

CWSA Community Updates

CWSA Members and Friends of Small Water Systems,

As we continue to push forward in the second half of 2026, we want to take a moment to reflect on the momentum and positive progress we've seen and look ahead to what's coming later this year.

Western Joshua Tree Conservation Act Reforms Near the Legislative Finish Line

Our members in the high desert region of San Bernardino and Los Angeles Counties have been alarmed by the implementation of the WJTCA since the Act passed in a 2023 budget trailer bill. The Act is intended to protect the Western Joshua Trees that are prevalent across a relatively large area and help the species survive changing climate conditions, but we've seen the unintended consequences borne by businesses, water agencies, and residents in the region.

For more than two years, CWSA has worked with a coalition of local stakeholders, the CA Department of Fish and Wildlife (CDFW), and legislators to relieve homeowners and agencies from highly restrictive root buffers and very high fees for incidental taking that may not actually harm the trees. CWSA members Bighorn-Desert View Water Agency, Hi-Desert Water District, Mojave Water Agency, and Palmdale Water District have been great advocates for reasonable amendments to the law, and have been joined on coalition letters by Twentynine Palms Water District, San Geronimo Pass Water Agency and Mission Springs Water District along with other coalition partners. These advocacy efforts, including multiple trips to Sacramento in support of the following bills, have been effective, and coalition members will continue lobbying for final approval by the legislature, and signature by Governor Newsom.

AB 1663 (Wallis) – Would expand certain Western Joshua Tree Conservation Act procedures by allowing a property owner's agent to submit permit requests and by broadening tribal memoranda of understanding to cover taking, possession, purchase, or sale of western Joshua trees for cultural purposes. This bill has made it to the Governor's desk and is awaiting signature.

AB 1808 (Carrillo) – Would expand local permitting and fee options for western Joshua tree removal, add exemptions for certain small residential and public works projects, and delay some state fee-regulation deadlines. This bill has made it to the Governor's desk and is awaiting signature.

SB 1061 (Ochoa Bogh) – Would allow the Department of Fish and Wildlife to issue permits for relocating up to 10 western Joshua trees from a parcel without requiring fees or other mitigation, if specific conditions are met. This bill recently died in the Assembly Appropriations suspense file.

SB 1062 (Ochoa Bogh) – Would require the Department of Fish and Wildlife to consider adjusting western Joshua tree mitigation fees so they are proportional to project impacts and may be tiered by project type, size, or other criteria. This bill has made it to the Governor's desk and is awaiting signature.

Hexavalent Chromium Regulation Is Appealed, Funding Assistance Uncertain

A Fresno Superior Court decision upholding the regulation of hexavalent chromium (also known as Cr-6) is being appealed by all of the original petitioners. In 2024, the State Water Resources Control Board (SWRCB) set the hexavalent chromium Maximum Contaminant Level (MCL) at 10 parts per billion (ppb). Several water agencies facing extreme hardship to comply with the regulation, including CWSA members Indio Water Authority and Joshua Basin Water District, challenged the legality of that regulation soon after it became effective. The petitioners argued that the state's action was arbitrary and capricious by following a flawed process in a few ways:

1. The SWRCB did not coordinate development of the MCL concurrently with the review and updating of the Cr-6 Public Health Goal (PHG) by the Office of Environmental Health Hazard Assessment, but went ahead with the regulation just before that review was initiated.
2. The SWRCB did not exercise independent judgement when setting the MCL, and also failed to submit key elements of the regulation to outside scientific peer review. While they are required to set the MCL at a level as close to the PHG as is feasible, they do not need to focus solely on the PHG when determining what level is feasible. The state is required, however, to seek external peer review on scientific underpinnings, which was only partially fulfilled.
3. The regulation failed to adequately consider technological and economic feasibility of compliance in setting the MCL at 10 ppb. Specifically, the petitioners claim that the State Water Board underestimated compliance cost and failed to meaningfully analyze the economic impacts on small water systems.

The Fresno judge's decision upholding the MCL failed to address the legal points advanced by the water agency petitioners, rather summarily concluding that they just did not agree with the outcome. If left standing, this decision would enable the use of vague criteria for considering economic feasibility for small water systems and those serving less affluent consumers and affirm the State Water Board's loose interpretation of its legal requirements. The schedule for appellate presentation of the case has not been announced.

As drinking water systems plan how they will comply with the Cr-6 regulation, a critical question they confront is how to pay for the very large capital improvements needed. The draft Intended Use Plan for the drinking water State Revolving Fund was expected to include loans and grants for Cr-6 projects such as new treatment works, or new pipelines and blending facilities, but very few projects on the list appear to be related to chromium. CWSA sent a letter to the SWRCB supporting the priority given to Cr-6 compliance projects, despite the shortage of applications.

State Water Resources Control Board Agrees to Workshop on Drinking Water Standards Priorities

Agreeing to requests from Water Board Member Sean Maguire and the water community, Board Chair Joaquin Esquivel committed to have a public workshop on how the Water Board decides its priorities for drinking water regulation. In early March, the State Water Board adopted a resolution setting its drinking water regulatory priorities for 2026. This annual exercise repeated most of the same priorities from the lengthy list several prior years.. CWSA members have discussed concerns about a lack of transparency in decisions on drinking water regulation, and these views were not isolated to CWSA. Two other water associations made pointed comments in letters on this item, calling for more public vetting and clarity about timing, and a ranking of the many contaminants listed as “priorities.” In response, the Board has proposed a Fall 2026 workshop for further discussion and public input on 2027 priorities, in which CWSA members will be sure to participate.

Legislative Wins Preserve Powers of Mutual Water Companies

In support of CalMutuals, our parent organization and fiscal sponsor, we submitted letters in opposition to SB 1417 (Perez) and SB 1291 (Gonzalez). Both bills targeted mutual water companies and raised serious concerns around Board member and shareholder privacy and safety, along with redundant, onerous requirements for Board meeting policies. We are pleased to report that SB 1291 died in the Senate, and Senator Perez accepted a majority of the amendments CalMutuals requested to address the privacy concerns raised by SB 1417.

Viewed more broadly, the bills appeared to be misdirected responses in the aftermath of the Eaton Fire that devastated two of the mutual water companies serving the Altadena community. Although the companies were well funded for normal operations and held appropriate insurance and financial reserves, rebuilding after a major loss of revenue requires disaster relief from the state government. Yet, the mutuals serving Altadena have been starved for recovery funds when compared to the state financial assistance provided to recover from the wildfire that burned through Paradise, California a few years ago.

CWSA Member Spotlights

San Geronio Pass Water Agency – Bridge Funding Program

San Geronio Pass Water Agency (Pass Agency), like many of our members, exemplifies the concept of “large helping small.” It has several initiatives aimed to bring support to smaller systems in its region. Its gap funding program provides 0% interest loans from unrestricted general funds to smaller and disadvantaged water systems, giving them the up-front capital to accept State and Federal grants (which are typically reimbursement-based) sooner and without shifting costs onto customers. The Pass Agency is also partnering with Riverside County to install seven heli-hydrants throughout the region, funded through federal American Rescue Plan Act (ARPA) dollars. The hydrants will let helicopters to refill with water in under ten seconds, providing fast, reliable firefighting water supply in times of need. Read more about the real

impacts and help that the Pass Agency's bridge funding program has brought to their region, highlighted in AWWA's SOURCE Magazine:

<https://www.bluetoad.com/publication/?i=866073&p=24&view=issueViewer>

Mesa Water District – Mesa Water Education Center

Mesa Water District opened its new Water Education Center in January 2025 — the only facility of its kind in Orange County. The 2,400-square-foot center features more than 20 interactive exhibits, including a theater exploring Mesa Water's unique ancient amber water story and an immersive aquifer experience. Beyond educating the public on Mesa Water's 100% local water supply, the Center also helps inspire the next generation of water professionals as the industry faces a wave of retirements.

<https://www.mesawater.org/articles/celebrating-new-chapter-water-education>

Mojave Water Agency - Road Show

The MWA Road Show (formerly known as the Mini Tour) will be offered on September 16. This half-day bus tour will visit local facilities hosted by MWA staff. An invitation has been sent to CDFW Director Meghan Hertel to get staff down to the WJT impacted area and see how public works infrastructure and water supply planning projects are affected by the regulations.

<https://www.mojavewater.org/about-mwa/agency-calendar/events-and-public-outreach/>

Santa Margarita Water District – H2O for HOAs

Santa Margarita Water District is participating in H2O for HOAs, a free educational event for HOA board members, community managers, and neighborhood leaders. The event connects attendees with water providers, cities, and industry experts on topics like water-use efficiency, rebates, and sustainable landscaping.

<https://www.smwd.com/m/newsflash/home/detail/447>

Water Replenishment District – PFAS Remediation Program

Since launching its PFAS Remediation Program in August 2020, the Water Replenishment District has committed over \$60 million in grant funding to help local water purveyors treat PFAS-impacted wells in the Central and West Coast Basins. It's one of the first programs in California dedicated specifically to PFAS well remediation. This effort helps protect groundwater for the more than four million residents WRD serves across 43 cities in Southern Los Angeles County — and it's a great example of a larger agency stepping up to support smaller water purveyors facing this challenge.

<https://www.wrd.org/pfas-remediation-program>