

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2024-0002**

APPROVING ONE HUNDRED PERCENT PRINCIPAL FORGIVENESS OR  
GRANT FUNDING FOR THE COUNTY OF FRESNO'S WESTSIDE  
GROUNDWATER PROJECT (PROJECT), PROJECT NO. 1000359-005C

WHEREAS:

1. The State Water Resources Control Board (State Water Board) adopted the "Policy for Implementing the Drinking Water State Revolving Fund" (DWSRF Policy) on December 3, 2019;
2. On July 18, 2023, the State Water Board adopted the State Fiscal Year (SFY) 2023-24 (Federal Fiscal Year 2023) Intended Use Plan (IUP) for the Drinking Water State Revolving Fund (DWSRF), which sets forth the plan for how DWSRF and related funding sources will be used during SFY 2023-24;
3. The DWSRF IUP authorizes the Division of Financial Assistance (DFA) to provide funding for public water system infrastructure improvements to achieve or maintain compliance with safe drinking water standards;
4. The DFA executed DWSRF Funding Agreement No. D17-02090 (Agreement) on July 3, 2018, with the County of Fresno for the Project.
5. The Project is needed for the Fresno County Service Area 30 – El Porvenir (El Porvenir) and Fresno County Service Area 32 – Cantua Creek (Cantua Creek) water systems to achieve compliance with safe drinking water standards and is a DWSRF eligible project;
6. Under the SFY 2023-24 DWSRF IUP, the maximum amount per connection for principal forgiveness or grant funding for eligible Category A-D projects and/or consolidation projects is \$60,000;
7. The SFY 2023-24 DWSRF IUP authorizes the Deputy Director of DFA to approve up to \$80,000 per connection for good cause;

8. El Porvenir serves approximately 241 residents via 56 service connections, Cantua Creek serves approximately 462 residents via 79 service connections, and the Cantua Creek Vineyards, IV, LLC serves approximately 52 residents via 16 service connections;
9. The Project is a Category C project and will address violations of the maximum contaminant levels for total trihalomethanes and haloacetic acids, byproducts of water disinfection processes known to have potential health risks, by replacing existing surface water sources with new groundwater wells that meet safe drinking water standards and function as a dependable source of drinking water for severely disadvantaged communities;
10. Fresno County, the Project's lead agency under the California Environmental Quality Act, filed a notice of exemption for the improvements benefitting the El Porvenir area on December 29, 2016, and a notice of exemption for the improvements benefitting the Cantua Creek and Cantua Creek Vineyards area on June 3, 2016;
11. The State Water Board, a Project responsible agency under CEQA, filed a Notice of Determination (NOD) with the Office of Planning and Research, State Clearinghouse following funding approval of the Project;
12. The total Project cost, which includes eligible construction and non-construction costs (e.g., planning, engineering, design, construction management, and contingency), has increased to \$18,593,825 (\$123,138 per connection); and
13. The Project is considered non-routine because it exceeds the maximum cost per connection threshold of \$60,000 in the SFY 2023-24 DWSRF IUP for a Category A-D project.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Waives the per connection threshold of \$60,000 in the SFY 2023-24 DWSRF IUP for this Project;

2. Authorizes the Deputy Director of DFA to amend Agreement No. D17-02090 to provide a total of up to \$18,593,825 in principal forgiveness, grant, or a combination thereof for the Project, with up to a ten percent increase to cover potential cost increases if approved by the Deputy Director of DFA for good cause.

### **CERTIFICATION**

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 17, 2024.

AYE:           Chair E. Joaquin Esquivel  
                  Vice Chair Dorene D'Adamo  
                  Board Member Sean Maguire  
                  Board Member Laurel Firestone  
                  Board Member Nichole Morgan

NAY:           None

ABSENT:       None

ABSTAIN:      None

  
\_\_\_\_\_  
Courtney Tyler  
Clerk to the Board