

State Water Resources Control Board

February 2024 State Board Liaison Report – Region 9

Governor’s Budget Proposed 2023-2024 Budget

Gov. Newsom announced a \$291 billion state spending plan on January 10, 2024, with the state facing an estimated \$37.9 billion deficit. CalEPA’s [proposed budget for FY2023-24](#) includes \$5.4 billion. The Governor’s Office proposes \$489.9 million of General Fund solutions in non-climate Natural Resources and Environmental Protection-related programs to achieve a balanced budget.

- Sackett—While *Sackett v. EPA* significantly narrowed the reach of the federal Clean Water Act, California is well positioned to maintain wetlands protections. The Budget includes \$6.1 million Waste Discharge Permit Fund in FY2023-24 and \$7 million ongoing for the State and Regional Water Boards to conduct essential activities to protect these waters, including water quality permitting and enforcement work that had been conducted by USACE and USEPA.
- Water recycling—Maintains \$348 million previously allocated to water recycling and groundwater cleanup, with a proposed reversion of \$174.4 million of General Funds and a delay of \$100 million until 2025-26 for these programs.
- PFAS and PFOA—Maintains \$53 million previously allocated to this program, with a reversion of \$71.6 million of General Funds and reduction of \$30 million in 2024-25 PFAS and PFOA support.

Strategic Work Plan

On February 6 the State Board held an informational item to discuss its priorities and Strategic Work Plan for 2024. The draft plan includes strategies for achieving the Governor’s Water Supply Strategy (2022), expediting funding packages, and delivering on the State Board’s mission to preserve, enhance, and restore the quality of California’s water resources.

California’s 2024 Clean Water Act Section 303(d)

On February 6 the State Board [adopted California’s 2024 Clean Water Act Section 303\(d\) list](#), which includes listings and delistings for waterbodies in the San Francisco Bay, Los Angeles, Santa Ana, Central Coast, and San Diego Regional Water Quality Control Boards. The Proposed Final 2024 303(d) List, the Proposed Final Staff Report,

and the Summary of Comments and Responses can be [found online through the program page](#). If adopted, the list will go to USEPA later this spring.

SAFER Drinking Water Advisory Program Meeting

On February 13th, the SAFER Drinking Water Advisory Program Meeting will [hold its first meeting of 2024](#) in-person at headquarters in Sacramento and virtually. The advisory group advises the State Board on the SAFER Fund Expenditure Plan, and other key analyses and policies as needed.

Wastewater Needs Assessment

Statewide Wastewater Needs Assessment (WWNA) Advisory Group Applications are being accepted through **February 29, 2024**. Links to the Advisory Group application and participation expectations are available on the California Water Boards [WWNA public webpage](#) in English and Spanish. Additional language services may be provided through the [California Water Boards Office of Public Participation](#).

California's Water Supply Strategy

California Water Supply Strategy and Implementation Actions

The Water Supply Strategy outlines California's strategy and priority actions to adapt and protect water supplies based on new data and accelerated climate change. To ensure California has the new water needed for generations to come, this strategy outlines four sets of actions the State will pursue, sets targets, and identifies specific implementation steps to prepare California for its new climate reality. The following is an update on the milestones and implementation steps since the last Executive Director's Reporting.

Division of Water Quality

Desalination (Action 1.2)

Seawater Desalination

On December 20, 2023, the State Water Board released the final [Seawater Desalination Siting and Streamlining Report to Expedite Permitting](#), following a public comment period. This report outlines important considerations and best practices for seawater desalination proponents on how to plan projects that may be permitted more efficiently by state and federal agencies. To develop the report, the State Water Board convened a Seawater Desalination Interagency Group comprised of state and federal agencies that review environmental documents and permit or lease applications for proposed seawater desalination facilities. The Seawater Desalination Interagency Group identified criteria for siting seawater desalination projects so that they are cost-effective and environmentally appropriate; and recommended potential changes to current requirements to streamline permitting.

Stormwater Capture (Action 2.5)

Division of Water Quality staff initiated a contract with the Office of Water Programs at California State University, Sacramento to develop a method to estimate current stormwater volume amounts using open-source tools. The project will also begin to establish an inventory of stormwater capture infrastructure throughout California. Work under this contract will begin in April 2024 and be completed by June 2026.

Division of Drinking Water

Recycled Water DPR (Action 1.1)

The final draft of the direct potable reuse regulations was presented at the Tuesday December 19, 2023, Board Adoption Hearing and was unanimously approved by the Board. The regulations will continue through the administrative procedures act process before final adoption in July 2024.

Division of Water Rights

Groundwater Recharge (Action 2.1)

Information on recently issued permits and the status of pending temporary permit applications is available at bit.ly/temporaryrechargepermits.

DIVISION OF WATER QUALITY

Statewide Wastewater Needs Assessment

Statewide Wastewater Needs Assessment (WWNA) Advisory Group Applications are being accepted through **February 29, 2024**. Links to the Advisory Group application and participation expectations are available on the California Water Boards [Wastewater Needs Assessment public webpage](#) in English and Spanish. Additional language services may be provided through the [California Water Boards Office of Public Participation](#). The Advisory Group is a consultative body that will advise the development of the Water Boards Wastewater Needs Assessment. The Advisory group is not granted any statutory decision-making authorities, however, may provide recommendations to Water Board Members through a public process. Please email WWNA@waterboards.ca.gov with questions and use the [California Water Boards Email Subscriptions](#) to sign up for Wastewater Needs Assessment updates.

Background

The Wastewater Needs Assessment team led by the University of California Los Angeles, Luskin Center for Innovation coordinated with Water Board staff from water quality, public participation, and tribal affairs to identify and utilize multiple communication methods to reach interested participants from the public and sectors such as academia, community-based organizations, environmental justice advocates, governmental offices (federal/state/local), tribal sovereignties, wastewater technical assistance providers and consulting, and the wastewater industry. The opportunity to join the 30-seat Advisory Group was shared with the public and interested parties in January 2024.

The Wastewater Needs Assessment, commenced July 1, 2023, is a four-year assessment project to provide information on and strategies to address sanitation access for California communities and broader wastewater compliance challenges that inhibit the Water Board's vision of clean, safe, accessible, and affordable water for human uses and environmental resource protection across California.

Irrigated Lands Regulatory Program Update: The Irrigated Lands Regulatory reports are included in Appendix A of this report.

Statewide Policies and Significant General Permits: The Statewide Policies and Significant General Permits report can be accessed at the [Statewide and Regional Policies / Significant General Permits website](#)

DIVISION OF WATER RIGHTS

Drought-related Items

Delta Watershed: On December 14, 2023, the Board released [Order WR 2023-0065-EXEC](#) denying a joint petition for reconsideration from the South Delta Water Agency and Central Delta Water Agency of the curtailment orders issued pursuant to the 2022 emergency regulation for the Sacramento-San Joaquin Delta watershed. The order responds to petitioners' arguments previously denied in Order WR 2022-0147-EXEC and finds that the methodology used to support the curtailments did not fail to properly incorporate effects of the Delta Drought Response Pilot Program and settlement contractor demands, that curtailments did not violate the rule of priority and due process requirements, and that, per the regulation, tidal flows were correctly excluded as a source of supply. The order denies the petition because the petitioners' arguments fail on the merits and concludes that the curtailment orders were a lawful exercise of the Board's regulatory authority that did not violate any of petitioners' substantive or procedural rights.

Report prepared by Mike Read & approved by Eric Oppenheimer.