

# ***EXPEDITED DRINKING WATER GRANT FUNDING PROGRAM GUIDELINES***

## Drinking Water State Revolving Fund – Principal Forgiveness

The Water Quality, Supply, and Infrastructure Improvement Act of 2014  
(Proposition 1)

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018  
(Proposition 68)

California Budget Act of 2021 and Budget Act of 2022,  
General Fund Appropriations

Safe and Affordable Drinking Water Fund

## Budget Act of 2024 Greenhouse Gas Reduction Fund

Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (Proposition 4)

***Originally Adopted by the State Water Board March 8, 2023***

***Amended by the State Water Board on [DATE]***



\* Note: Changes to the originally adopted Guidelines are indicated in **red** and **blue**. Changes to the draft amended Guidelines posted on November 11, 2025, are indicated in **green**. \*

## TABLE OF CONTENTS

<u>1. PURPOSE AND OVERVIEW</u>	3
<u>2. HUMAN RIGHT TO WATER</u>	3
<u>3. FUNDING</u>	4
3.1. Drinking Water State Revolving Fund Principal Forgiveness	4
3.2. Proposition 1	4
3.3. Proposition 68	4
3.4. Safe and Affordable Drinking Water Fund	5
3.5. General Fund Infrastructure Appropriations	5
3.6. Budget Act of 2024 Greenhouse Gas Reduction Fund	5
3.7. Proposition 4	5
<u>4. ELIGIBILITY REQUIREMENTS</u>	6
4.1. Eligible Funding Applicants	6
4.2. Eligible Projects	6
4.3. Funding Prioritization	7
4.4. Other Considerations	7
<u>5. GRANT/PRINCIPAL FORGIVENESS AMOUNTS</u>	8
5.1. Maximum Funding Amounts	8
<u>6. PROJECT SELECTION PROCESS</u>	8
6.1. Project Proposal	9
6.2. Completeness and Eligibility Review	10
6.3. Preliminary Funding Award Notification	10
6.4. Funding Agreement	11
<u>7. REIMBURSEMENT OF COSTS</u>	11
7.1. Eligible Project Costs	12
7.2. Advance Payment	12
<u>8. GENERAL PROGRAM REQUIREMENTS</u>	13
8.1. CEQA Compliance	13
8.2. Project Manager Notifications	14
8.3. Reporting	14
8.4. Confidentiality	14
8.5. Disputes	15
<u>APPENDIX A: ACRONYMS, ABBREVIATIONS, AND DEFINITIONS</u>	16
<u>APPENDIX B: PROJECT PROPOSAL FORM</u>	17
<u>APPENDIX C: TECHNICAL, MANAGERIAL, AND FINANCIAL CAPACITY</u>	18

## 1. PURPOSE AND OVERVIEW

This document serves as the Project Solicitation and Evaluation Guidelines (Guidelines) (Public Resources Code, §80010 and Water Code, §79706) for the State Water Resources Control Board's (State Water Board) Expedited Drinking Water Grant (EDWG) ~~Funding Program~~ program. The funds available for projects will be provided as grants and/or principal forgiveness (PF) only. These Guidelines do not establish a loan program. The State Water Board's Division of Financial Assistance (DFA) administers the program, ~~and the solicitation for project proposals that DFA develops will include more information on how to apply.~~

This program provides an expedited process by which ~~public agency~~ applicants with qualifying high priority projects can receive ~~State~~ grant/PF funding. Application forms, reviews, procedures, and requirements may vary from the Drinking Water State Revolving Fund (DWSRF) funding program to the extent authorized by the Deputy Director of DFA or designee to support reduction of processing times and information submittal requirements. Applicants that do not qualify for this program may be directed to apply for funding through the process established in the Policy for Implementing the DWSRF (DWSRF Policy) and the DWSRF Intended Use Plan (IUP)<sup>1</sup>, or through other funding programs.

Changes to the Guidelines may be necessary due to legislation or changes in State Water Board policy. If substantive changes are necessary, these Guidelines will be amended and subject to a public review process. The Deputy Director of DFA may make non-substantive changes to the Guidelines.

The Deputy Director of DFA may update and amend the Appendices to the Guidelines, and create new Appendices, as necessary.

See Appendix A for a summary of acronyms, abbreviations and definitions used in these Guidelines.

## 2. HUMAN RIGHT TO WATER

Section 106.3 of the Water Code provides that it is the policy of the state that “every human being has the right to safe, clean, affordable and accessible water adequate for human consumption, cooking, and sanitary purposes.” The State Water Board has considered the provisions of Section 106.3 of the Water Code in establishing these Guidelines. By establishing this expedited funding program, critical drinking water infrastructure projects will be constructed on a shorter timeline, resulting in many small communities gaining access to safe, clean, affordable, and accessible water much sooner than would occur without this program.

---

<sup>1</sup> References to the DWSRF IUP and DWSRF Policy in these guidelines mean the DWSRF IUP or IUPs, and DWSRF Policy, respectively, that would apply to the project if the project were funded through the DWSRF Program.

### 3. FUNDING

The EDWG ~~Funding P~~rogram utilizes a variety of ~~state~~ funding sources for drinking water infrastructure projects, described below. These funding sources may also be administered through the DWSRF Policy and DWSRF IUP or through the Policy for Developing the Fund Expenditure Plan for the Safe and Affordable Drinking Water (SADW) Fund (SADW Policy) and SADW Fund Expenditure Plan (SADW FEP) or as otherwise authorized by the State Water Board. If other funding sources are specified in the DWSRF IUP or are otherwise authorized by the State Water Board for this program, DFA may commit the funds consistent with these Guidelines as authorized.

#### 3.1. Drinking Water State Revolving Fund Principal Forgiveness

The DWSRF program, created under the federal Safe Drinking Water Act (SDWA), finances infrastructure improvements to mitigate drinking water risks and support the human right to water. In accordance with federal rules, the DWSRF program generally prioritizes financing for projects that (1) address the most serious human health risks, (2) are necessary to comply with SDWA requirements, and (3) assist Public Water Systems (PWSs) most in need on a per household basis. DWSRF PF may be used to fund EDWG projects to the extent provided in the applicable annual DWSRF IUP.<sup>2</sup> The requirements for DWSRF PF described in the DWSRF IUP apply to EDWG projects funded with DWSRF PF unless these Guidelines set forth different requirements that are permissible under state and federal law and other rules, in which case EDWG program requirements will apply.

#### 3.1.3.2. Proposition 1

Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Assembly Bill 1471, Rendon) authorized the sale of general obligation bonds for water projects including surface and groundwater storage, ecosystem and watershed protection and restoration, and drinking water protection. Section 79724 of Proposition 1 allocated \$260 million for drinking water grants and loans for Public Water Systems (PWSs) serving disadvantaged communities for infrastructure improvements and related actions to meet safe drinking water standards, to ensure affordable drinking water, or both.

#### 3.2.3.3. Proposition 68

Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Senate Bill 5, De León) authorized the sale

---

<sup>2</sup> This may include DWSRF PF administered under a supplemental DWSRF IUP to the extent authorized by applicable rules. Funding from the Emerging Contaminants in Small or Disadvantaged Communities program may also be used for EDWG projects to the extent allowed by the rules applicable to that funding source.

of general obligation bonds for water projects including surface and groundwater storage, ecosystem and watershed protection and restoration, and drinking water protection. Section 80140 of Proposition 68 allocated \$220 million for drinking water and clean water grants and loans for PWSs serving disadvantaged communities for infrastructure improvements and related actions to meet safe drinking water standards, to ensure affordable drinking water, or both.

### **3.3.3.4. Safe and Affordable Drinking Water Fund**

Senate Bill 200 (Ch. 120, Stats. 2019) established the SADW Fund to address funding gaps and to provide funding solutions to water systems, especially those serving disadvantaged communities, to address both their short- and long-term drinking water needs.

### **3.4.3.5. General Fund Infrastructure Appropriations**

The Budget Act of 2021 (Senate Bill 129 and Senate Bill 170) appropriated \$1.55 billion to the State Water Board in item 3940-106-0001. The budget bill specified that \$650 million ~~is-was~~ for drinking water projects, with priority given to disadvantaged communities. ~~If additional general fund appropriations are approved by the California State Legislature, the State Water Board may commit the funds consistent with these Guidelines as authorized. These funds have been committed to projects. Projects funded through the EDWG program may continue to be administered through these Guidelines.~~

### **3.6. Budget Act of 2024 Greenhouse Gas Reduction Fund**

The Budget Act of 2024 (Senate Bill 108) appropriated \$224.9 million to the State Water Board in Item 3940-102-3228 from the Greenhouse Gas Reduction Fund (GGRF). The State Water Board authorized up to \$151 million of these funds for drinking water projects, with priority to disadvantaged communities.

### **3.7. Proposition 4**

Proposition 4, the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (Senate Bill 867, Allen) authorized the sale of \$10 billion in general obligation bonds for water and other projects. Section 91011 of the Public Resources Code allocated \$610 million, upon appropriation by the Legislature, for grants or loans that improve water quality or provide clean, safe, and reliable drinking water. Implementation of Proposition 4 funding is subject to future rulemaking by the State Water Board, and these Guidelines will apply to Proposition 4 funds only to the extent authorized by such rules. Prop 4 funds may be administered through these Guidelines if allowed by the applicable laws.

## 4. ELIGIBILITY REQUIREMENTS

Applicants applying to the EDWG ~~Funding P~~program must meet all relevant eligibility criteria to be considered for funding.

### 4.1. Eligible Funding Applicants

Eligible applicants ~~are:~~must be eligible for grant/PF funding according to the DWSRF IUP, and must be one of the following:

- Community water systems owned by public agencies, e.g., cities, counties, special districts, Joint Powers Authorities (JPAs), or other political subdivisions of the state;
- Community water systems owned by public utilities (as defined in Public Utilities Code §216) incorporated in California and in good standing with the Secretary of State that are subject to regulation by the California Public Utilities Commission (CPUC); ~~or~~
- Community water systems owned by mutual water companies that are organized and operating in accordance with California law and in good standing with the Secretary of State; or
- Non-transient, noncommunity water systems owned by public school districts.

### 4.2. Eligible Projects

Projects that are eligible to receive funds through the EDWG ~~Funding P~~program:

- a. Must be eligible for grant/PF funding<sup>3</sup> according to project types under the DWSRF Policy and the DWSRF IUP<sup>4</sup>, except as modified herein;
- ~~b. Must benefit a small severely disadvantaged community (SDAC), a small disadvantaged community (DAC), a small non-disadvantaged community (non-DAC)<sup>3</sup>, or an expanded small DAC/SDAC, as defined in the DWSRF Policy and DWSRF IUP;~~
- ~~c. Must consist of the construction of capital assets, as defined in Government Code §16727(a);~~
- ~~d. Must not be comprised solely of the planning activities associated with an eventual construction project; and~~
- ~~e. Must be a Category A-D project and/or be a consolidation project, as defined in the DWSRF Policy and DWSRF IUP; and~~

<sup>3</sup> Additional restrictions may apply depending on the funding source. For example, projects benefiting non-DACs may be eligible to receive grant funds from SADW if the project reduces greenhouse gas emissions. Projects benefiting non-DACs cannot receive grant funds from Proposition 1 or Proposition 68.

<sup>4</sup> Projects authorized under a supplemental IUP (i.e., Emerging Contaminant, Lead Service Line Replacement) may be processed under the EDWG program if other applicable rules allow.<sup>3</sup> Projects benefiting non-DACs may be eligible to receive grant funds from SADW (if the project reduces greenhouse gas emissions) or from the general fund infrastructure appropriations. Projects benefiting non-DACs cannot receive grant funds from Proposition 1 or Proposition 68.

~~f.d. Projects proposed by a public utility shall have a clear and definite public purpose and shall benefit the customers of the water system and not the investors.~~

#### **4.3. Funding Prioritization**

In its evaluation of ~~project proposals~~applications, the State Water Board will ~~prioritize projects that benefit small DACs and small SDACs, with an emphasis on consolidations, based on the following criteria and the requirements of the funding sources~~apply the prioritization criteria set forth in the current DWSRF IUP, supplemented by the requirements of these Guidelines and the applicable funding sources. Additionally, and in coordination with the DWSRF IUP criteria, the following factors will also be considered:

- a. **Human Right to Water** – the project supports and advances the State's policy on the human right to water, including any resolutions or policies adopted by the State Water Board.
- b. **Regulatory Priority** – the project has been identified as a high priority by the applicable state or federal regulatory agency (i.e., Division of Drinking Water ([DDW](#)), the United States Environmental Protection Agency).
- c. **Drought Related** – the project is needed to address acute drinking water shortages in domestic water supplies; prevent a potential acute drinking water shortage; increase drought resilience; or meet the requirements of Senate Bill 552 (Stats. 2021, ch. 245).
- d. **Timeliness for Project Completion** – the project's schedule is reasonable and meets appropriation deadlines.
- e. **Status of Environmental Review** – the project qualifies for a California Environmental Quality Act (CEQA) exemption or the ~~CEQA~~environmental review process is complete or nearly complete.

#### **4.4. Other Considerations**

Additional eligibility considerations are discussed in further detail below.

##### **4.4.1. Phased Projects**

Drinking water infrastructure projects can be complex and in some cases are most effectively carried out in phases. A phased project is one in which one phase of the project must be completed before the next phase begins (e.g., a well is drilled and pump tested before being developed with permanent equipment), or where two or more phases can be conducted independently, but each phase must be completed to successfully accomplish overall project goals (e.g., development of a new production well to increase the receiving water system's source capacity, and consolidation of a small water system).

Multiple project phases may be included in one ~~grant funding~~ agreement if it is administratively expedient to do so and the phases have similar, relatively short-term schedules for completion. Individual or multiple project phases may be funded separately if the information from one phase is needed to accurately describe the scope and budget of the subsequent phase, if one phase is on a significantly different schedule than another, or if the overall project is sufficiently complex that phasing the project with separate ~~grant funding~~ agreements is in the best interest of the state to maintain adequate fiscal and regulatory oversight. The maximum funding amounts specified in these Guidelines may apply to the overall project, at DFA's discretion.

#### **4.4.2. Multiple Projects**

The State Water Board may enter into a single ~~grant funding~~ agreement with an applicant for multiple projects, if it is administratively expedient to do so, or may have separate ~~grant funding~~ agreements for individual projects (e.g., if the projects have significantly different timelines for completion; or legal issues may hold up one project, but not another). In either case, each individual project must meet all the eligibility requirements under this program, ~~and the maximum funding amounts specified in these Guidelines apply to each individual project~~.

### **5. GRANT/PRINCIPAL FORGIVENESS AMOUNTS**

Grant/PF funding for eligible projects will be awarded based on the criteria, maximums, and funding decision processes set forth in the DWSRF IUP, unless otherwise indicated in these Guidelines.

#### **5.1. Maximum Funding Amounts**

The grant/PF limits ~~shall be~~are the same as set forth in the DWSRF IUP, ~~except that the maximum amount per project is \$15 million, unless the Deputy Director of DFA or designee approves a grant limit above \$15 million for a project for good cause, on a case-by-case basis that would apply to the project if it were funded under the DWSRF IUP.~~

### **6. PROJECT SELECTION PROCESS**

~~For the initial round(s) of funding, Projects are selected for the EDWG program either by DFA staff anticipate identifying eligible projects for which DFA has already received partial or completewith existing DWSRF Program construction applications submitted via the Financial Assistance Application Submittal Tool (FAAST), or projects that are receiving planning funds or technical assistance, that qualify under these Guidelines, and selecting preliminary funding award recipients from these existing applicants. Thereafter, applicants shall submit or through project proposals and other application materials described below via the Financial Assistance Application Submittal Tool (FAAST). DFA willmay announce deadlines or allow open submission to submit for~~

project proposals ~~for consideration~~ as long as funding is available and doing so is consistent with the purposes of the DWSRF and EDWG programs. ~~Application procedures and anticipated time frames are summarized in Appendix E. DFA may continue to direct applicants with partial or complete DWSRF Program applications into the EDWG program.~~ DFA staff will may conduct workshops to address questions and provide general assistance to applicants.

~~Project proposals~~Applications will be evaluated based on the eligibility requirements and criteria set forth in the DWSRF IUP and discussed in these Guidelines. Applicants and/or projects that are not selected for funding under these Guidelines may be directed to other funding programs.

## 6.1. Project Proposal

The project proposal form is referenced as Appendix B and will be posted on DFA's website. This is a more streamlined application compared with the DWSRF application. Applicants with existing partial DWSRF applications may not need to submit a project proposal form. Generally, Applicants applicants will be required to submit the information specified in the applicable form(s), such as the following:

- a. General information about the applicant (e.g., contact information, entity type) and the water system (e.g., population, number of service connections) that is necessary to determine eligibility
- b. Explanation of the problem that the project will address
- c. ~~Self-Certification Form~~
- d. Engineering report, technical memo, or similar document that includes a description of alternatives considered (additional guidance is provided with the project proposal form)
- e. Project scope, schedule, and budget
- f. ~~Adopted authorized representative resolution (if available)~~
- g. e. For CPUC regulated utilities, articles of incorporation, bylaws, latest Statement of Information filed with the Secretary of State, and latest annual report (if available)  
Organizational documents

Other documents may be provided if available (e.g., feasibility studies, environmental documents, financial documents, documentation demonstrating that the applicant owns the water system and has the access/property rights required for the project, ~~and~~ required CPUC reports and approvals, and required documents for private entities, if applicable). Technical assistance may be provided to assist with the preparation of the application.

It is **highly** recommended that applicants review both the sample ~~grant~~funding agreement and the form of opinion of counsel (posted on the EDWG Program Page) with their own attorney prior to submission of their project proposal to ensure that they will be able to comply with the required terms, including the cross-cutting state laws (e.g., nondiscrimination, drug-free workplace, competitive bid, etc.), applicable

federal laws for DWSRF funding (e.g., American Iron and Steel, Disadvantaged Business Enterprise, Davis Bacon, etc.) and will be able to make the representations and warranties (e.g., long-term property rights, solvency, no relevant litigation, etc.). If the applicant is unable to comply with all terms, representations, and warranties in the sample grant funding agreement the project may be directed to other funding programs. Notwithstanding the foregoing, the State Water Board may revise the standard grant funding agreement terms and conditions to reflect changes in state or federal law or make other necessary revisions.

## 6.2. Completeness and Eligibility Review

All project proposals will undergo completeness and eligibility reviews for the required items listed in the application materials. If a project proposal is determined to be incomplete or ineligible, it may not be reviewed or considered for funding.

DFA will consult with the local Division of Drinking Water (DDW) district office to ensure that the project is consistent with State Water Board policies, permits and orders. DDW will assist DFA in reviewing the scope, schedule, and budget of each application that is submitted and determined eligible for funding. The level of involvement and review by the DDW will depend on the scope of the proposed project. DDW will inform the applicant of any requirements (e.g., Safe Drinking Water Act, California Waterworks Standards) that may require consideration in the applicant's project.

DFA staff will may identify projects recommended for funding. The Deputy Director of DFA makes the final decision as to which applicants will may receive a preliminary funding award.

## 6.3. Preliminary Funding Award Notification

DFA will may notify invited applicants of preliminary funding awards via email, or by letter, and will post approved project lists on the State Water Board website. Award notifications may identify draft terms and conditions, including conditions precedent, that will be applicable to the grant funding agreement. The notification may include deadline(s) for deliverables that need to be completed to receive a grant funding agreement, such as:

- a. Adopted authorized representative resolution
- b. Technical, Managerial, and Financial (TMF) Assessment Form (see Appendix C)
- c. Self-Certification Form
- e.d. Complete Environmental Package for the EDWG Funding Program (see Appendix B), including documents or a notice of exemption (NOE) filed with the County Clerk and State Clearinghouse, any comment letters, and resolution/minutes adopting CEQA Documents all required attachments (only if the CEQA environmental review process is complete) or the CEQA

[Planning Exemption Certification Form \(if the environmental review process is not yet complete\).](#)

DFA may request additional information or documentation. The Deputy Director of DFA may withdraw a preliminary funding award if the applicant is non-responsive to inquiries or requests for information or documentation, or if DFA has exhausted reasonable efforts to resolve issues that prevent the execution of a funding agreement. ~~Any lack of responsiveness by applicants to inquiries and requests for information or documentation, or the~~ The emergence of unique legal issues or other project or funding challenges, may also result in DFA withdrawing preliminary funding awards. To the extent possible, such projects will be directed to other funding sources.

#### **6.4. Grant Funding Agreement**

Following notification of preliminary funding awards and completion of the deliverables identified in the award notification and any other requirements, or the receipt of a complete EDWG application, the State Water Board may issue grant funding agreements to recipients. Grant Funding agreements will not be effective until signed by the recipient's authorized representative and the State Water Board, and must be accompanied by a satisfactory legal opinion of the recipient's counsel (see form of opinion of counsel posted on the [EDWG Program Page](#)). The Deputy Director of DFA or designee is authorized to execute grant funding agreements and amendments thereto on behalf of the State Water Board for eligible projects with approved applications, for routine, non-controversial projects consistent with these Guidelines.

The grant funding agreement will require the recipient to provide complete technical, financial, and environmental information for review, to the extent not already provided, before the Division provides approval to proceed with activities such as solicitation of construction bids, selecting a construction contractor, and commencement of construction of the project. Property rights, permits, and approvals necessary for the project generally must be obtained prior to DFA's final budget approval.

### **7. REIMBURSEMENT OF COSTS**

Only work performed within the terms and conditions of an executed grant funding agreement that meets the applicable requirements, which may depend on the funding source, will be eligible for reimbursement.

Recipients may request reimbursement of planning/design, environmental, and other eligible non-construction costs (including eligible costs incurred prior to execution and after the established eligible work start date) upon execution of the grant funding agreement, except that recipients shall should not purchase any equipment or land, or other property rights for the project without written approval from the project manager.

Compliance with any conditions required by the State Water Board, and completion of the recipient's ~~CEQA documents~~environmental application package and the State Water Board's environmental review, will be conditions precedent to reimbursement of certain purchases and will be required before any construction costs are incurred. No activities requiring CEQA review, including construction, may proceed unless and until the State Water Board, ~~as the CEQA responsible agency~~, completes its own CEQA review process and notifies the recipient of approval to proceed. (See Sections 8.1 and 8.2 of these Guidelines)

DFA may also include conditions that must be satisfied prior to bid solicitation, disbursement of construction funds, completion of construction or final disbursement, such as documentation demonstrating that necessary elements of TMF have been addressed, adopted water rates sufficient to operate and maintain (O&M) the water system and the project, or submission of a permit amendment application to the local DDW district office (if applicable).

## 7.1. Eligible Project Costs

Allowable costs are those set forth in the DWSRF Policy and DWSRF IUP. In addition, DFA may, at its discretion, include an amount of up to 30% of the total estimated project cost for conditional costs. This amount would be in addition to the contingency line item, and would not be available to the recipient without DFA's written approval. ~~The amount may not be used for a change in scope of work.~~  
Conditional costs may, if specifically authorized by DFA, be used for limited activities necessary to evaluate or finalize potential scope changes (such as design modifications); however, Aany change in the written scope of work would requires an amendment to the grant funding agreement. As applicable, CEQA and other environmental requirements must be addressed prior to execution of such an amendment, and recipients are responsible for providing all necessary documentation to the State Water Board to support this review.

For projects receiving grant funds from SADW, additional guidance on allowable costs is set forth in the SADW Fund Policy and the SADW FEP.

## 7.2. Advance Payment

Proposition 1, ~~and~~ Proposition 68, and Proposition 4 authorize up to 25 percent (25%) of a grant for a project ~~serving DACs~~ to be awarded in advance of actual expenditures (Water Code, §79724, subd. (a)(1), ~~and~~ Public Resources Code, §80030, and Public Resources Code, §90130). The State Water Board is also authorized to provide necessary advance payments for projects funded by the SADW Fund (Health and Safety Code, §116766(i)), or by any other funding source to the extent authorized. An DFA has established an advance payment program may be established and approved by the Deputy Director of DFA at a later date to implement these authorities, and advance payments may be available in accordance with that program and applicable funding source requirements. ~~No advance~~

~~payments will be provided unless such a program is established. Advance payments are not available for projects funded solely with DWSRF funds.~~

## 8. GENERAL PROGRAM REQUIREMENTS

All applicants that are awarded ~~a grant/~~PF funds through the EDWG ~~Funding P~~rogram must comply with the terms and conditions set forth in the ~~grant funding~~ agreement, including the following general program requirements. Before applying, applicants must consider their ability to comply with these requirements. ~~Guidance for recipients, including details that State Auditors may review if a grant is audited, are discussed in Appendix D.~~

All requirements, terms, and conditions in the DWSRF Policy and DWSRF IUP ~~that apply to projects based on the funding source selected by DFA will applicable to non-DWSRF state grant funded projects~~ apply under the EDWG program. However, to the extent that applicable funding source requirements allow, ~~unless inconsistent with the provisions of these Guidelines will supersede inconsistent requirements in the DWSRF Policy and DWSRF IUP, or waived by~~ Additionally, the Deputy Director of DFA or designee may waive DWSRF Policy and DWSRF IUP requirements if allowed by the funding source requirements. Additional statutory and regulatory requirements may apply as well, depending on the funding source. Application forms and procedures for environmental review, financial review, and final budget and construction approval, disbursement, and other procedures and requirements may vary from the DWSRF Policy and DWSRF IUP to the extent approved by the Deputy Director of DFA or designee.

### 8.1. CEQA Compliance

Recipients are responsible for complying with all applicable laws and regulations for their projects, including CEQA. State Water Board selection of a project for funding does not indicate that the consideration of mitigation measures that would reduce or eliminate adverse environmental effects of that project is adequate. No construction may proceed unless and until the State Water Board completes its own CEQA findings if applicable, gives authorization to proceed with construction, and provides final budget approval. The State Water Board may enter into a ~~grant funding~~ agreement to begin funding planning/design activities for a project, but such an award will not constitute approval of the construction scope element of the ~~grant funding~~ agreement or be a guarantee of construction funding. The State Water Board expressly withholds approval of any construction project or construction element of a project and the release of funds associated with that construction project or that construction element of a project pending completion of the CEQA process, including the State Water Board completing its own environmental review and making its own findings under CEQA if applicable. Any funds in the award or the ~~grant funding~~ agreement linked to the construction element of a project are for encumbrance purposes only and will be reviewed after the State Water Board makes any necessary CEQA findings. The

appropriate environmental review under CEQA must be complete before the State Water Board determines whether to approve funding for construction of the project or for any site acquisition (purchase of land, etc.) associated with the project.

When the lead agency's CEQA review process is complete, the lead agency must file a CEQA notice of determination or ~~NOE~~[notice of exemption](#) for the project with the County Clerk and the State Clearinghouse.

## 8.2. Project Manager Notifications

Recipients will be required to obtain approvals from the Project Manager prior to soliciting for construction bids; purchasing necessary equipment, land or other property rights for the project; and/or any construction activities. The Project Manager will verify that the recipient has complied with all applicable conditions before giving such approval. [Proceeding with the bid solicitation process, equipment procurement, purchase of land or other property rights, and/or construction prior to receiving such authorization from the Project Manager may render the project ineligible for funding and may be grounds for immediate termination of the agreement.](#)

The Project Manager may conduct site visits and inspections to verify that the project is proceeding in accordance with the ~~grant~~[funding](#) agreement. The Project Manager may document such field visits with photographs or notes, which may be included in DFA's project file.

## 8.3. Reporting

Every recipient is required to submit quarterly progress reports to DFA that detail activities that have occurred during the applicable reporting period. Reporting is required even if no project related activities took place during the reporting period. Additional reporting requirements specific to ~~Greenhouse Gas Reduction Fund~~[\(GGRF\)](#) expenditures may be applicable to projects that receive SADW funds [or Budget Act of 2024 funds](#), as described in the SADW Fund Policy and the SADW FEP.

At the conclusion of the project, the recipient must submit a Project Completion Report, which must include a description of the project, a description of the problem the project sought to address, and a summary of compliance with applicable ~~grant~~[funding](#) agreement conditions.

## 8.4. Confidentiality

Any privacy rights, as well as other confidentiality protections afforded by law with respect to the application materials that are submitted will be waived once submitted to the State Water Board. The locations of all projects awarded funding must be reported to the State Water Board and made available to the public. The State

Water Board may report project locations to the public through internet-accessible databases. The State Water Board uses Global Positioning System (GPS) coordinates for project locations.

### **8.5. Disputes**

An applicant or recipient may appeal a staff decision within 30 days. Disputes will be reviewed and resolved pursuant to the procedure set forth in the DWSRF Policy.

Where a ~~grant funding~~ agreement has been executed, the dispute and remedies provisions of that ~~grant funding~~ agreement will control, and the dispute provisions of this section are inapplicable. Recipients must continue with the responsibilities under the ~~grant funding~~ agreement during any dispute. The Deputy Director of DFA may terminate a funding agreement where there is a violation of a material provision of the agreement by the recipient, or for other reasons stated in the funding agreement.

## APPENDIX A: ACRONYMS, ABBREVIATIONS, AND DEFINITIONS

### ACRONYMS AND ABBREVIATIONS

CEQA	California Environmental Quality Act
DAC	Disadvantaged Community
DDW	Division of Drinking Water
DFA	Division of Financial Assistance
DWSRF	Drinking Water State Revolving Fund
<u>DWSRF Policy</u>	<u>Policy for Implementing the DWSRF</u>
EDWG	Expedited Drinking Water Grant
FAAST	Financial Assistance Application Submittal Tool
GGRF	Greenhouse Gas Reduction Fund
Guidelines	Project Solicitation and Evaluation Guidelines
IUP	Intended Use Plan
JPA	Joint Powers Authority
<u>NOE</u>	<u>Notice of Exemption</u>
Non-DAC	Non-Disadvantaged Community
O&M	Operation and Maintenance
<u>PF</u>	<u>Principal Forgiveness</u>
PWS	Public Water System
SADW	Safe and Affordable Drinking Water
SADW FEP	SADW Fund Expenditure Plan
SADW Fund Policy	Policy for Developing the Fund Expenditure Plan for the SADW Fund
<u>SDAC</u>	<u>Severely Disadvantaged Community</u>
SDWA	Safe Drinking Water Act of 1996
State Water Board	State Water Resources Control Board
TMF	Technical, Managerial, and Financial

### DEFINITIONS

Unless otherwise defined in these Guidelines, the definitions in the DWSRF Policy and the DWSRF IUP apply to funding provided under the EDWG Funding Program. Additional definitions in the SADW Fund Policy and the SADW FEP are applicable to projects that receive SADW funds.

## **APPENDIX B: PROJECT PROPOSAL FORM**

The Project Proposal Form is posted on the [EDWG Program Page](#).

## APPENDIX C: TECHNICAL, MANAGERIAL, AND FINANCIAL CAPACITY

The federal SDWA requires states to incorporate TMF capacity into PWS operations. This requirement helps ensure that PWSs have long-term sustainability and are able to maintain compliance with all applicable drinking water laws and regulations.

Generally, applicants will be required to submit the appropriate TMF assessment form attached as an appendix to the DWSRF Policy prior to receiving a ~~grant~~funding agreement. DFA will review and comment on the TMF assessment and will determine if all TMF elements have been satisfactorily addressed by the applicant. The applicant will be required to address the mandatory elements of TMF prior to receiving construction authorization. Recipients will be required to address the necessary elements of TMF prior to completion of construction or prior to the final disbursement. Exceptions or variations may be approved on a case-by-case basis as described in the DWSRF Policy or DWSRF IUP.

Technical assistance may be provided to ensure TMF elements will be addressed.

## **APPENDIX D: RECORDKEEPING GUIDANCE FOR RECIPIENTS**

The list below details the documents and records that State Auditors would need to review in the event of a grant being audited. Recipients will be required to maintain such records for each funded project consistent with the records retention timeline established in the grant agreement.

### **Internal Controls**

- 1) Organization chart (e.g., the recipient's overall organization chart and organization chart for the grant funded project)
- 2) Written internal procedures and flowcharts for the following:
  - a. Receipts, deposits, and disbursements
  - b. State disbursement requests
  - c. Grant expenditure tracking
  - d. Guidelines, policy, and procedures on grant funded project
- 3) Audit reports of the recipient's internal control structure and/or financial statements within the last three years
- 4) Prior audit reports on grant funded project

### **Grants**

- 1) Original grant agreement, any amendment(s), and budget modification documents
- 2) A listing of all bond funded grants received from the state
- 3) A listing of all other funding sources for each project

### **Contracts**

- 1) All subcontractor and consultant contracts and related documents, if applicable
- 2) Contracts between the recipient and other agencies as related to the grant funded project

### **Invoices**

- 1) Invoices from vendors and subcontractors for expenditures submitted to the state for payments under the grant
- 2) Documentation linking subcontractor invoices to state disbursement requests and related grant budget line items
- 3) Disbursement requests submitted to the state for the grant

### **Cash Documents**

- 1) Receipts (copies of warrants) showing payments received from the state
- 2) Deposit slips (or bank statements) showing deposit of the payments received from the state
- 3) Cancelled checks or disbursement documents showing payments made to vendors, subcontractors, consultants, and/or agents under the grant
- 4) Bank statements showing the deposit of the receipts

**Accounting Records**

- 1) ~~Ledgers showing entries for grant receipts and cash disbursements~~
- 2) ~~Ledgers showing receipts and cash disbursement entries of other funding sources~~
- 3) ~~Bridging documents that tie the general ledger to requests for grant reimbursement~~

**Administration Costs**

- 1) ~~Supporting documents showing the calculation of administration costs~~

**Personnel**

- 1) ~~List of all contractors and recipient's staff that worked on the grant funded project~~
- 2) ~~Payroll records including timesheets for contractor staff and the recipient's personnel who provided services charged to the project~~

**Project Files**

- 1) ~~All supporting documentation maintained in the project files~~
- 2) ~~All grant related correspondence~~

## **APPENDIX E: SUMMARY OF PROCEDURES**

Appendix E is posted on the [EDWG Program Page](#).