



Legislation and Communications Committee

# Quarterly Federal and State Regulatory Update

Item 6c

February 9, 2026

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# Quarterly Update on Regulatory Activities

## Subject

Quarterly Federal and State Regulatory Update

## Purpose

Provide update on regulatory developments

## Next Steps

Regulatory matrices will be updated quarterly and posted on Metropolitan's website

Key rules will be presented at their respective committees

# Notable Updates

## USEPA

Perchlorate

Waters of the United States

Clean Water Act Section 401 Certification

Drinking Water Fluoridation

## SWRCB

Bay-Delta Water Quality Control Plan

PFAS Monitoring Order

1,4-Dioxane

## Fish and Game Commission

Golden Mussels

# Environmental Protection Agency (EPA)



## Perchlorate

- On January 6, 2026, EPA proposed a perchlorate MCLG of 20  $\mu\text{g}/\text{L}$  and MCL of 20, 40, or 80  $\mu\text{g}/\text{L}$
- Staff are drafting comments urging a standard that protects public health and the Colorado River
  - Public hearing is on February 19, 2026
  - Written comments are due by March 9, 2026
- EPA must publish the final rule by May 21, 2027

# Environmental Protection Agency (EPA)



## Waters of the United States (WOTUS)

- On November 20, 2025, EPA and the U.S. Army Corps of Engineers proposed an updated definition of WOTUS
- Responds to *Sackett v. EPA* (2023)
- Staff submitted comments on January 5, 2026
  - Retain “interstate waters”
  - Retain jurisdiction for tributaries associated with water transfers
  - Exclude artificial (man-made) water supply infrastructure

# Environmental Protection Agency (EPA)



## Clean Water Act Section 401

- On January 15, 2026, the EPA proposed revisions to the Clean Water Act Section 401 certification process
- Aims to protect water quality while reducing permitting delays and clarifying certification requirements
- Staff are reviewing the proposal
- Comments are due by February 17, 2026

# Environmental Protection Agency (EPA)



## Drinking Water Fluoridation

- On January 22, 2026, EPA released a draft Fluoride Human Health Toxicity Assessment
- The assessment evaluates potential harmful health effects but does not consider the benefits of fluoride
- Decisions on adding fluoride to drinking water are made at the state or local level
- Public webinar on January 28, 2026
- Hearing on EPA's appeal in the *Food and Water Watch* case on March 3, 2026

State Water  
Resources  
Control Board  
(SWRCB)



## Bay-Delta Water Quality Control Plan

- On December 12, 2025, SWRCB released revised draft updates to the Bay-Delta Plan
- Expands beneficial uses and water quality objectives
- Proposes new implementation pathways
  - Flow targets
  - Healthy Rivers and Landscapes program
- Reduced water supplies to Southern California (~95 to 515 TAF in dry years)
  - Written comments were submitted on Feb. 2, 2026

# PFAS Monitoring Order

- On December 18, 2025, SWRCB issued the PFAS General Order for monitoring
- Requires four (4) consecutive quarters of PFAS monitoring in untreated source waters
- Metropolitan is preparing to comply with the Order

State Water  
Resources  
Control Board  
(SWRCB)



State Water  
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## 1,4-Dioxane

- On September 26, 2025, OEHHA proposed Public Health Goal (PHG) of 0.04 ppb
- California is required to set MCL as close as technologically and economically feasible to PHG
- Associations submitted comments in Nov. 2025
  - Use of updated and best available science
  - Avoidance of overly conservative assumptions
  - Consideration of water affordability, recycled water projects, and supply reliability

# Fish and Game Commission



## Golden Mussels

- On December 12, 2024, the Fish and Game Commission adopted an emergency regulation adding golden mussels to the restricted animals list
  - Prohibits the importation, transportation, and possession of live golden mussels and supports watercraft restrictions and vessel/equipment detentions
- On December 30, 2025, the permanent regulation went into effect, adding golden mussel to Title 14, CCR Section 671 as a restricted species
- On September 17, 2025, Governor Newsom signed AB 149, which allowed agencies to continue operations under an approved control plan



# Quarterly Update on Federal and State Regulatory Activities

## Questions