

MONTHLY REGULATORY ROUNDUP



MARCH 2024

UPCOMING EVENTS

ACWA QUARTERLY REGULATORY COMMITTEE MEETINGS

ACWA's next [Quarterly Regulatory Committee Meetings](#) will be held virtually on March 6 from 9:00 am – 5:00 pm. [Register](#) once to attend any or all of the meetings. The schedule includes:

9:00 AM – 9:30 AM	ACWA Updates and Committee
9:30 AM – 10:45 AM	Water Management Committee
11:00 AM – 12:15 PM	Groundwater Committee
12:45 PM – 2:00 PM	Agriculture Committee
2:15 PM – 3:30 PM	Water Quality Committee
3:45 PM – 5:00 PM	Energy Committee

ACWA 2024 LEGISLATIVE SYMPOSIUM

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

POLICY UPDATES

FEDERAL

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

WATER MANAGEMENT

Delta Adapts Draft Adaptation Plan

- The Delta Stewardship Council will host a [public workshop](#) on the [Delta Adapts Draft Adaptation Plan](#) to discuss climate adaptation strategies for the Sacramento-San Joaquin Delta and Suisun Marsh, including high-priority actions, entities responsible for implementation, and financing adaptation.
 - Public Workshop: March 1 at 10:00 am

Staff Contact

Stephen Pang
stephenp@acwa.com



Electronic Annual Report: Closure of Reporting Year 2022

- On January 2, the State Water Resources Control Board (State Water Board) [announced](#) its closure of the reporting year (RY) 2022 [eAR](#) Survey. All public water systems are required to complete the eAR under the [January 2024 Technical Reporting Order](#).
 - RY 2023 eAR due April 1

Staff Contact

Nick Blair
nickb@acwa.com



Fees: 2024 Drinking Water, Water Quality, and Water Rights

- The State Water Board is holding a series of [stakeholder meetings](#) to discuss drinking water, water quality, and water rights fees.
 - Water Quality: March 7 from 9:00 – 11:00 am
 - Water Rights: March 7 from 1:00 – 3:00 pm
 - Drinking Water: March 8 from 9:00 – 11:00 am

Staff Contact

Chelsea Haines
chelseah@acwa.com

Flood-MAR

- The [Flood-MAR Network](#) will host a series of [public webinars](#) to discuss topics relevant to [Flood-MAR](#).

Staff Contact

Soren Nelson
sorenn@acwa.com

Public Workshops: March 6, April 3 from 12:30 – 1:30 pm	
PRIORITY Making Water 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). The State Water Board expects to release a revised draft of the Regulation in March.	Staff Contact Chelsea Haines chelseah@acwa.com 
PRIORITY Racial Equity Action Plan - On February 21, the State Water Board published its Racial Equity Action Plan 2023 Annual Update (Update). The Update details the progress that each division and office has made towards its racial equity actions. The State Water Board will review the Update and accept feedback at its next Board Meeting. Board Meeting: March 5 at 9:00 am	Staff Contact Chelsea Haines chelseah@acwa.com
Scott-Shasta Emergency Regulation On February 1, the Office of Administrative Law approved adoption of a new emergency regulation for the Scott and Shasta River watersheds. The 2024 emergency regulation, which expires February 1, 2025, provides the State Water Board with curtailment and information order authority to protect minimum instream flows, while also providing for water use for minimum human health and safety, minimum livestock watering, and non-consumptive uses.	Staff Contact Stephen Pang stephenp@acwa.com
Water Measurement and Reporting - On February 26, the State Water Board released a Notice of Upcoming Water Measurement and Reporting Training Course hosted by University of California, Cooperative Extension Agriculture and Natural Resources in Red Bluff, CA. The course, which is authorized under AB 589, is designed for all water rights holders who, under SB-88, are authorized to divert more than 10 acre-feet per year and required to measure and report the water that they divert. Training Course: March 15 from 9:00 am – 12:30 pm	Staff Contact Nick Blair nickb@acwa.com
Water Storage Investment Program Groundwater Projects - On February 16, the Department of Water Resources (DWR) released a Notice of Availability of the Draft Supplemental Environmental Impact (Draft SEIR) for the Report Pulse Flows Component of the Water Storage Investment Program (WSIP) Groundwater Projects (Pulse Flows Component). The Draft SEIR supplements environmental impact reports (EIRs) for three WSIP Groundwater Projects including the Chino Basin Program, the Kern Fan Groundwater Storage Project, and the Willow Springs Water Bank Project, such that environmental effects of DWR’s actions needed to implement pulse flows can be evaluated. Public Meeting: March 19 at 4:00 pm - Comments due April 1 at 5:00 pm	Staff Contact Soren Nelson sorenn@acwa.com
Water Supply Strategy Implementation – Brackish Water Desalination On February 21, DWR released a report Projected Brackish Water Desalination Projects in California. The report identifies future planned desalination projects to help meet the brackish water supply goals identified in California’s Water Supply Strategy. The report projects that the State will achieve the Water Supply Strategy’s 2030 goal of 28,000 acre-feet per year. State Water Board released an article that examines the volume of water available for brackish groundwater	Staff Contact Stephen Pang stephenp@acwa.com 

desalination in groundwater basins impaired by salts and nutrients. State Water Board staff developed a map that identifies basins with potential for brackish groundwater desalination, with the highest potential existing in coastal groundwater basins with access to existing infrastructure.

Water Supply Strategy Implementation – Recycled Water

- The State Water Board released an [article](#) that identifies recycled water projects that hold the potential to be operational by 2030 and by no later than 2040 to meet the goals identified in California’s Water Supply Strategy. Currently, the State is on a path to meet the 2030 goals, but additional investments and project planning will be needed to meet the 2040 goals.

Staff Contact

Stephen Pang
stephenp@acwa.com



AGRICULTURE

Cannabis Appellations Program

- On February 2, the California Department of Food and Agriculture’s (CDFA) Office of Environmental Farming and Innovation released a [Notice of Proposed Rulemaking Action 45-Day Notice](#) regarding [proposed regulations](#) to amend the [Cannabis Appellations Program](#). The proposed regulations effectively require all cultivation activities to occur within the appellation of origin boundary and that licensed cannabis cultivators notify CDFA of the use of an appellation of origin.
 - Virtual Public Hearing: March 19 at 11:00 am
 - Comments due March 19 at midnight

Staff Contact

Stephen Pang
stephenp@acwa.com

Value-Added Producer Grant Program

- On January 22, the U.S. Department of Agriculture’s Rural Development [announced](#) the application opening period of its [Value-Added Producer Grant \(VAPG\) Program](#). The VAPG Program helps agricultural producers enter value-added activities to generate new products, create and expand marketing opportunities, and increase producer income.
 - Electronic applications due April 11
 - Paper applications due April 16

Staff Contact

Stephen Pang
stephenp@acwa.com

GROUNDWATER

Groundwater Awareness Week

- DWR is celebrating [Groundwater Awareness Week](#) with a series of mid-day virtual activities meant to promote groundwater awareness, discuss the Sustainable Groundwater Management Act (SGMA), and encourage development of partnerships and projects geared towards long-term water supply resiliency.
 - [California Water Management and Progress since the Signing of SGMA](#): March 11 from 11:00 am – 12:30 pm
 - [Outreach and Engagement Training for Groundwater Sustainability Agencies](#): March 12 from 10:00 – 11:30 am
 - [Outreach and Engagement Training for Groundwater Sustainability Agencies](#): March 13 from 10:00 – 11:30 am
 - [Groundwater Sustainability Plan Reporting Process and Requirements](#): March 14 from 12:00 – 1:00 pm
 - [Planning for the Future: Data, Tools, and Models](#): March 15 from 12:00 – 1:00 pm

Staff Contact

Soren Nelson
sorenn@acwa.com

Interconnected Surface Water

Staff Contact

Soren Nelson
sorenn@acwa.com

- On February 21, DWR [released](#) the [first](#) in a series of three papers that will discuss the technical aspects of interconnected surface water and quantification of depletions. DWR does not appear to be taking comments on this paper. The two subsequent papers are expected to be released later this year.



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.
 - Anticipated submission to U.S. EPA: Spring 2024

Staff Contact

Stephen Pang
stephenp@acwa.com

Drinking Water and Clean Water State Revolving Fund

- On January 30 and 31, the State Water Board posted the Draft Updated 2023-24 [Drinking Water State Revolving Fund](#) (DWSRF) and [Clean Water State Revolving Fund](#) (CWSRF) Intended Use Plan (IUP) Comprehensive Lists and Draft Updated 2023-24 DWSRF and CWSRF IUP Fundable Lists for public comment. Per the 2023-24 DWSRF and CWSRF IUPs, the Division of Financial Assistance (DFA) will periodically update the Comprehensive Lists which also identify those projects which are on the Fundable Lists. These updated Fundable Lists include all projects that may be eligible for grant or principal forgiveness under Appendices D and E, for consolidation incentive with a complete application, public health projects, estuary projects, or water recycling or stormwater projects,
 - Comments due March 1
- On February 9, the State Water Board released a [Notice of Opportunity for Public Comments and Board Consideration of Proposal to Amend the State Fiscal Year 2023-34 CWSRF IUP by Providing the DFA Deputy Director with Discretion to Reduce the Maximum Amount for Water Recycling Funding Grants](#). DFA staff is seeking approval to amend Appendix F of the 2023-24 CWSRF IUP to provide the Deputy Director with discretion to reduce the [Water Recycling Funding Program](#) maximum grant amount provided per project. The maximum Planning Grant amount within Appendix F would remain at \$500,000.
 - Comments due March 11 by 12:00 pm
 - Consideration of Adoption: March 19 at 9:00 am

Staff Contact

Nick Blair
nickb@acwa.com



EPA Source Reduction Funding

- On February 15, the Environmental Protection Agency (EPA) [announced](#) a grant funding opportunity for Regions 3, 4, 5, 7, 8, 9, and 10 to advance innovative, cost-effective, and replicable source reduction approaches that save energy and water, reduce pollution, and improve human health and the environment. A total of \$1,500,000 in federal funds is available across all participating EPA Regions, and applications require a cost share or match of 5% of the federal funds requested.
 - Application Proposals due April 15

Staff Contact

Nick Blair
nickb@acwa.com

PRIORITY

Hexavalent Chromium Maximum Contaminant Level

- On February 14, the State Water Board [announced](#) its extension of the deadline to comment on the materials added to the list of Documents Relied upon for the

Staff Contact

Nick Blair
nickb@acwa.com

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). ○ Comments due March 4 ○ Anticipated adoption: April 2024	
PRIORITY 2024 Drinking Water Priorities • On March 5, the State Water Board will consider a proposed Resolution adopting the prioritization of drinking water regulations development for calendar year 2024. Priorities will 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. ○ Consideration to Adopt: March 5 at 9:00 am	Staff Contact Nick Blair nickb@acwa.com
ENERGY	
PRIORITY Advanced Clean Fleets • The California Air Resources Board will hold a compilation of meetings in March 2024 to discuss Advanced Clean Fleets Truck Regulation Upload, Compliance and Reporting System reporting requirements and other reporting tools, such as large fleet uploads and compliant fleet lookups, rules provisions related to charging infrastructure, and a meeting specific to state and local fleets requirements. ○ Question and Answer Session: March 5 at 9:00 am ○ TRIG Meeting: March 11 at 1:00 pm ○ Question and Answer Session: March 12 at 9:00 am	Staff Contact Nick Blair nickb@acwa.com 
Clean Hydrogen Funding • On February 29, the CEC announced intent to release a Clean Hydrogen Program solicitation (up to \$100 million available), in March 2024, to support the development and deployment of centralized hydrogen production facilities that produce 5 metric tons of clean hydrogen per day or more. Eligible projects under AB 209 are specific to hydrogen derived from water using eligible renewable energy resources, or produced from these eligible renewable energy resources.	Staff Contact Nick Blair nickb@acwa.com
Distributed Electricity Backup Assets Program • On February 23, the California Energy Commission (CEC) released a Notice of Public Workshop for the Distributed Electricity Backup Assets Program - Distributed Energy Resources (DERs) for Reliability Draft Solicitation Concept. The draft solicitation concept outlines the framework under consideration for a competitive grant solicitation to fund the deployment of DERs that will provide emergency supply or load reduction during extreme events as part of California's Strategic Reliability Reserve. A full solicitation manual will be released after public comments are received and considered, and successful projects are expected to begin deploying DER resources by Summer 2025. ○ Public Workshop: March 5 at 1:00 pm ○ Comments due March 15 at 5:00 pm	Staff Contact Nick Blair nickb@acwa.com 
Electric Vehicle Infrastructure • On February 14, the CEC approved a \$1.9 billion investment plan that accelerates progress on California's electric vehicle (EV) charging and hydrogen refueling goals. As part of the CEC's Clean Transportation Program, these funds will be used over the next 4 years to help deploy infrastructure for zero-emission vehicles across	Staff Contact Nick Blair nickb@acwa.com 

California, resulting in 40,000 new chargers statewide. The CEC's second [AB 2127 EV Charging Infrastructure Assessment](#) affirms the need for widespread investment in the grid and effective management of California's electrical grid to reduce potential impacts.

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



Indicates active ACWA Working Group



Indicates ACWA priority issue