



SAN JOAQUIN VALLEY WATER  
**Collaborative  
Action Program**

July 25, 2025

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Chair, State Water Resources  
Control Board and Board Members  
1001 I Street  
Sacramento, CA 95814  
*Via commentletters@waterboards.ca.gov*

**RE: Comment letter – Draft SFY 2025-26 DWSRF IUP and Draft FY 2025-26 FEP, San Joaquin Valley Water Collaborative Action Program**

Chair Esquivel and State Water Resources Control Board Members:

On behalf of the San Joaquin Valley Water Collaborative Action Program (CAP), we write to provide the following comments on the State Water Resources Control Board's (State Water Board) Draft Intended Use Plan (IUP) for the Drinking Water State Revolving Fund (SRF) and Draft Fund Expenditure Plan (FEP) for the Safe and Affordable Funding for Equity and Resilience Program (SAFER).<sup>1</sup> To date, the State Water Board has made significant progress in utilizing the flexibility of SAFER, including interim resources and technical assistance (TA), to craft creative solutions for disadvantaged communities that otherwise would continue to face drinking water challenges. After five years of implementation, we believe the time is ripe to reflect and reimagine the process to deliver drinking water projects and consolidations as quickly as possible for even more communities across the San Joaquin Valley and California.

**I. The San Joaquin Valley Water Collaborative Action Program**

The CAP is a coalition of over 80 leaders from agriculture, water agencies, safe drinking water advocates and TA providers, environmental organizations, local governments, academia, and state and federal agencies focused on developing recommendations for a more resilient water and land future for the San Joaquin Valley. The CAP's vision is to ensure a sustainable and resilient water supply for the San Joaquin Valley for multiple benefits by securing safe, reliable, and affordable access to water for drinking; sustainable and productive farms and ranches; healthy communities; and thriving terrestrial and freshwater ecosystems. To do so, the CAP pulls together all perspectives and focuses on building trust to collaborate to create feasible

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<sup>1</sup> State Water Resources Control Board, Draft Intended Use Plan, State Fiscal Year 2025-2026, (hereafter "IUP"); State Water Resources Control Board, Draft FY 2025-26 Fund Expenditure Plan: Safe and Affordable Drinking Water Fund, (hereafter "FEP").

solutions for the San Joaquin Valley. The CAP recently created and approved a set of consolidation recommendations [CAP Background Recommendations](#), based on the experiences and perspectives of the broad set of members with direct experience of drinking water challenges in the San Joaquin Valley, which inform these specific recommendations to amend the IUP and FEP.

## **II. The State Water Board Should Continue to Work with Stakeholders to Improve the Consolidation Process in the IUP and FEP**

The IUP and FEP make good changes to improve the processes for developing and funding consolidation projects. However, barriers to success continue and an iterative process is needed to continue to refine future IUPs and FEPs to address the drinking water crisis in the San Joaquin Valley. We fully agree with the State Water Board's goal of addressing significant risks to public health, promoting compliance with the Safe Drinking Water Act, and improving affordability and sustainability. We also support the effort to ensure that all communities without safe drinking water are on track to achieve lasting solutions.<sup>2</sup> For many communities, consolidation is often the best solution to achieve these goals; however, consolidation projects in California tend to move too slowly. A recent survey has found that consolidation has had an important impact on access to safe, sustainable drinking water in California, providing significant success for beneficiaries of a consolidation project.<sup>3</sup> That survey also identified that Technical Assistant (TA) providers have provided critical support for consolidation and that project duration and difficulty in applying for and receiving funding are barriers towards successful consolidation projects.<sup>4</sup> The State Water Board must find the right balance between applying metrics to move projects forward and hold staff and TA providers accountable, while still recognizing that certain projects are more difficult than others and should still be completed.

### **A. The State Water Board Should Not Limit or Disqualify TA for Disadvantaged Communities**

We are concerned that the FEP suggests that communities cannot move forward with TA for project development if certain criteria and milestones are not met by a certain time.<sup>5</sup> Many failing water systems serving disadvantaged communities lack capacity to move projects forward and significant TA is needed to advance work. Additionally, external factors beyond the control of the State Water Board, TA providers or a water system can cause delay. This can include infrastructure failures, challenges between receiving and subsumed water systems, the need for coordination with other parties, including local agencies and LAFCO, and challenges in acquiring property needed for a project. Failing to recognize these challenges and disqualifying a community from TA will only perpetuate injustice in drinking water access in California.

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<sup>2</sup> IUP, p. 69; FEP, p. 18.

<sup>3</sup> Kristin Dobbin and Sunny Singhal, *Advancing Safe and Affordable Drinking Water Access in California: Lessons from the California Water System Consolidation Survey*, available at [https://drive.google.com/file/d/17CCeuCa2vno4mNS\\_7exo0BP7-DN-VPaH/view](https://drive.google.com/file/d/17CCeuCa2vno4mNS_7exo0BP7-DN-VPaH/view).

<sup>4</sup> *Id.*

<sup>5</sup> FEP, pp. 54-61.

Instead, we propose that the timelines in the FEP be considered a framework and that the State Water Board work with stakeholders to develop guidelines and specific interventions to address challenges, rather than suggest that TA be discontinued for communities.

**B. The State Water Board Should Convene a Working Group to Accelerate Processing of Applications and Issuance of Funding Agreements**

The State Water Board should also work with stakeholders to determine how to expedite internal timelines and meet and exceed the metrics in the IUP.<sup>6</sup> The CAP has identified that the State Water Board's resources can be restrictive and lack flexibility. The current process requires multiple applications and amendments for TA, planning, design, and construction funding, each of which requires a process with the State Water Board that takes time, all while Californians lack safe drinking water and project costs increase due to inflation. Some application components are difficult for small, failing, and at-risk water systems to achieve, such as three years of audited financial statements. Funding agreements can take up to a year after funding is committed, with late-stage requirements, like attorney opinion letters creating further delays in the process. To understand and address these issues, the State Water Board convene a working group to review the existing processes for challenges and develop alternatives.

The working group should evaluate the results from the 2022 State Audit 2021-118 to determine progress over the past few years, and the results of the CA CWSRF: Review of the Load Award and Disbursement Process.<sup>7</sup> Alternative pathways for small water systems to demonstrate financial and legal capacity should be explored to prevent projects being delayed or stalling. The working group should also consider how more robust deployment of administrators to failing water systems could be used as early intervention to move projects forward in a timely manner. By working together with stakeholders, the State Water Board could identify process improvements that increase flexibility, reduce project costs and delays, and reduce staff time for the State Water Board, TA providers, and applicants.

**III. The State Water Board Must Not Prohibit Consolidation Where it is the Most Feasible Solution for a Community**

Consolidation is often the most feasible and cost-effective solution for communities, but several requirements of the IUP would make projects infeasible by State Water Board standards, leaving communities behind and failing to meet the State Water Board's own goals to ensure solutions for all.

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<sup>6</sup> See IUP, pp. 71-72.

<sup>7</sup> Auditor of the State of California, Report 2021-118, *available at* <https://information.auditor.ca.gov/reports/2021-118/index.html>; California State University, Sacramento, The CA CWSRF: Review of the Load Award and Disbursement Process, *available at* <https://www.efc.csus.edu/reports/cwsrf-report-final-7-15-22.pdf>.

A. The Cost-Per-Connection Limit Must be Changed to Ensure Safe Drinking Water for All

One barrier to consolidation projects is the cost-per-connection limit that the State Water Board applies to projects. This limit allows the State Water Board to disqualify projects when there is no other alternative to providing drinking water. Instead, the State Water Board should remove this limit and consider other alternative means to measure reasonableness for funding, like the State Water Board is considering as part of the Emerging Contaminants funding. The cost-per-connection limit can perpetuate existing environmental injustice, as communities that were disinvested in or domestic well owners who were redlined out of communities often need more assistance to reach a solution. The State Water Board should work with stakeholders to come up with a different standard for reasonableness of a consolidation that considers historic and current economic barriers, base infrastructure needed, and whether any other solution can meet the needs of the community.

B. The State Water Board Must Limit Which Funds are Counted Towards the Cost-Per-Connection Limit to Ensure Equity

If the State Water Board is going to apply a cost-per-connection limit, it must consider funds in a manner that perpetuates equity. The State Water Board includes a significant amount of funding from the past five years in the cost-per-connection limit, including technical assistance and administrators.<sup>8</sup> As a result, environmental justice communities who already face barriers in achieving drinking water access are further burdened by needing more assistance to get planning and construction applications. The State Water Board must amend the calculation to explicitly remove interim assistance, technical assistance, and administrators from the cost-per-connection methodology and limit the methodology to planning and construction costs.

**IV. The State Water Board Should Work With Stakeholders to Ensure Interim Relief is Available, Cost-Effective, and Geared Towards Long-Term Solutions**

The FEP discusses how the State Water Board will transition households off of SAFER-funded interim assistance when a long-term solution has been completed, there is an existing mitigation program, after two years, or if a household no longer qualifies.<sup>9</sup> The State Water Board should continue to develop these qualifications with stakeholders to make clear when SAFER funding will cease without causing disruption to households. For example, the State Water Board must work with mitigation programs to ensure that residents will be seamlessly transitioned to those programs and that those programs have capacity to serve the residents. Additionally, where there is the presence of co-contaminants or other issues, the State Water Board must continue to coordinate and provide some resources for interim relief.

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<sup>8</sup> IUP, pp. 100-101.

<sup>9</sup> FEP, pp. 79-80.

The State Water Board should not automatically remove residents from an interim solution after two years. Even if this can be extended, a cutoff can cause a disruption of services and stress for residents. Instead, the State Water Board should work to aggressively move communities on interim relief towards long-term solutions by improving the process to move from TA to planning and construction, working with existing mitigation programs to understand their needs and limitations, and appointing more administrators to help push systems towards success.

**V. The State Water Board Should Continue to Work with Stakeholders on the Domestic Well/State Small Water System Strategy**

The FEP suggests that a more robust domestic well/state small water system strategy is going to be developed.<sup>10</sup> We agree that strategies are needed, but that more urgency is needed to develop these strategies, as too many Californians are still facing dry wells and contaminated water. The State Water Board should adopt a timeline to develop these strategies with stakeholders. The FEP correctly notes that regulated entities should provide some funding for solutions, but that there is a state role to fill in gaps and address co-contamination.<sup>11</sup> It is imperative that the State Water Board and stakeholders develop an understanding of what coordination will look like going forward and ensure that resources are being used strategically to develop long-term solutions as quickly as possible to limit overall program costs and provide safe drinking water as quickly as possible.

**VI. Conclusion**

The State Water Board has made significant progress in advancing the Human Right to Water through the successful implementation and coordination of the SRF and SAFER programs. These programs are crucial to ensuring the successful development and construction of safe drinking water projects that the San Joaquin Valley needs to meet the goals of the State Water Board and the CAP. We thank you for the opportunity to provide these comments and urge the State Water Board to continue to work with the CAP and other stakeholders to ensure success.

Sincerely,



Ann Hayden  
Environmental Defense Fund



Sarah Woolf  
Water Wise

Co-Chairs  
San Joaquin Valley Water Collaborative Action Program

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<sup>10</sup> FEP, pp. 19-21.

<sup>11</sup> See FEP, p. 20.