

The Metropolitan Water District of Southern California Federal Regulatory Matrix – Updated as of April 17, 2026

Agency	Issue	Summary	Potential Impacts	Regulatory Status
<p>Army Corps</p>	<p><u>CWA Section 404 Nationwide Permit Program</u></p>	<p>On March 16, 2026, the United States Army Corps of Engineers (Army Corps) requested public input on how to overhaul the Army Corps’ CWA Section 404 nationwide permit (NWP) program.</p>	<p>Potential updates to the NWP program would likely result in increased efficiencies in permitting of CIP/O&M projects. The NWP program requires that projects result in minimal adverse environmental effects, both individually and cumulatively, which alleviates concerns about potential impacts to source water quality.</p>	<p>Comments are due by May 15, 2026. AWWA is planning to submit comments.</p>

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DHS	<u>Cyber Incident Reporting for Critical Infrastructure Act (CIRCIA) Reporting Requirements</u>	On April 4, 2024, the CISA established a draft rule proposing reporting requirements for critical infrastructure entities that experience cybersecurity incidents. The draft rule proposes limiting reporting requirements to medium, large, and very large Community Water Systems and Publicly Owned Treatment Works (POTWs) that serve populations greater than 3,300.	The CIRCIA Reporting Requirements affect all water and wastewater agencies serving more than 3,300 customers. On July 3, 2024, ACWA submitted comments asking CISA to (1) refine the definition of “substantial cyber incident” to focus on capturing truly disruptive incidents, (2) align CISA reporting and data retention requirements with other federal cybersecurity requirements, (3) consider using the 50,000-person threshold in place of 3,300 for regulating water and wastewater operators, and (4) provide financial assistance to aid in compliance, among other comments.	CISA extended the deadline to issue the final rule to May 2026.
DOI	<u>Publication of Final Rule on NEPA Implementing Regulations</u>	<p>On July 3, 2025, DOI published an interim final rule amending its NEPA regulations. As part of this rule, DOI moved many of the regulations into a NEPA process handbook (DOI Handbook), subject to the interpretation and implementation of agency discretion. The DOI Handbook makes public involvement discretionary and encourages expedited timelines and expanded use of categorical exceptions.</p> <p>On February 24, 2026, DOI published the final rule confirming the repeal of the NEPA regulations and removing</p>	The water industry is concerned that the repeal of the regulations and movement of DOI’s “implementing procedures” into the DOI Handbook could lead to inconsistent application of NEPA.	Comments were due August 4, 2025. ACWA, AMWA, and WUWC submitted letters sharing their concerns. DOI issued the final rule on February 24, 2026.

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		<p>them from the Code of Federal Regulations (formerly in 43 C.F.R. Part 46). DOI’s NEPA “implementing procedures” are now in an updated version of the DOI Handbook, titled <i>U.S. Department of the Interior Handbook: National Environmental Policy Act Implementing Procedures</i> (February 2026), which is posted on DOI’s website at https://www.doi.gov/document-library.</p>		
<p>EPA</p>	<p><u>Clean Air Act Risk Management Program</u></p>	<p>On February 24, 2026, the EPA published a proposed rule for the Risk Management Program (RMP) to streamline requirements with the Occupational Safety and Health Administration’s (OSHA) Process Safety Management (PSM) and to rescind several provisions from the 2024 rule amendment that inadvertently created additional regulatory upkeep.</p> <p>Key changes will rescind the following provisions: three-year record retention for third-party audits and hot-work permits, standby/backup power requirements for monitoring equipment, enhanced gap analysis, stop-work authority, and process hazard evaluation/justification to address natural hazards (i.e., earthquakes, strong winds, wildfires) and power loss.</p>	<p>Metropolitan is subject to the PSM, California Accidental Release Prevention Program (CalARP), and RMP due to its use of chlorine. Metropolitan’s key concerns are that providing public access to sensitive facility information through the RMP Public Data Tool creates physical security and cybersecurity risks; third-party audit requirements should be modified to allow flexibility in selecting a knowledgeable person where vendors are unavailable; proposed employee participation changes should be clarified to align with EPA’s current rulemaking; removing the gap analysis requirement would streamline compliance with existing OSHA process safety requirements; and clear, consistent compliance timelines are needed, with sufficient implementation periods for any new or modified requirements.</p>	<p>Public comments are due May 11, 2026. Metropolitan provided comments through AMWA and AWWA.</p>

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		<p>Additional changes include requiring Safer Technology Alternatives Analysis (STAA) for all new processes in program 3, and revising how information is provided to the public by uploading RMP information into the RMP public data tool.</p>		
EPA	<p>Clean Water Act Hazardous Substance Facility Response Plans</p>	<p>On February 18, the EPA published an advance notice of proposed rulemaking to reconsider the applicability thresholds for Clean Water Act Hazardous Substance Facility Response Plans. The proposal would raise the screening threshold from 1,000 to 10,000 times the reportable quantity (RQ) for hazardous substances identified in 40 CFR 117.3 .</p>	<p>There is no impact on Metropolitan, as all on-site chemicals remain below the applicable thresholds, or do not require a plan based on the applicability provision. AMWA submitted a comment letter emphasizing the importance of source water protection and requesting an exemption for water treatment facilities, among other comments.</p>	<p>Public comments were due March 20, 2026. AMWA submitted a comment letter.</p>
EPA	<p>Fluoride</p>	<p>In a ruling on September 24, 2024, a federal judge found that EPA is required to provide a regulatory response under the TSCA because fluoridation of water at 0.7 parts per million (ppm)—the level presently considered “optimal” in the United States—poses an unreasonable risk of reduced IQ in children. The judge’s order does not dictate precisely what EPA’s regulatory response must be.</p> <p>On January 17, 2025, EPA appealed the federal judge’s decision to the Ninth Circuit. The Ninth Circuit heard</p>	<p>In March 2025, Utah became the first state to outlaw the fluoridation of drinking water. On May 15, 2025, Florida became the second state to ban the practice. Florida’s statewide ban began on July 1, 2025. California law requires water systems with 10,000 or more connections to fluoridate if funding is available. This court ruling does not require Metropolitan to change its current treatment operations. Per Metropolitan’s Board-adopted Drinking Water Fluoridation Policy, Metropolitan has adjusted the natural fluoride levels in its treated water supplies since 2007, in full</p>	<p>Awaiting ruling by the Ninth Circuit and any further EPA and/or California Division of Drinking Water action with respect to fluoride.</p> <p>In February 2026, ACWA, AMWA, and AWWA submitted comments on EPA’s <i>Preliminary Assessment Plan and Literature Survey</i>.</p>

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		oral argument on March 3, 2026, but has not yet issued a ruling. Meanwhile, as part of its review of new scientific information on potential health risks of fluoride in drinking water, on January 22, 2026, EPA released its <i>Fluoride Human Health Toxicity Assessment: Preliminary Assessment Plan and Literature Survey</i> for public comment.	compliance with federal and state drinking water regulations. It is important to note that drinking water is regulated under the Safe Drinking Water Act, and not TSCA.	
EPA	<u>Paper Manifest Sunset; Modification of the Hazardous Waste Manifest Regulations</u>	On March 5, 2026, the EPA published a proposed rule to amend the hazardous waste manifest regulations, transitioning from paper to electronic waste manifests, and to sunset the paper manifest 24 months after publication of its final rule. Key provisions include full user adoption of the EPA’s e-Manifest system, retaining manifest records for hybrid manifests (e.g., paper and electronic) for three years, and establishing liability protection for generators not to be held liable for failing to produce an electronic manifest if the e-Manifest system is unavailable.	Staff are currently preparing to transition to the e-Manifest system fully. Preliminary concerns were the lack of a formal paper trail for manifest revisions, the need for clarity regarding user registration scope, and how the e-Manifest system links accounts to facilities.	Public comments are due May 4, 2026.
EPA	<u>Maximum Contaminant Level for Perchlorate</u>	On January 6, 2026, the EPA proposed setting the MCLG for perchlorate at 20 micrograms per liter (µg/L) and is also proposing and taking comment on setting an enforceable MCL at 20 µg/L, 40 µg/L, or 80 µg/L. EPA	For interstate water supplies such as the Colorado River, a more protective federal MCL for perchlorate is particularly important. A national standard closer to California’s perchlorate MCL would better support	A public hearing was held on February 19, 2026. Written comments were due March 9, 2026. Metropolitan submitted a comment letter with support from the Central Arizona Project. AMWA and

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		<p>must publish the final MCL and MCLG by May 21, 2027. California established an MCL for perchlorate of 6 ug/L in 2007 and is currently considering whether to lower the MCL closer to the public health goal of 1 ug/L.</p>	<p>source water protection, maintain incentives for upstream cleanup, and reduce the risk of downstream impacts to drinking water systems serving millions of people.</p> <p>Metropolitan submitted a comment letter urging EPA to set a federal drinking water standard that protects public health and prevents any adverse impacts on the Colorado River and the millions of users that rely upon it as a source of drinking water. The Central Arizona Project joined in Metropolitan’s request that EPA set the MCL at a level that supports the ongoing remediation at two chemical manufacturing facilities near Henderson, Nevada. ACWA and AMWA similarly supported a 20 ug/L MCL to align with cleanup efforts and help states manage out-of-state perchlorate sources affecting downstream Colorado River users.</p>	<p>ACWA submitted comments as well. EPA must publish the final MCL and MCLG for perchlorate by May 21, 2027.</p>
<p>EPA</p>	<p><u>Maximum Contaminant Levels for Six PFAS</u></p>	<p>On February 24, 2026, EPA submitted two proposed rulemakings to the Office of Management and Budget (OMB) for review: (1) Extend by two years—from 2029 to 2031—the compliance deadline for public water systems to meet the MCLs for PFOA and PFOS; and (2) Rescind the regulatory determinations for PFHxS, PFNA, HFPO-DA (GenX), and PFBS; and remove the MCLs for PFHxS,</p>	<p>Metropolitan submitted comments on May 30, 2023, in support of regulating PFOA and PFOS in drinking water. However, staff commented that regulating the remaining PFAS is premature as these compounds did not follow the full regulatory process and may have unintended economic impacts.</p>	<p>The rule became effective on June 25, 2024, with a three-year compliance timeline from the rule’s effective date.</p> <p>On February 24, 2026, EPA submitted a proposed rulemaking to OMB to extend this 2029 compliance deadline by two years to 2031 (see first column). It is unknown at this time how long it</p>

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		<p>PFNA, HFPO-DA (GenX), and the Hazard Index MCL of these three PFAS plus PFBS.</p> <p>These actions were in response to AWWA, AMWA, and several chemical industry associations filing Petitions for Review in 2024, asking a federal court to decide whether EPA acted appropriately when setting the MCLs and MCLGs for the six PFAS.</p> <p>On February 19, 2026, EPA filed a Motion to Sever and put on hold the challenges to EPA’s Hazard Index MCLs for PFNA, PFHxS, and HFPO-DA (GenX Chemicals) individually and mixtures of those three PFAS and PFBS through a Hazard Index because EPA’s proposed rule would rescind these limits and may moot the challenges. Litigation over PFOA and PFOS standards would remain on schedule. AWWA, AMWA, and Respondent-Intervenor environmental groups (including NRDC) opposed EPA’s Motion to Sever, and on March 19, 2026, the federal district court denied EPA’s motion.</p>	<p>Initial monitoring for PFOA and PFOS will begin in June 2027. In 2029, public water systems with PFAS in drinking water must comply with these MCLs and notify the public of any violations.</p>	<p>will take OMB to conclude its review of the proposed rulemakings.</p>
EPA	PFAS and CERCLA	<p>On May 8, 2024, the EPA published its final rule designating PFOA and PFOS, including their salts and structural isomers, as hazardous substances under CERCLA.</p>	<p>Despite EPA’s April 19, 2024, “PFAS Enforcement Discretion and Settlement Policy Under CERCLA” that stated that EPA will not target water utilities, staff are still concerned that the final rule may encumber water utilities with potential liability</p>	<p>The rule is in effect despite being challenged in court.</p> <p>The Petitions for Review filed by several industry groups asking a federal court to decide whether EPA acted appropriately in publishing this</p>

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		<p>On June 10, 2024, several industry groups, including the Chamber of Commerce of the United States of America (“Petitioners”) filed a Petition for Review, asking a federal court to decide whether EPA acted appropriately in designating PFOA and PFOS as CERCLA hazardous substances.</p> <p>On September 17, 2025, EPA decided to keep the rule in place and “will continue to engage with Congress and industry to establish a clear liability framework that ensures the polluter pays and passive receivers are protected.”</p> <p>On January 21, 2026, the federal court heard oral arguments from counsel for Petitioners and Respondents (EPA and Administrator Lee M. Zeldin) on Petitioners’ legal challenge to the final rule. The court took the matter under submission, and its decision is pending.</p>	<p>under CERCLA for the disposal of water treatment residuals that may contain PFAS. Metropolitan submitted comments on November 7, 2022, to this effect and worked with ACWA, AMWA, AWWA, and WUWC on comments seeking an exemption under CERCLA for the water industry.</p>	<p>final rule were heard by the court on January 20, 2026. The court took the matter under submission, and its decision is pending.</p>
EPA	PFAS and RCRA Part I	<p>On February 8, 2024, the EPA released a proposed rule to revise the definition of “hazardous waste” under RCRA such that PFAS can be included in corrective actions for treatment, storage, and disposal facilities (TSDFs).</p>	<p>On March 26, 2024, staff submitted a comment letter expressing concern that while the rule is focused on TSDFs, the rule could raise the disposal costs of PFAS-laden materials sent to TSDFs and that this was not included in the cost analysis. Staff also asked that EPA adopt</p>	<p>EPA anticipated finalizing the rule in April 2026.</p>

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			<p>formal RCRA enforcement guidance for TSDFs, such that water utilities are protected against future liability; and that EPA follow the “polluter pays” principle and/or make additional funding available for treatment and cleanup.</p>	
<p>EPA</p>	<p><u>PFAS and RCRA Part II</u></p>	<p>On February 8, 2024, the EPA released a proposed rule to list nine PFAS (PFOA, PFOS, PFBS, HFPO-DA or GenX Chemicals, PFNA, PFHxS, PFDA, PFHxA, and PFBA) and their salts and isomers as “hazardous constituents” under RCRA.</p>	<p>On April 8, 2024, staff submitted a comment letter addressing EPA’s proposal to list nine PFAS and their salts and isomers as “hazardous constituents” under RCRA. A hazardous constituent listing is the first step towards a potential “hazardous waste” listing. If these nine PFAS were to be classified as hazardous wastes under RCRA, they would then automatically be classified as “hazardous substances” under CERCLA. Like our comments on the PFAS-CERCLA regulatory effort, Metropolitan emphasized that while we support regulating PFAS, the regulatory community needs guardrails in place (e.g., analytical methods, regulatory limits, and cleanup standards) prior to regulating these compounds. Staff also reiterated that EPA should follow the polluters pay principle.</p>	<p>EPA anticipated finalizing the rule in April 2026.</p>

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EPA	<u>Lead and Copper Rule Improvements</u>	<p>On October 30, 2024, the EPA published the final LCRI. The LCRI builds on the 2021 LCRR and the original Lead and Copper Rule. The final rule focuses on identifying and replacing lead service lines within 10 years; lowering the lead action level from 0.015 to 0.010 parts per million (ppm); removing the lead trigger level; improving tap sampling procedures; and improving public education and outreach materials to include renters and individuals with limited English proficiency.</p> <p>On December 13, 2024, AWWA filed a Petition for Review of the LCRI in the federal court. On September 12, 2025, AWWA filed its Opening Brief in which it argues that while it has “long supported EPA’s efforts to develop national primary drinking water regulations for lead and copper that protect public health,” the “2024 [LCRI] Rule, is neither feasible nor cost-effective as required by [the Safe Drinking Water Act], and creates significant risks for water system compliance and affordability.” Thus, AWWA argued that the Court should vacate and remand the 2024 LCRI.</p> <p>On February 20, 2026, EPA filed its brief in response arguing that the court should uphold the LCRI as “lawful</p>	<p>The rule will result in additional sampling at Metropolitan’s desert water systems but is not applicable to Metropolitan’s large water system. Under the 2021 LCRR, water systems were required to provide an initial inventory of their lead service lines by October 16, 2024. Under the final LCRI, all water systems must submit a baseline inventory by November 1, 2027, and will be required to regularly update their inventories, create a publicly available service line replacement plan, and identify the materials of all service lines of unknown material. Staff partnered with trade associations to provide comments.</p>	<p>The final rule is in effect despite being challenged in court. Public comments on the two draft LCRI Fact Sheets are due April 30, 2026.</p>

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		<p>and reasonable.” EPA rebutted AWWA’s contentions and argued that mandatory replacement of all lead service lines as fast as feasible meets Safe Drinking Water Act standards. EPA argued that if the court does find error with the LCRI, the court should “keep the Rule in place” instead of vacating it, and allow EPA to address any errors on remand. Final briefs were filed by April 17, 2026.</p> <p>On April 15, 2026, the EPA released draft fact sheets outlining best practices to address barriers to lead service line replacement access (e.g., property access) and cost-effective approaches to improve service line inventories; intended to reduce implementation costs and disruptions.</p>		
<p>EPA</p>	<p>Sixth Contaminant Candidate List (CCL 6)</p>	<p>On April 2, 2026, the EPA announced the draft Sixth Contaminant Candidate List of 75 chemicals, nine microbes, and four chemical groups: microplastics, pharmaceuticals, disinfection byproducts (DBPs), and PFAS. The CCL is a list of contaminants that are currently not subject to any proposed or promulgated national primary drinking water regulations but are known or anticipated to occur in public water systems.</p> <p>This is the first CCL to identify microplastics and pharmaceuticals as</p>	<p>CCL 6 may impact Metropolitan and member agencies if contaminants identified on the list are selected for future regulation, which could result in monitoring, treatment, compliance, and potential cost implications. Staff are currently reviewing the EPA’s notice to identify any potential comments.</p>	<p>Public comments are due June 5, 2026. EPA will consult with its independent Science Advisory Board and expects to finalize CCL 6 by November 17, 2026.</p>

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		<p>priority contaminants. EPA also separately released human health benchmarks for 374 pharmaceuticals. These benchmarks, which are based on potential health effects from exposure via drinking water, informed the screening and identification of the top-scoring pharmaceuticals. In a future, separate action, EPA will determine whether to regulate at least five contaminants from the CCL 6 with National Primary Drinking Water Regulations.</p>		
<p>EPA</p>	<p><u>Waters of the United States</u></p>	<p>On November 20, 2025, EPA and the Army Corps of Engineers (collectively, the Agencies) published a proposed rule titled, “Updated Definition of ‘Waters of the United States’ (WOTUS).” The proposed rule seeks to respond to the 2023 U.S. Supreme Court’s decision in <i>Sacket v. EPA</i>, which found that the definition of WOTUS, which defines the scope of the Clean Water Act, only refers to “geographic[al] features that are described in ordinary parlance as ‘streams, oceans, rivers, and lakes’” and to adjacent wetlands that are “indistinguishable” from those bodies of water due to a continuous surface connection.</p>	<p>Staff submitted a comment letter on January 5, 2026, asking the Agencies, among other items, to retain the category of “interstate waters,” add an exclusion for artificial water supply infrastructure, and retain the jurisdictional status of tributaries part of a water transfer. Previously, on April 23, 2025, staff submitted a comment letter to the Agencies recommending that any future definition of WOTUS should provide for the transparent, efficient, and predictable implementation of the Clean Water Act, while continuing to ensure the protection of source water quality; and clarify that water supply infrastructure is excluded from the definition of WOTUS and such an exclusion does not jeopardize the status of water transfers. Staff have</p>	<p>Comments were due January 5, 2026. Metropolitan, ACWA, AMWA, AWWA, and WUWC submitted comment letters. EPA is still reviewing comments. The final rule is expected mid-2026.</p>

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			<p>previously submitted comments asking for a more inclusive definition of WOTUS during each of the three preceding Administrations (i.e., the 2015 Clean Water Rule, the 2020 Navigable Waters Protection Rule, the 2023 Rule, and the Amended 2023 Rule).</p>	
<p>EPA</p>	<p><u>Update Clean Water Act Section 401 certification process</u></p>	<p>On January 15, 2026, the EPA published a proposed rule to revise Section 401 of the Clean Water Act, intending to protect water quality while reducing permitting delays and clarifying the certification process.</p>	<p>Metropolitan’s key concerns are that limiting authority to point source discharges fails to address impacts from nonpoint sources, while frequent changes to the certification process increase uncertainty for applicants and shift the regulatory burden to the state, creating difficulty in protecting downstream source water quality where differing state standards apply.</p>	<p>The public hearing was held on February 5, 2026, and public comments were due February 17, 2026. AMWA and WUWC submitted comments. The EPA is reviewing comments. The final rule is expected by the end of 2026.</p>

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<p>FWS, NOAA, and NMFS</p>	<p><u>Proposed regulatory changes to the Endangered Species Act (ESA)</u></p>	<p>On November 21, 2025, the FWS and NMFS proposed revisions to four regulations of the ESA:</p> <ol style="list-style-type: none"> 1. FWS–HQ–ES–2025–0039 (classification and critical habitat) 2. FWS–HQ–ES–2025–0044 (interagency cooperation) 3. FWS–HQ–ES–2025–0029 (protections for threatened species) 4. FWS–HQ–ES–2025–0048 (critical habitat exclusions) <p>The Trump administration revised a suite of regulations under sections 4 and 7 of the ESA in 2019. These rules were revised again by the Biden administration in 2024. In accordance with Executive Order 14154, “Unleashing American Energy,” and Secretarial Order 3418, NOAA Fisheries and the Service have reviewed the prior ESA regulations. As a result, the agencies propose revisions to largely reinstate the regulatory framework established under the first Trump Administration.</p>	<p>Removing references to “economic or other impacts” allows the Services to make species determinations while considering potential economic impacts. This could result in the delisting of currently listed species or fewer newly listed species in the future, which may affect species-related restrictions on imported water supply availability.</p> <p>Revising the definitions of “environmental baseline” and “effects of the action” has the potential to narrow the scope of federal jurisdiction and reduce Metropolitan’s ability to rely on federal consultations under Section 7 of the ESA for compliance.</p> <p>Overall, the proposed rules may trigger the provisions of the newly enacted AB 1319 in California allowing the California Department of Fish and Wildlife to grant “provisional candidate” status to species if they lose protection under the ESA. If this occurs, Metropolitan would be required to obtain Incidental Take Permits under the California Endangered Species Act for species that would have otherwise remained unlisted in California prior to the finalization of the proposed rule. The proposed revisions are otherwise not</p>	<p>Comments were due December 22, 2025. Metropolitan did not submit a comment letter. Awaiting final rule.</p>

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			anticipated to significantly impact Metropolitan’s day-to-day operations in implementing capital improvement or operation and maintenance projects.	

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Federal Regulatory Matrix – Legend of Acronyms

ACWA – Association of California Water Agencies	MCLG – Maximum Contaminant Level Goal
AMWA - Association of Metropolitan Water Agencies	NEPA – National Environmental Policy Act
AWWA – American Water Works Association	NMFS - United States National Marine Fisheries Service
CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act	NOAA – National Oceanic and Atmospheric Administration
CIRCI – Cyber Incident Reporting for Critical Infrastructure Act	NRWA – National Rural Water Association
CISA – Cybersecurity and Infrastructure Security Agency	RCRA – Resource Conservation and Recovery Act
DHS – Department of Homeland Security	TSCA – Toxic Substances Control Act
DOI – Department of the Interior	WOTUS – Waters of the United States
EPA – Environmental Protection Agency	WUWC – Western Urban Water Coalition
FWS – Fish and Wildlife Service	
LCRI – Lead and Copper Rule Improvements	
LCRR – Lead and Copper Rule Revisions	
MCL – Maximum Contaminant Level	