September 29, the State Water Board released a Notice of Opportunity for Public Comments & Board Workshop on the Draft Cross Connection Control Policy Handbook (Draft CCCPH). The latest Draft CCCPH will be released ahead of the Board Workshop. The State Water Board is expected to adopt the CCCPH in 2024. - Public Workshop: October 18 at 9:30 am - Written comments due October 20 at 12:00 pm	Staff Contact Nick Blair nickb@acwa.com 
Proposed Emergency Fee Increases - On September 19, the State Water Board adopted several Proposed Emergency Fee Increases to conform to the revenue levels set forth in the Budget Act for Fiscal Year 2023-24, which would adjust the respective fee schedules. Environmental Laboratory Accreditation Program Fee: Proposed 30% increase Water Quality Fee: Proposed 5.5% increase Water Rights Fee: Proposed increase from \$0.106 to \$0.109 per each acre-foot greater than 10 acre-feet, with no change in the base fee Drinking Water Fee: Different proposed fee increases depending on the permit	Staff Contact Nick Blair nickb@acwa.com, Stephen Pang stephenp@acwa.com
Water Quality Enforcement Policy - On August 9, the State Water Board released a Revised Notice of Opportunity for Public Comment, Public Hearing, and Consideration of Adoption of Proposed Amendments to the Water Quality Enforcement Policy. The Proposed Amendments aim to ensure a more transparent and consistent application of the statutory factors outlined in California Water Code that the State Water Board and Regional Water Quality Control Boards must consider when assessing a civil liability. - Meeting to Consider Adoption: date TBD	Staff Contact Nick Blair nickb@acwa.com
ENERGY	
Advanced Clean Fleets Regulation - The California Air Resources Board (CARB) will hold a webinar to provide an overview of the Advanced Clean Fleets (ACF) regulation, and outline upcoming compliance requirements which will take effect starting January 1, 2024. The Office of Administrative Law approved ACF on September 29. - Webinar: October 18 at 9:00 am	Staff Contact Nick Blair nickb@acwa.com 
Electric Vehicle Charging Regulation - The California Energy Commission (CEC) will host a workshop to discuss a staff proposal for new regulations requiring select operators of electric vehicle (EV) charging stations to report the number, utilization, and reliability of charging stations to the CEC. The CEC will seek feedback on the proposed regulations' practicality and expected impact on the EV driver experience and state transportation electrification goals. - Public Workshop: October 9 at 10:00 am	Staff Contact Nick Blair nickb@acwa.com 

Long Duration Storage

- The CEC will host a [workshop](#) to assess the role of energy storage, including long-duration energy storage (LDES), in meeting California's clean energy goals established by Senate Bill 100. to assess the role of energy storage, including long-duration energy storage (LDES), in meeting California's clean energy goals established by Senate Bill 100.
 - Public Workshop: October 9 at 1:30 pm

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