

**Intended Use Plan for
the Kansas Water Pollution Control
Revolving Loan Program**

State Fiscal Year 2024



Effective July 1, 2023

Prepared by:

Kansas Department of Health and Environment
Division of Environment
Bureau of Water
Curtis State Office Building
1000 Jackson St,
Topeka, KS 66612



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I. Introduction

The State of Kansas Intended Use Plan (IUP) for the Clean Water State Revolving Fund (CWSRF) is prepared in accordance with the provisions of Title VI of the Federal Water Pollution Control Act. If any additional provisions come with future federal funding, these will also be included in the KWPCRF program.

This IUP covers activities during the 2024 program year, or state fiscal year, which is July 1, 2023 through June 30, 2024. The IUP is submitted to the EPA as part of the application for a capitalization grant. EPA regulations require the IUP to include the following elements:

- A List of Projects
- Short and Long-Term Goals
- Information on SRF Activities to be Supported
- Assurances to meet requirements for binding commitments, Expedient and timely expenditure, first use of funds, and conducting environmental reviews
- Criteria and method for distribution of funds

The Kansas CWSRF was established pursuant to the Clean Water Act of 1987 and by state statutes K.S.A. 65-3321 thru 65-3329, to establish the Kansas Water Pollution Control Revolving Fund (KWPCRF) to provide below market interest rate financing to local governments for certain water quality projects. The implementing regulations are found at K.A.R. 28-16-110 thru 28-16-138. The KWPCRF operates through an Inter-Agency Agreement (IAA) between the Kansas Department of Health and Environment (KDHE), the Kansas Department of Administration (KDA), and the Kansas Development Finance Authority (K DFA). KDHE is responsible for all aspects of the KWPCRF and administers the technical and environmental aspects of the program, KDA provides accounting and fiscal management services, and K DFA issues bonds to provide state match and leveraging funds as well as fund investment administration.

The KWPCRF provides low-cost financial assistance for wastewater, stormwater and nonpoint source projects. Since the program's authorization in 1988, Kansas has awarded over \$1.4 billion in assistance to both small and large municipalities. In the upcoming year, Kansas has identified over \$1.06 billion in potential projects that could be funded (see the Project Priority List in Appendix A).

Every year since the inception of the KWPCRF program, the federal government has appropriated funds for the KWPCRF in the form of capitalization grants. These capitalization grants are distributed to states using a formula outlined in the Clean Water Act Amendments of 1988. Since 1989, the Kansas CWSRF has received over \$467 million in federal capitalization grants. In addition, as required by federal law, the state of Kansas has provided matching funds equal to 20 percent of the capitalization grants by issuing state match revenue bonds. In some years, the KWPCRF has leveraged the program by issuing additional revenue bonds. The leveraging bonds allow Kansas to fund more projects sooner by making additional funds available. The KWPCRF receives an annual independent financial audit.

The Federal Water Pollution Control Act requires all CWSRF projects funded after September 30, 2015, regardless of funding source, to pay construction workers the federal Davis-Bacon wage rates for their job classification, comply with American Iron and Steel (AIS) requirements, comply with the federal environmental crosscutting authorities, and projects which repair, replace, or expand treatment works must provide a Fiscal Sustainability Plan (FSP) for the wastewater utility. KDHE must also obtain a certification from all applicants, in a manner determined by the Governor, that the facility planning has studied and evaluated cost and effectiveness and efficiency of water use, reuse,

recapture and conservation, and energy conservation, for all projects funded on or after October 1, 2015. These KDHE guidance documents are also available on the KDHE website at <https://www.kdhe.ks.gov/792/Municipal-Programs>.

Project milestones and information are reported in the EPA Office of Water State Revolving Funds (OWSRF) database accessible through the internet. The KWPCRF commits to entering benefits information on all projects to the OWSRF database by the end of the quarter in which the assistance agreement is signed.

The Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), was signed on November 15, 2021 which provides CWSRF programs with 2 additional capitalization grants over a total of 5 years (2022 to 2026). The allotments for 2023 BIL General Supplemental (\$18,815,000 which can be used for any eligible project) and BIL Emerging Contaminants (\$1,920,000 which can only be used for addressing emerging contaminant issues) were provided on February 24, 2023. The 2023 allotment for the regular, or base, appropriation (\$6,771,000) was provided on March 30, 2023. KDHE applied for the 2023 BIL General Supplemental and the 2023 Base capitalization grants on May 25, 2023. KDHE will apply for the 2023 BIL Emerging Contaminants after the publication of this Intended Use Plan based on potential eligible projects.

Allotments for the Federal Fiscal Year 2024 EPA capitalization grants have not been determined as of the date of publication of this document and any special conditions or required program changes are also unknown. For planning purposes of this IUP, KDHE will assume the 2024 capitalization grant amounts will be \$20,300,000 for the BIL General Supplemental and \$8,000,000 for the base appropriation.

This Intended Use Plan can be amended to add projects or other provisions as needed after a public hearing with 30 days' notice. KDHE anticipates amending this IUP in December 2023 or January 2024.

II. List of KWPCRF Projects

In April of 2023, letters soliciting projects were sent to municipalities eligible to receive assistance from the Kansas Water Pollution Control Revolving Fund. The solicitation specifically mentioned green infrastructure projects, water efficiency projects, water related energy efficiency projects and other water related environmentally innovative projects were eligible. Newly submitted projects were combined with the projects left over from the 2023 Project Priority List (PPL) to create the 2024 Project Priority List. Fourteen additional eligible projects for \$128.2M were submitted for consideration and placement on the 2024 PPL. The projects that qualify as BIL Emerging Contaminants projects are listed in a separate Emerging Contaminants PPL. The 2024 PPLs can be found in Appendix A.

In order to maximize the use of available funds, all projects on the PPL will be allowed to complete loan applications. This will ensure projects that are ready to proceed will have access to loan funds. If any of these projects do not submit the loan application by the deadline established in the application transmittal letter, or if any system notifies KDHE that they are no longer interested in a KWPCRF loan, the projects will be removed from the PPL. Systems can notify KDHE in writing if they are not ready to proceed with the application but still want to be left on the Project Priority List for the next funding cycle.

The PPL lists all eligible and current projects that have been submitted for loan fund consideration. Historically only a small percentage of the projects listed on the PPL complete loan applications due to project abandonment or delays due to project readiness to proceed. If municipalities that are

provided with a loan application do not complete it by the deadline given to them, and they are otherwise nonresponsive, they will be bypassed and removed from the PPL. All projects are considered above the funding line.

All of the loans in the Project Priority List are considered Section 212 Projects. There are no nonpoint source or estuaries projects listed in the Project Priority List.

III. Criteria and Method for Distributing Funds

The KWPCRF has discontinued the use of a priority ranking system. KDHE intends to fund any eligible project from the Project Priority List that completes the application process (and, for applicable projects, is acceptable based on a completed capacity analysis per below), in the order that the applications are processed. This will ensure projects that are ready to proceed obtain financing when needed. Federal regulations do not require loan commitments to follow the order of the state developed ranking procedure. For any new loan application greater than \$50 million, KDHE will need to complete a capacity analysis to determine program funding capability prior to the commitment of loan funds for the proposed project.

KDHE may elevate any eligible project to the Project Priority List due to emergency conditions as determined by the Secretary; however, the application process is the same as non-emergency projects except that emergency projects do not need 30 days' notice for the public hearing. All projects must be on the Project Priority List in order to receive funding.

Through federal appropriation law, Congress has mandated that 10% of the 2023 capitalization grant amounts (\$677,100 for the base grant, \$1,881,500 for the BIL General Supplemental, and \$192,000 for BIL Emerging Contaminants) be put towards projects that qualify under the EPA Green Project Reserve (GPR) if such applications are submitted. Projects that qualify as GPR are indicated on the PPL. Projects initially not listed as GPR qualified may be considered GPR qualified after the loan application is evaluated. To comply with state law, KDHE will insure a minimum 10% of the monies will be made available to municipalities with 5,000 population or less.

As of May 31, 2023, the KWPCRF had \$200,595,372 of existing funds available for disbursement and a total loan commitment to disburse of \$60,241,597. This means there is \$140M of funds currently available to commit to new loans. Funds do not need to be available at the time of loan commitment, only at the time of loan disbursements. Additional funds will be realized during the program year from the 2023 capitalization grants (\$27.5M), the 2024 capitalization grants (estimated \$28.3M total) and from funds that revolve (estimated at \$34.4M). With these assumptions, KDHE will have approximately \$230.2M available for new commitments in program year 2023. Additionally, KDHE will issue bonds during any program year when funds available for disbursement are projected to reach a shortfall.

IV. Financial Status of the KWPCRF

The KWPCRF operates as a cash flow leveraged loan program. In a cash flow leveraged loan program, the EPA capitalization grant is directly loaned out and the repayments of those loans are pledged as security for repayment of state issued revenue bonds (leveraged bonds). The revenue bond proceeds are also loaned to municipalities and such loans are pledged as security for repayment of the state issued revenue bonds. Since a portion of loans are funded with EPA capitalization grant funds, which the program does not pay interest on but does receive interest payments from once they are loaned out, the pool of loans can be offered at interest rates less than the market rate.

The Fund issued state match bonds on March 31, 2022 which produced \$9,000,000 of proceeds that

were deposited into the CW SRF as state match. This amount will provide state match for all the 2023 capitalization grants as well as a portion of 2024 capitalization grants. Leveraged bonds are issued according to cash flow needs (cash needed for disbursements), not necessarily for loan commitment needs. Because there can be up to a two-year delay between loan execution and project construction, the cash available for disbursements does not need to be equal to the total loan commitment amount at any given time. KDHE will likely need to issue leveraged bonds during the program year to meet cashflow needs.

As of May 2023, KDHE had 528 loan agreements or offers in place for a total of \$1,451,382,206. Loans have been finalized (projects completed) for 490 of those agreements and 297 of the loans have been repaid in full. Existing loan agreements had a commitment balance amount of \$60,241,597 (amount needed to fully disburse existing loan commitments).

For the 2024 PPL, the KWPCRF will assume the full amount of the PPL, \$1.06B, can be made available for commitment to new loans. The Sources and Uses table in Appendix B shows estimated financial resources and the planned utilization of those resources for the 2024 program year.

KDHE does not commit specific types of funds for specific loans at loan execution; instead, the source of funds used for disbursements will be determined at the time of each disbursement request. This practice allows for capitalization grant funds to be disbursed as priority therefore reducing unliquidated obligations of federal grants. KDHE expects to fully disburse the loan portion of the 2023 BIL General supplemental and 2023 Base capitalization grant during the program year.

Comprehensive financial planning is essential for the KWPCRF. Financial planning is used to determine appropriate investment strategies, leveraging practices, use of additional subsidies, and annual and long-term financing capacity. The KWPCRF strives to balance the need to provide as much low-cost financing as possible while ensuring that the fund can continue to operate in perpetuity. Each year, KDHE and the partner agencies and various consultants review the financial conditions of the KWPCRF, including the need and timing to sell leveraging bonds.

At least once a year, a cash flow analysis for the next 20-year period is performed to aid in making long and short-term financial decisions for the Fund. The last cash flow analysis was performed in December 2022 and the summary is attached as Appendix G. Formal monthly meetings between KDHE, the Kansas Development Finance Authority (bond issuer and financial advisor) and the Kansas Department of Administration (SRF program accounting) are also held to discuss financial planning and make funding decisions.

More detailed financial information can be found in the KWPCRF Annual Report. The most recent report covers the program year through June 30, 2022. This and future annual reports can be found on the KDHE web site <https://www.kdhe.ks.gov/518/Loan-Fund-Administration-Documents>.

V. Interest Rates and Additional Subsidy

In accordance with K.A.R. 28-16-113 the gross interest rate (loan interest rate plus service fee rate) will be set at 60% of the previous three months' average of the Bond Buyers 20 Year General Obligation Bond Index. The financing term for most projects will be 20 years, a shorter repayment period is available if desired by the applicant or required if the useful life of the project is less than 20 years.

Additional subsidy is mandated by appropriation laws and the Clean Water Act. The tables on the following page show the amount of additional subsidy allowed and amounts committed for additional subsidy associated with open grants. The first table shows additional subsidy that can be awarded any eligible project that meets any state developed criteria. The second table shows additional subsidy awards that are restricted to criteria found in Section 603(i) of the Clean Water Act.

Additional Subsidy Requirements (Any State Criteria for Award)

Grant Year	Required Additional Subsidy Amount	Projected Additional Subsidy (Includes Loans that are not Finalized)	Awarded Additional Subsidy (Finalized Loans)	Amount left to Commit	Estimated Additional Subsidy Finalization Date
2016	\$1,206,000	\$1,206,000.00	\$1,198,898.28	\$0.00	Jul-23
2017	\$1,196,700	\$1,196,700.00	\$1,196,700.00	\$0.00	Oct-21
2018	\$1,448,800	\$1,448,800.00	\$1,448,800.00	\$0.00	Oct-21
2019	\$1,434,200	\$1,434,200.00	\$934,200.00	\$0.00	Jul-23
2020	\$1,434,400	\$1,434,400.00	\$420,300.00	\$0.00	Dec-23
2021	\$1,434,200	\$1,434,200.00	\$0.00	\$0.00	Dec-24
2022	\$1,044,400	\$1,002,184.56	\$0.00	\$42,215.44	TBD
2022 BIL EC	\$844,000	\$0	\$0.00	\$844,000.00	TBD
2023 BIL EC	\$1,920,000	\$0	\$0.00	\$1,920,000.00	TBD
2023	\$677,100	\$0	\$0.00	\$677,100.00	TBD
2024 (Est.)	\$800,000	\$0	\$0.00	\$800,000.00	TBD
Totals	\$13,439,800	\$9,156,484.56	\$5,198,898.28	\$4,283,315.44	

Table 1

Additional Subsidy Requirements (Section 603(i) CWA eligibilities)

Grant Year	Minimum Additional Subsidy	Maximum Additional Subsidy	Projected Additional Subsidy (Includes Loans that are not Finalized)	Amount Left to Commit for Minimums	Awarded Additional Subsidy (Finalized Loans)	Estimated Additional Subsidy Finalization Date
2016	\$0	\$3,618,000	\$3,385,379	\$0	\$3,061,874	Jul-23
2017	\$0	\$3,590,100	\$3,590,100	\$0	\$2,904,914	Jul-23
2018	\$0	\$4,346,400	\$3,500,247	\$0	\$3,012,596	Jul-23
2019	\$0	\$4,302,600	\$0	\$0	\$0	Jul-23
2020	\$0	\$4,303,200	\$9,040	\$0	\$0	Dec-23
2021	\$0	\$4,302,600	\$0	\$0	\$0	Dec-24
2022	\$1,044,400	\$3,133,200	\$156,615	\$887,785	\$0	TBD
2022 BIL Gen	\$7,871,850	\$7,871,850	\$2,126,253	\$5,745,597	\$0	TBD
2023	\$677,100	\$2,031,300	\$0	\$677,100	\$0	TBD
2023 BIL Gen	\$9,219,350	\$9,219,350	\$0	\$9,219,350	\$0	TBD
2024 (Est.)	\$2,030,000	\$6,090,000	\$0	\$2,030,000	\$0	TBD
2024 BIL Gen (Est.)	\$9,947,000	\$9,947,000	\$0	\$9,947,000	\$0	TBD
Totals	\$30,789,700	\$62,755,600	\$12,767,635	\$28,506,831	\$8,979,384	

Table 2

Under the authority of Section 603(i) (A) of the Clean Water Act, projects that meet the affordability criteria found in Appendix F can qualify for up to 30% principal forgiveness of the associated loan disbursement amount, not to exceed \$1,000,000 for any single loan agreement (as funds are available).

Under the authority of Section 603(i) (B) of the Clean Water Act, projects that encourage sustainable project planning design and construction – specifically projects that develop regionalization studies, construct facilities that treat wastewater from more than one municipality, converts a mechanical treatment system (includes activated sludge package plant or Imhoff Tank) with a capacity of 1 MGD or less to a lagoon treatment system, or converts a discharging lagoon treatment system to a non-

discharging lagoon treatment system, can qualify for up to 30% principal forgiveness of the associated loan disbursement amount, not to exceed \$1,000,000 (as funds are available).

Principal forgiveness cannot be used to pay the costs of interest and service fee charges during construction.

In the event that projects on the PPL qualify for additional subsidy in amounts that exceed the minimum required amount of available funds, the amount of additional subsidy for each loan will be prorated for all loan applications that meet the application submittal deadline of October 15, 2023.

Congressional Appropriations have required 10% of certain Cap Grant amounts be used to fund projects eligible for the Green Project Reserve (GPR). The status of GPR spending is summarized in the table below. Three projects potentially qualify for the Green Project Reserve for an estimated \$2,438,829 as shown on the Project Priority List. More projects on the PPL may be determined eligible once more energy efficiency details are established during planning and design.

Green Project Reserve (GPR) Requirements (Congressional Appropriations)

Grant Year	Minimum GPR	Projected GPR (Includes		Awarded GPR (Finalized Loans)	Estimated GPR Finalization Date
		Loans that are not Finalized)			
2017	\$1,196,700	\$1,703,210		\$1,703,210	Jul-23
2018	\$1,448,800	\$1,448,800		\$1,448,800	Sep-20
2019	\$1,434,200	\$1,434,200		\$1,434,200	Sep-20
2020	\$1,434,400	\$1,762,295		\$1,112,295.05	Aug-23
2021	\$1,434,200	\$652,900		\$0.00	TBD
2022	\$1,044,400	\$0.00		\$0.00	TBD
2022 BIL Gen	\$1,606,500	\$0.00		\$0.00	TBD
2022 BIL EC	\$84,400	\$0.00		\$0.00	TBD
2023	\$677,100	\$0.00		\$0.00	TBD
2023 BIL EC	\$192,000	\$0.00		\$0.00	TBD
2023 BIL Gen	\$1,606,500	\$0.00		\$0.00	TBD
Totals	\$12,159,200	\$7,001,405		\$5,698,505	

VI. Equivalency Projects

The KWPCRF must designate in the Intended Use Plan a project or group of projects equal to the capitalization grant amount that will be required to submit an audit that complies with the Single Audit Act requirements, comply with the Federal Funding Accountability and Transparency Act reporting requirements, and comply other federal crosscutter requirements. At the time of loan execution KDHE will determine if such loan will be required to comply with these requirements. Because it is unknown which projects listed on the PPL will execute loan agreements, it is not possible to list specific loans that will meet these requirements for the anticipated capitalization grants. Equivalency loans will be listed in the annual report.

The following additional requirements apply to Equivalency projects:

- Disadvantaged Business Enterprise utilization
- Single Audit Act

- Federal Funding Accountability and Transparency Act (FFATA) reporting
- Procurement of A/E services in accordance with the federal Brooks Act
- Public notification or signage requirements
- Buy America Build America Act (2022 and future grants)

VII. Short and Long-Term Goals of the KWPCRF

Kansas has developed short-term and long-term goals for the KWPCRF program. The status of these goals will be discussed in the annual report.

Short-Term Goals

1. To provide financial assistance to water quality improvement projects for discharge to streams and water bodies within high quality watersheds.
2. To provide financial assistance for sewerage facilities to municipalities with population less than 5,000.
3. To assure compliance with Water Quality Standards and effluent limitations through encouraging construction of sewerage improvements in support of KDHE Permitting and Enforcement activities.
4. To encourage municipalities to use the KWPCRF for solving problems and providing improvements related to public health protection, water quality improvement, sludge handling improvements and biosolids reuse, asset management, energy efficiency, and wastewater treatment facilities compliance through the construction of sewerage projects.
5. To assure compliance with domestic sewage sludge reuse criteria and disposal practices through construction of any necessary sludge handling improvements to comply with the 40 CFR Part 503 EPA regulations.
6. Fund green infrastructure, water and energy efficiency and environmentally innovative projects if applications for such projects are submitted.

Long-Term Goals

1. To maintain a self-supporting, effective and efficient, revolving loan program through the Kansas Water Pollution Control Revolving Fund to provide the type and amount of assistance most advantageous to local communities and to provide low-cost financing for important water quality projects in order to improve and protect water quality and public health while maintaining the perpetuity of the CWSRF.
2. To support implementation of Water Quality improvements plans as presented within the Kansas Water Plan and TMDL plans written by KDHE and approved by EPA.
3. To provide funding to non-traditional projects for water quality improvement and public health protection projects, and non-point source pollution control projects.
4. Expand available financing by issuing KWPCRF leveraged bonds when needed.

VIII. Revolved Funds

Revolved funds are revenues in excess of the amounts needed to make bond principal and interest payments. As of May 31, 2023, the Fund had approximately \$201M in revolved funds available for disbursement and anticipates another \$34.4M to be added during the 2024 program year.

The KWPCRF has historically utilized pre-spending of bond proceeds using recycled funds. Pre-spending bond proceeds will help assure that the Fund meets the one and three-year spend down requirements for bond proceeds and avoid penalties imposed by tax laws. The program anticipates issuing bonds during the program year.

IX. Rates and Uses of Fees

As established by K.A.R. 28-16-113 the gross interest rate for a KWPCRF loan shall include the service fee. Assistance recipients are assessed a service fee of 0.25%, which is included as a component of the gross interest rate. The fee income is used to help cover the costs of administration of the KWPCRF by paying for a portion of KWPCRF staff salary and benefits, costs incurred by other state agencies under the IAA, costs of annual independent financial audits, ongoing costs of rent, travel, communications, office equipment, etc., for the KWPCRF program. Service fees are also used for other salaries and similar expenses of administering Section 106 activities such as the NPDES permit program. As service fees are earned on the FFY 2023 capitalization grants, \$250,000 of service fees are expected to be deposited into the CWSRF as program income earned during the grant period.

For loans with an effective date after May 31, 2018, the service fee is calculated differently through the first 4 years of repayments than in the remaining years of repayments. Through the first 4 years of repayments the service fee will be equal to the gross interest rate minus 0.25%. For the remaining years of repayments, the service fee will be equal to 0.25%. The service fees collected through the first 4 years of repayments will be set aside and used as funds for future state match requirements.

X. Cross Collateralization and Transfers

The Master Financing Indenture (MFI), was established in 2010 by KDFA Bond Resolution No.287 and combines both the KPWSLF and KWPCRF programs as one entity for the purpose of interfacing with the capital market. All current outstanding bonds associated with the Kansas SRF programs are under the MFI. The entire MFI is structured as a cross collateralization mechanism as all interest revenues are pledged to the State Match bonds and all other revenues are pledged to the Leveraged Bonds.

The MFI interface provides for an understanding to bond holders as to how debt service will be paid. However, as indicated in Section 903 of the MFI, the KPWSLF and KWPCRF will maintain and operate the loan programs as separate entities with separate accounting of all loan disbursements, interest revenues, principal revenues, State Match debt service, Leveraged debt service, State Match bond issuance amounts, Leveraged bond issuance amounts, State Match bond proceeds, Leveraged bond proceeds, and any other fund or account established in the MFI.

In the event that cross-collateralization is used to pay debt service on bonds, KDHE accounting will show revenue from one program was needed to pay debt service of the other program. That amount will be treated as a loan (without interest) to be repaid once the borrowing program has available funds in its portion of the Program Equity Fund. In the unlikely event that State Match debt service could not be paid using the corresponding program's portion of interest revenues in the MFI, the amount necessary to pay the State Match debt service of the program would be transferred from the corresponding program's Service Fee account to the State Match debt service account (Service Fees

are an interest component of the loan repayments). This will assure that the assets of one program are not used, even temporarily, to pay for the other program's State Match.

Furthermore, the MFI will not issue any bonds unless it can show that the program which receives bond proceeds can pay 100% of the debt service of the corresponding bonds (in other words, without using cross-collateralization).

The Kansas Department of Health and Environment reserves the right to transfer 33% of the amount of the Drinking Water 2019, 2020, 2021 2022, 2023 and 2024 capitalization grants from the Kansas Water Pollution Control Revolving Fund to the Kansas Public Water Supply Loan Fund in the future. The transferred funds will not be federal funds and will come from either bond proceeds, investment earnings, or recycled funds. This would help the KPWSLF to meet loan demands in the future and should not impact the ability for the KWPCRF to fund demand for projects. While the EPA BIL Implementation Memo prohibits transfer of federal appropriations calculated for the BIL Lead Service Line Replacement grants, there is no prohibition on transferring non-federal funds based on the amount of such grants.

	DW SRF Capitalization Grant Amount	Potential Non- federal Transfer from CW to DW SRF
2019	\$12,882,000	\$4,251,060.00
2020	\$12,775,000	\$4,215,750.00
2021	\$12,763,000	\$4,211,790.00
2022	\$8,130,000	\$2,682,900.00
2022 BIL General Supplemental	\$20,875,000	\$6,888,750.00
2022 BIL LSL Replacement	\$32,891,000	\$10,854,030.00
2022 BIL Emerging Contaminants	\$8,765,000	\$2,892,450.00
2023 Base	\$5,507,000	\$1,817,310.00
2023 BIL General Supplemental	\$24,100,000	\$7,953,000.00
2023 BIL LSL Replacement	\$28,650,000	\$9,454,500.00
2023 BIL Emerging Contaminants	\$8,765,000	\$2,892,450.00
2024 Base Est.	\$5,507,000	\$1,817,310.00
2024 BIL General Supplemental Est.	\$25,500,000	\$8,415,000.00
2024 BIL LSL Replacement Est.	\$28,650,000	\$9,454,500.00
2024 BIL Emerging Contaminants Est.	\$8,521,000	\$2,811,930.00
	Total Transfer Authority	\$80,612,730

XI. Cash Draw Ratio and SRF Administration

The 2023 capitalization grants require a state match of \$5,117,200. An amount of \$5,420,300.47 was deposited on March 31, 2022 made up of the remaining portion of the \$9,000,000 bond proceeds after providing match for the 2022 capitalization grants provides the required match for the 2023 capitalization grants. The balance from the bond proceeds (\$303,100) can be provided as a portion of the required state match for the 2024 capitalization grants.

The \$5,420,300.47 that was deposited in 2022 was fully disbursed to loans by July 20, 2022 (as documented for the 2022 capitalization grant application). Therefore, the draw ratio for the 2023 capitalization grants is 100%.

Grant Year	Grant Amount	State Match Required	2021 SRF Issued 3/11/2021	2022 SRF Issued 3/31/2022
FFY 2022 BIL General Supplemental	\$16,065,000.00	\$1,606,500.00	\$115,600.47	\$1,490,899.53
FFY 2022	\$10,444,000.00	\$2,088,800.00		\$2,088,800.00
FFY 2023 BIL General Supplemental	\$18,815,000.00	\$1,881,500.00		\$1,881,500.00
FFY 2023	\$6,771,000.00	\$1,354,200.00		\$1,354,200.00
FFY 2024 BIL General Supplemental*	\$20,300,000.00	\$4,060,000.00		\$2,184,600.47
FFY 2024*	\$8,000,000.00	\$1,600,000.00		
Total Bond Issue			\$1,500,000.00	\$9,000,000.00

* Grants not yet allocated; amounts estimated

Section 603(d)(7) of the Federal Water Pollution Control Act allows a certain amount of the federal capitalization grant to be used for SRF administration. This amount is the greater of 3 determinations; \$400,000, 1/5 percent (0.2%) of the current valuation of the fund, and 4% of the all capitalization grant awards received by the State CWSRF (excluding federal administrative funds spent). The current valuation of the fund (Total Net Position from the 2022 audit) is \$431,228,978 resulting in possible administration use calculation of \$862,458. The total Kansas Capitalization Grant amount awarded through 2022 plus the 2023 BIL General Supplemental, 2023 BIL Emerging Contaminants, and 2023 base allotment amounts is \$492,818,647, of which 4% is \$19,712,745.88. Federal administrative funds spent as of June 30, 2022 is equal to \$12,112,137.07 which results in a possible administration use calculation of \$7,600,608.81. The greater of these 3 options is \$7,600,608.81 which sets the maximum annual amount of SRF funds that can be used for administration costs (excluding fees).

XII. Public Review and Comment

Public hearings were held on June 28, 2023 and July 5, 2023 to receive comments on this KWPCRF IUP for SFY 2024 and the affordability criteria. The hearing notices were published in the Kansas Register. The hearing attendance lists and summaries of the hearings are included in Appendix C.

APPENDIX A

2024 Base Project Priority List

Project #	Municipality	NPDES Permit No.	Project Description	Loan Amount	Project Eligible for Additional Subsidy (Congressional, Sec. 603(i)(1)(A), Sec. 603(i)(1)(B))	Opportunity Zone; Yes =1, No = 0	Population 500 or less	MHI (Kansas MHI = 64,521; 80% = 51,616.8)	County Unemployment Rate (Kansas Ave = 2.81%; 115% = 3.230%)	Estimated Principal Forgiveness Amount	Estimated GPR Amount
3106-01	Auburn	KS0094650	WWTF Improvements, Inc. Conversion to Non-Discharging Facility	\$2,500,000	Sec. 603(i)(1)(B)	0	1,259	59,600	2.925%	\$750,000	
3094-01	Bel Aire	KS0089178	CCUA Wastewater Treatment Facility Improvements	\$10,000,000		0	8,448	90,957	3.192%		
3102-01	Bentley	NA-NQ Lagoon	Wastewater Lagoon Improvements	\$1,164,610	Sec. 603(i)(1)(A)	1	569	50,000	3.192%	\$349,383	
3088-01	Burden	KS0088455	Sanitary Sewer Collection System Rehabilitation	\$1,100,000		0	514	54,531	3.083%		
3061-01	Cedar Vale	KS0116947	Sanitary Sewer Collection System Rehabilitation	\$2,731,620	Sec. 603(i)(1)(A)	0	475	38,250	3.058%	\$819,486	
3068-01	Centralia	KS0081418	Sanitary Sewer Collection System Rehabilitation	\$4,073,382		0	486	58,068	1.992%		
3018-01	Chanute	KS0080837	New Wastewater Treatment Plant to Meet BNR requirements	\$20,000,000	Sec. 603(i)(1)(A)	0	8,642	49,421	3.783%	\$1,000,000	
3111-01	Chase	KS0051667	WWTF & Collection Improvements, Inc. Conversion to Non-Discharging Facility	\$3,700,000	Sec. 603(i)(1)(B)	0	390	54,375	2.450%	\$1,000,000	
3051-01	Cliffin	KS0026441	Convert Mechanical WWTP to a Lagoon Treatment System	\$3,692,900	Sec. 603(i)(1)(B)	0	553	49,583	2.833%	\$1,000,000	
3072-01	Council Grove	KS0027898	LPS Sys. at CG Lake, Collection System Rehab and New Wetland Cell at Lagoon	\$9,500,000	Sec. 603(i)(1)(B)	0	2,111	50,057	2.558%	\$285,000	\$950,000
3085-01	Council Grove	KS0027898	Sanitary Sewer System Rehabilitation	\$2,750,000		0	2,111	50,057	2.558%		
3070-01	Dodge City	KSJ000275	WWTP Expansion & Collection System Improvements	\$62,045,000		1	27,690	56,897	2.233%		
3107-01	Dodge City	KS0099830	Managed Aquifer Recharge (MAR) Project	\$60,000,000		1	27,690	56,897	2.233%		
3064-01	Edgerton	KS0100374	Big Bull Creek WWTP Improvements	\$17,609,000		0	1,741	74,741	2.492%		
3097-01	Edgerton	KS0100374	Dwyer Farms Sanitary Sewer Extension & City Lift Station Improvements	\$2,680,800		0	1,741	74,741	2.492%		
3066-01	Ellsworth	KS0085693	Sanitary Sewer Line Rehabilitation & WWTF Conversion to Non-Q	\$4,000,000	Sec. 603(i)(1)(B)	0	2,992	54,961	2.467%	\$1,000,000	
3060-01	Emporia	KS0046728	Wastewater System Improvements	\$4,000,000	Sec. 603(i)(1)(A)	1	24,009	46,642	2.717%	\$1,000,000	
3105-01	Eureka	KS0083178	Sanitary Sewer Collection System Rehabilitation	\$1,000,000		0	2,289	38,314	2.683%		
3099-01	Frontenac	KS0026131	New Mechanical Wastewater Treatment Facility - replace existing lagoon facility	\$21,175,190		1	3,395	51,642	3.067%		
3011-01	Garden City	KS0038962	Construct a Wastewater Reuse Treatment Facility	\$8,100,000		1	27,856	59,331	2.217%		
3103-01	Gardner	KS0095605	Kill Creek WWTF Phase II Expansion	\$28,750,000		0	23,942	83,284	2.492%		
3090-01	Geary Co. S.D. #4	KS0079197	Wastewater Collection System Improvements	\$729,493	Sec. 603(i)(1)(A)	0	392	54,664	4.042%	\$218,848	
3079-01	Glasco	KS0100803	Stormwater Improvements to address impacts to sanitary sewer system	\$1,600,000	Sec. 603(i)(1)(A)	0	441	49,125	2.933%	\$480,000	
3045-01	Goodland	KSJ000247	Construction of a belt filter press, additional sludge storage	\$1,500,000		1	4,450	53,485	2.467%		
3080-01	Haddam	NA-NQ Lagoon	Lift Station Rehabilitation	\$450,000		0	109	68,375	2.208%		
2028-01	Hanson	KS0031143	Replace the Existing WWTP with a Lagoon Treatment Facility	\$2,160,000	Sec. 603(i)(1)(B)	0	260	55,625	2.408%	\$648,000	
3038-01	Hartford	KS0025682	Replacement of forccain from lift station to wastewater treatment facility	\$400,000	Sec. 603(i)(1)(A)	0	356	51,250	2.717%	\$120,000	
3021-01	Heiland	KS0027839	Wastewater Lagoon Improvements	\$1,476,000		0	651	52,434	2.592%		
2037-01	Herndon	NA-NQ Lagoon	Rehabilitate the Existing WWTP Lagoon	\$325,000	Sec. 603(i)(1)(A)	0	129	33,125	1.550%	\$97,500	
3095-01	Hiawatha	KS0096440	Improvements of South and Layton's Lift Stations	\$4,829,400		0	3,246	50,985	2.583%		
3036-01	Highland	KS0047457	Sewer Collection System Rehabilitation	\$3,876,513		0	917	49,167	2.742%		
3035-01	Huron	KS0047473	Lagoon System Improvements	\$350,000	Sec. 603(i)(1)(A)	0	78	58,750	3.642%	\$105,000	
3082-01	Hutchinson	KS0036188	Lift Station Rehabilitation & WWTF Headworks Improvements Project	\$3,570,000		1	40,209	52,277	3.067%		
2043-01	Independence	KS0095486	Rehabilitate the Wastewater Collection System	\$3,100,000	Sec. 603(i)(1)(A)	0	8,464	44,565	3.333%	\$930,000	
3100-01	Ingalls	NA-NQ Lagoon	Lift Station Pump Replacement	\$140,000		0	249	64,688	2.200%		
3110-01	Jamestown	NA-NQ Lagoon	Sanitary Sewer Collection System Rehabilitation	\$1,745,000		0	234	65,417	2.933%		
3056-01	Jefferson Co. S.D. #3 & 12	NA-NQ Lagoon	Rehabilitate WW Lagoons and Collection System, Lift Station Improvements	\$1,310,875		0	75	72,270	2.717%		
3077-01	Johnson County	KS0055492	Nelson Wastewater Treatment Facility Improvements	\$276,740,000		1	613,219	98,059	2.492%		
1973-02	Junction City	KS0034011	Rehabilitate and Upgrade the WWTP to Provide Nutrient Removal	\$79,528,000		0	21,862	52,159	3.983%		
3074-01	Kanorado	NA-NQ Lagoon	Rehabilitation of Cell 1 at WW Lagoon Facility	\$506,190		0	155	59,500	2.467%		
3050-01	La Harpe	KS0094251	Sanitary Sewer Collection System Rehabilitation	\$1,465,000	Sec. 603(i)(1)(A)	0	484	43,750	3.033%	\$439,500	
3025-01	Latham	NA-NQ Lagoon	Rehabilitate the Existing WWTF and Collection System	\$900,000	Sec. 603(i)(1)(A)	0	101	22,917*	2.925%	\$270,000	
3071-01	Luray	NA-NQ Lagoon	Wastewater Lagoon Facility Improvements, including Desludging Lagoons	\$2,206,375		0	167	54,688	2.492%		
3076-01	Lyons	KS0022730	Wastewater Treatment Plant Improvements	\$2,500,000		0	3,556	57,399	2.450%		
3047-01	Miami County/Bucyrus	KS0095290	Abandonment of Existing WWTF and Connection to Spring Hill	\$3,000,000	Sec. 603(i)(1)(B)	0	322	79,211	2.692%	\$900,000	
3101-01	Narka	NA-NQ Lagoon	Lift Station Pump Replacement & Sanitary Collection System Improvements	\$375,000	Sec. 603(i)(1)(A)	0	80	44,750	2.217%	\$112,500	
3073-01	Newton	KS0100528	Sanitary Sewer Collection System Improvements	\$2,311,250		0	18,433	59,586	2.717%		
3065-01	Olathe	KS0081289	Biosolids Compost Operation Expansion	\$12,912,000		1	143,014	100,849	2.492%		
3096-01	Osburg	KS0093297	Lagoon Facility Impr. - Incl. Desludging & Wetland Cell to Convert to Non-Q	\$700,000	Sec. 603(i)(1)(B)	0	221	69,375	2.525%	\$210,000	\$400,000
3084-01	Osage City	KS0022675	Wastewater Collection and Treatment System Improvements	\$6,300,000	Sec. 603(i)(1)(A)	1	2,846	45,785	2.983%	\$1,000,000	
3054-01	Ozawie	NA-NQ Lagoon	Add 3rd Cell to Lagoon Treatment System	\$512,345		0	636	83,750	2.717%		

 New Projects
 2021 and 2020 MHI data did not include a value for the City of Latham; value in table is from 2019 data.
 Loan agreement is written; Affordability data is carried over from 2024 Project Project List (2023 Kansas MHI = 61,091; 80% = 48,872.8).

2024 Base Project Priority List (Continued)

Project #	Municipality	NPDES Permit No.	Project Description	Loan Amount	Project Eligible for Additional Subsidy (Congressional, Sec. 603(i)(1)(A), Sec. 603(i)(1)(B))	Opportunity Zone; Yes =1, No = 0	Population 500 or less	MHI (Kansas MHI = 64,521; 80% = 51,616.8)	County Unemployment Rate (Kansas Ave = 2.81%; 115% = 3.230%)	Estimated Principal Forgiveness Amount	Estimated GPR Amount
3109-01	Palmer	NA-NQ Lagoon	Replacement of Lift Station Pumps & Lagoon De-sludging	\$180,000		0	126	49,376	2.208%	\$54,000	
3092-01	Park City	KS0089176	CCUA Wastewater Treatment Facility Improvements	\$10,000,000		0	8,503	71,045	3.192%		
3089-01	Perry	KS0029084	Sanitary Sewer Collection System Improvements & Replace 3 Lift Stations	\$4,526,906		0	858	72,663	2.717%		
3008-02	Pittsburg	NA-new wwp	Construct a Regional Wastewater Treatment Plant	\$35,000,000	Sec. 603(i)(1)(B)	1	20,738	36,657	3.087%	\$1,000,000	
3029-01	Reno County	KS0091715	Consolidate Sewer Systems	\$6,133,100	Sec. 603(i)(1)(B)	0		53,959	3.087%	\$1,000,000	
3048-01	Riley Co./ Keats Dist.	NA	Collection System to Replace Septic Systems	\$3,728,105		0	167	53,296	2.842%		
3098-01	Riley County / University Park	KS0093297	Replacement of existing package treatment plant with lagoon facility	\$1,962,210	Sec. 603(i)(1)(B)	0	300	63,296	2.842%	\$688,663	
3104-01	St. Marys	KS0020974	WWTP Upgrades, Pump Station Elimination & Collection System Repairs	\$3,500,000		0	2,749	66,667	2.525%		
3039-01	Smith Center	KS0098221	Construction of a Wetland Cell at the WWTF to Eliminate Discharges	\$1,088,829	Sec. 603(i)(1)(B)	0	1,553	38,276	1.675%	\$326,649	\$1,088,829
3022-01	Soldier	KS0081035	De-sludging of Lagoons	\$100,000	Sec. 603(i)(1)(A)	0	102	40,938	2.475%	\$30,000	
3091-01	Spring Hill	KS0095516	Rehabilitation and Replacement of Sanitary Sewer Collection System	\$10,563,000		0	8,547	89,250	2.492%		
3034-01	Sterling	KS0024783	Addition of wastewater cell lagoon, discharging to non-discharging lagoon	\$1,350,000	Sec. 603(i)(1)(B)	0	2,318	48,092	2.460%	\$405,000	
3062-01	Susank	NA-NQ Lagoon	Wastewater Lagoon Facility Improvements	\$364,300		0	28	75,833	2.833%		
3078-01	Tipton	KS0085219	Lift Station Improvements	\$40,000	Sec. 603(i)(1)(A)	0	188	35,760	2.125%	\$12,000	
3067-01	Tonganoxie	KS0093092	Wastewater Treatment Plant Improvements	\$5,000,000		0	5,702	72,623	3.000%		
3069-01	Topoka	KS0042714	Sanitary Sewer Collection System, Lift Station and Force Main Replacement	\$27,433,000		0	125,963	60,870	2.925%		
3108-01	Toronto	KS0021890	Replacement of existing mechanical WW TF with Non-Discharging Lagoon Facility	\$2,000,000	Sec. 603(i)(1)(B)	0	203	30,500	3.683%	\$600,000	
3027-01	Unified Gov. of Wyandotte	KS0095656	Stormwater Program Projects	\$70,500,000	Sec. 603(i)(1)(A)	1	154,545	52,366	3.592%	\$1,000,000	
3063-01	Unified School Dist. #498	NA-NQ Lagoon	Abandonment of Existing WWTF and Connection to Waterville, KS	\$773,400	Sec. 603(i)(1)(B)	0	315	53,281	2.242%	\$232,020	
3086-01	Wakefield	KS0027545	Expansion of WW TF to Non-Discharging Facility	\$2,398,200	Sec. 603(i)(1)(B)	0	846	58,750	2.783%	\$719,400	
3081-01	West Mineral	KS0080861	Sanitary Sewer Collection System Rehabilitation	\$1,500,000	Sec. 603(i)(1)(A)	0	150	36,875	2.850%	\$450,000	
3049-01	Wichita	KS0043036	Rehab and Upgrade WWTP to Improve Nutrient Removal	\$185,000,000	Sec. 603(i)(1)(A)	1	391,731	53,466	4.075%	\$1,000,000	
2039 01	Windom	KS0051721	Provide Comprehensive City-Wide Sewer Rehabilitation	\$500,000	Sec. 603(i)(1)(A)	0	93	51,406	2.075%	\$150,000	

\$1,061,731,993

\$20,303,009 \$2,438,829

New Projects
 2021 and 2020 MHI data did not include a value for the City of Latham; value in table is from 2019 data.
 Loan agreement is written; Affordability data is carried over from 2024 Project Priority List (2023 Kansas MHI = 61,091; 80% = 48,872.8).

2024 Draft Emerging Contaminants Project Priority List

Project #	Municipality	NPDES Permit No.	Project Description	Loan Amount	Estimated Principal Forgiveness Amount	Estimated GPR Amount
3087 01	Salina	KS0038474	PFAS Plume Remediation at Former Schilling AFB	\$844,000	\$844,000	

\$844,000 \$844,000 \$0

Kansas Water Pollution Control Revolving Fund
 Estimated Sources and Uses
 Appendix B

Sources:

Beginning Cash and Investments	\$195,604,364
Interest Earnings (other than loan repayments)	\$650,000
2022 Grant	\$372,897
2022 BIL Gen Sup	\$4,850,786
2022 BIL Emg Con	\$844,000
2023 Grant	\$6,771,000
2023 BIL Gen Sup	\$18,815,000
2023 BIL Emg	\$1,920,000
Loan Repayments	\$46,816,921
Service Fees	\$7,457,924
Bond Proceeds	\$100,000,000
Total Sources	\$384,102,891

Uses:

Estimated Loan Disbursements	\$265,000,000
SRF Administration	\$700,000
Water Quality Program Assistance	\$1,000,000
SRF Debt Service Payments	\$12,412,766
Investments	\$104,390,125
Total Uses	\$384,102,891

APPENDIX C

Public Review

- a. Public Hearing Notice
- b. Summary of Public Hearing

Public Hearing Notice

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation (KDOT) website at <https://kdotapp.ksdot.org/Proposal/Proposal.aspx>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2015 edition of the Kansas Department of Transportation *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic internet proposals using the Bid Express website at <https://bidx.com/ks/main> until 1:00 p.m. (Central Time) on letting day. The KDOT bid letting will be conducted remotely by audio broadcast only at 3:00 p.m. (Central Time) on letting day. For the conference call information see <https://www.ksdot.org/bureaus/burconsmain/lettinginfo.asp>. KDOT has tested the process, but in the event of an unforeseen issue, KDOT will provide updates.

Each bidder shall certify that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

Projects for the June 21, 2023, letting:

District One – Northeast

Jefferson – 24-44 KA-3542-01 – US-24, from the Shawnee/Jefferson County line east to 1.8 miles east of the Shawnee/Jefferson County line, pavement reconstruction, 1.8 miles. (Federal Funds)

Johnson – 35-46 KA-6074-02 – I-35, from 2.6 miles south of 151st Street north to 151st Street, guard fence, 2.6 miles. (State Funds)

Shawnee – 24-89 KA-3236-01 – US-24, from 0.1 mile east of the US-24/Topeka Boulevard intersection east to the Shawnee/Jefferson County line, pavement reconstruction, 3.7 miles. (Federal Funds)

District Two – North Central

Lincoln – 14-53 KA-6854-01 – City of Lincoln sidewalks, special, 0.6 mile. (State Funds)

Marion – 57 C-5127-01 – Indigo Road near 130th Road, grading and surfacing, 1 mile. (Federal Funds)

Washington – 36-101 KA-6779-01 – US-36, bridge #043 over Camp Creek and bridge #045 over Mill Creek located 4.8 and 5.7 miles east of the west K-15 junction, bridge repair. (State Funds)

District Three – Northwest

Sherman – 70-91 KA-6777-01 – I-70, bridge #027 and bridge #028 located 2 miles east of K-27, bridge repair. (Federal Funds)

District Four – Southeast

Allen – 169-1 KA-6885-01 – US-169, two light towers located 0.2 mile north and 0.01 mile north of US-54, lighting, 1 mile. (State Funds)

Cherokee – 11 C-5135-01 – Signing, on local roads located east of K-7, signing, 98 miles. (Federal Funds)

Neosho – 47-67 KA-6855-01 – City of St. Paul sidewalks, pedestrian improvements, 0.5 mile. (State Funds)

District Five – South Central

Butler – 254-8 KA-6981-01 – K-254, from the Sedgwick/Butler County line to the west city limits of El Dorado, pavement marking, 14.0 miles. (Federal Funds)

District Six – Southwest

Statewide – 83-106 KA-6234-01 – US-83, from the US-83/US-50/US-400 junction in Garden City north to the I-70/US-83 junction in Thomas County, ITS, 89.5 miles. (Federal Funds)

Calvin Reed
Acting Secretary
Department of Transportation

Doc. No. 051158

State of Kansas

Department of Health and Environment

Notice of Hearing

A public hearing is scheduled to be conducted at 11:00 a.m. Wednesday, June 28, 2023, in the Azure Conference Room, 4th floor, Curtis State Office Building, 1000 SW Jackson St., Topeka, Kansas, to discuss the 2024 Intended Use Plans (IUP) for the Kansas Public Water Supply Loan Fund (KPWSLF) and the Kansas Water Pollution Control Revolving Fund (KWPCRF). These IUPs will make additions to the Project Priority List of each program, include estimates and uses of anticipated capitalization grants from EPA (including grants from the Infrastructure Investment and Jobs Act), establish criteria for loan forgiveness, and establish the procedures for ranking projects. Copies of the draft IUPs can be obtained online at <https://www.kdhe.ks.gov/518/Loan-Fund-Administration-Documents>.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments are recommended. Written comments should be addressed to William Carr, Bureau of Water, Kansas Department of Health and Environment, 1000 SW Jackson St, Suite 420, Topeka, KS

66612 or emailed to KDHE.KansasSRF@ks.gov. Anyone needing special accommodations should contact the Kansas Department of Health and Environment at least five business days in advance of the hearing at 785-296-5514, fax 785-559-4258 or TTY 711.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051164

State of Kansas

Department of Health and Environment

Notice of Hearing

The Kansas Dept of Health and Environment (KDHE) annually receives federal Centers for Disease Control and Prevention grant dollars to address national health objectives. This funding provides support for a variety of public health programs, infrastructure, and staff salaries. Each year KDHE is required to submit a work plan outlining proposed objectives and activities for the following federal fiscal year. An advisory committee reviews the plan and provides guidance, and the final draft of the work plan is made available for comment in a public hearing.

The public hearing will take place from 11:00 a.m. to 11:45 a.m. Wednesday, June 7, 2023, via Zoom Webinar. The meeting is open to the public, but you must register to attend at https://us02web.zoom.us/join/joinMeeting/register/tZ0rdO-rqDsuHN1k5s3sawW7pGqCGh-aQPc_.

The final draft of the work plan will be available to review after Wednesday, May 24, 2023, and will be posted to the KDHE website at <https://kdhe.ks.gov/1336> or may be requested from Julie.Sergeant@ks.gov.

Joan Duwve, MD
State Health Officer

Department of Health and Environment

Doc. No. 051153

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Sunflower Electric Power Corporation – Clifton Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Sunflower Electric Power Corporation – Clifton Station, PO Box 430, 2440 Holcomb Lane, Holcomb, KS 67851, owns and operates a fossil fuel electric power generation facility located at 319 Eagle Rd., SE 1/4, Section

14, Township 5S, Range 1E, Clifton, Washington County, KS 66937.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the North Central District Office, 3040 Enterprise Dr., Salina, KS 67041. To obtain or review the proposed permit and supporting documentation, contact Eric Parker, 785-296-4174, at the central office of the KDHE or Jessica Fair, 785-827-9639, at the North Central District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Eric Parker, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, June 26, 2023.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Eric Parker, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, June 26, 2023, in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency (EPA) has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, phone 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051161

State of Kansas

Department of Health and Environment

Notice of Hearing

A public hearing is scheduled to be conducted at 11:00 a.m. Wednesday, July 5, 2023, in the Azure Conference Room, 4th floor, Curtis State Office Building, 1000 SW Jackson St., Topeka, Kansas, to discuss the 2024 Intended Use Plans (IUP) for the Kansas Public Water Supply Loan Fund (KPWSLF) and the Kansas Water Pollution Control Revolving Fund (KWPCRF). These IUPs will make additions to the Project Priority List of each program, include estimates and uses of anticipated capitalization grants from EPA (including grants from the Infrastructure Investment and Jobs Act), establish criteria for loan forgiveness, and establish the procedures for ranking projects. Copies of the draft IUPs can be obtained online at <https://www.kdhe.ks.gov/518/Loan-Fund-Administration-Documents>.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments are recommended. Written comments should be addressed to William Carr, Bureau of Water, Kansas Department of Health and Environment, 1000 SW Jackson St, Suite 420, Topeka, KS 66612 or emailed to KDHE.KansasSRF@ks.gov. Anyone needing special accommodations should contact the Kansas Department of Health and Environment at least five business days in advance of the hearing at 785-296-5514, fax 785-559-4258 or TTY 711.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051192

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9:00 a.m. Tuesday, June 20, 2023, in the offices of the Kansas Development Finance Authority (K DFA), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 001113 Maximum Principal Amount: \$480,191.40. Owner/Operator: Justin A. and Cynthia A. Meyer; Description: Acquisition of 218.9 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Justin A. and Cynthia A. Meyer (the "Beginning Farmer") and is located at the Southwest Quarter of the Northwest

Quarter, and the Southwest Quarter of Section 8, Township 1, Range 5, and Outlot 7 in the Northeast Quarter of Section 18, Township 1, Range 5, Washington County, Kansas, approximately five miles north of Hanover, Kansas on All American Road, then two miles west on 27th Road, then one mile north to 28th Road.

The bond, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

Interested individuals may participate in the public hearing in person or via conference call. Please call 844-621-3956 and use conference identification number 145 880 8929 followed by # to join the conference.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bond to finance the project, and all written comments previously filed with the K DFA at its offices at 534 S. Kansas Ave., Suite 800, Topeka, KS 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

Rebecca Floyd
President

Kansas Development Finance Authority

Doc. No. 051195

(Published in the Kansas Register June 1, 2023.)

City of Atchison, Kansas

Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2023-A

Notice is hereby given that the City of Atchison, Kansas (the "Issuer") proposes to seek a private placement of the above-referenced bonds (the "Bonds"). The maximum aggregate principal amount of the Bonds shall not exceed \$1,425,000. The proposed sale of the Bonds is in all respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the Bonds and the passage of an ordinance and adoption of a resolution by the governing body authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

Dated May 15, 2023.

Tina Fitzpatrick
Clerk
City of Atchison

Doc. No. 051183

FY2024 IUP
Summary of Public Hearing
June 28, 2023

No members of the Public were present for the public hearing on June 28, 2023 so no presentation was made.

FY2024 IUP
Summary of Public Hearing
July 5, 2023

No members of the Public were present for the public hearing on July 5, 2023 so no presentation was made.

APPENDIX D

Service Fees

K.A.R. 28-16-113 establishes the method of the KWPCRF to collect service fees for administration costs of the KWPCRF. A portion of the gross interest rate charged on the outstanding balance of loans (predominantly 0.25%) is collected as a service fee. For loans with an effective date after May 31, 2018, the service fee is calculated differently through the first 4 years of repayments than in the remaining years of repayments. Through the first 4 years of repayments the service fee is equal to the gross interest rate minus 0.25%. For the remaining years of repayments, the service fee is equal to 0.25%. All service fees collected are held outside the SRF.

Service fees can be divided into four categories – fees included in CWSRF loans, program income earned during the grant period, program income earned after the grant period, and fees other than program income (non-program income). EPA requires estimates for these categories of fees be made in the Intended Use Plan.

The KWPCRF anticipates a very small amount of fees charged during the program year to be classified as fees included in CWSRF loans - these are fees which are included in the loan principal. There is no standard fee that is included in the loan principal; however, loan recipients have the ability to capitalize service fee charges that occur during the construction period of the project. There will likely be a few loan recipients that will choose to capitalize those fee charges during construction which will then be included as principal of the loan. KDHE estimates about \$20,000 of fees in this category for SFY 2024. Fees in this category will be used only for KWPCRF administration.

The fee classification of program income earned during the grant period is for fees earned during the grant period on any CWSRF disbursement of federal funds. These service fees will be spent in support of the KWPCRF program or as state match. KDHE estimates about \$50,000 of fees in this category will be collected.

The fee classification of program income earned after the grant period is for fees earned after the grant period on any CWSRF disbursement of federal funds. These fees will be spent in support of the KWPCRF program, state match, and in support of Water Quality Related expenses including Section 106 NPDES permit program activities. KDHE estimates about \$200,000 of fees in this category will be collected.

The fee classification of non-program income is for fees earned from loan disbursements that were not federal funds. These fees can be spent in support of the KWPCRF program, state match, and in support of Water Quality Related expenses including Section 106 Program NPDES permit program activities (same allowability as program income earned after the grant period). KDHE estimates about \$800,000 of fees in this category will be collected.

Service fees that are spent in support of Water Quality Related activities are in support of Section 106 NPDES permit program activities. These include such typical expenses as salaries and benefits, travel, rent, office supplies and equipment, communications, technical and financial association fees and conferences, and technical assistance contracts.

All KWPCRF service fees for any expense are reviewed by the KWPCRF program management staff. Monthly reports of service fee expense expenditures from federal SRF program administration and to KWPCRF service fees are reviewed to assure any expense is properly assigned to be paid by KWPCRF service fees, and/or also properly assigned as a KWPCRF expense spent in support of the KWPCRF program or as a Water Quality Related 106 Program NPDES expense.

Appendix E

Affordability Criteria as Required by the Clean Water Act for the Kansas Water Pollution Control Revolving Fund

The Clean Water Act requires the states consider income, unemployment data, population trends, and other data determined to be relevant in establishing affordability criteria used to award certain additional subsidy under the SRF program.

All loan applicants are evaluated based on the following criteria to determine if additional subsidy can be awarded.

1. The municipality is located in a [Kansas Opportunity Zone](#) (also known as federal opportunity zone).
2. The municipality serves a population of 500 or less. Populations for Cities will be determined by the most current [certified population data](#) maintained by the Kansas Division of Budget as of the beginning of the program year. If the municipality is not listed within this population data, a multiplication factor of 2.5 times the number of connections of the sewer system will be used as the population.
3. The municipality has a median household income (MHI) that is less than 80% of the Kansas MHI as determined by the most current data from the US Census Bureau prior to the beginning of the program year.
4. The municipality is located in a county with an unemployment rate that is greater than 115% of the statewide average (measured using the previous 12 months data from March through April as maintained by the Kansas Department of Labor).

If the municipality meets at least 2 of the 4 listed criteria, the project will be eligible for up to 30% principal forgiveness, (not to exceed \$1,000,000) based on actual KWPCRF disbursed amounts associated with the qualifying project – as long as additional subsidy amounts are available in such quantities. If applications received by October 15, 2023 exceed the available additional subsidy, amounts will be prorated based on the actual amount available.

Appendix F

Clean Water Preliminary Cash Flow Analysis (December 2022) Summary

	A	B	D	G	H	I	J	K	O	P	R	T	V
1	Kansas Development Finance Authority												
2	MFI Bonds - CW												
3	Cashflow Analysis												
4													
5													
6	Projected Revenue Coverage												
7	(Semiannual Rollover)												
8	Period	MFI CW Loan Interest Repayments	MFI CW Earnings	MFI CW State Match Debt Service	Transfer to MFI DW Program	Transfer from Interest Acct to Principal Acct.	Revenue Fund Principal Beg Balance	MFI CW Loan Principal Repayments	MFI CW Lev. Bonds Debt Service	MFI CW Periodic Surplus	MFI CW Annual Surplus	MFI CW Annual SM Coverage	MFI CW Annual Lev Coverage
9	Ending												
15	10/31/2022	3,502,846					13,363,132			3,502,846			
16	5/1/2023	2,693,327		2,262,250		431,077	13,363,132	13,574,953	8,697,625	18,671,538	22,174,384	2.74 : 1	3.15 : 1
17	11/1/2023	2,582,999		70,008		2,512,992		28,910,133	446,375	30,976,750			
18	5/1/2024	2,466,846		2,300,008		166,838	30,976,750	12,856,943	9,596,375	3,427,407	34,404,156	2.13 : 1	4.43 : 1
19	11/1/2024	2,352,929		47,150		2,217,155		12,920,124	217,625	15,008,278			
20	5/1/2025	2,233,526		2,322,150			14,919,654	12,823,155	1,862,625	10,871,905	25,880,183	1.94 : 1	13.44 : 1
21	11/1/2025	2,173,393		23,831		1,889,134		12,759,618	176,500	14,732,680			
22	5/1/2026	2,088,403		2,348,831			14,472,252	12,555,826	1,146,500	11,148,897	25,881,577	1.80 : 1	20.56 : 1
23	11/1/2026	1,974,488				1,974,488		15,586,051	152,250	17,408,289			
24	5/1/2027	2,010,240				2,010,240	17,408,289	11,782,699	1,202,250	12,590,689	29,998,978		23.15 : 1
25	11/1/2027	1,955,148				1,955,148		11,492,580	126,000	13,321,729			
26	5/1/2028	1,852,005				1,852,005	13,321,729	11,261,384	1,301,000	11,812,389	25,134,118		18.61 : 1
27	11/1/2028	1,750,228				1,750,228		11,073,410	96,625	12,727,013			
28	5/1/2029	1,639,667				1,639,667	12,727,013	10,961,145	1,661,625	10,939,187	23,666,200		14.46 : 1
29	11/1/2029	1,530,530				1,530,530		10,948,766	57,500	12,421,796			
30	5/1/2030	1,421,712				1,421,712	12,421,796	10,634,768	2,357,500	9,698,981	22,120,777		10.16 : 1
31	11/1/2030	1,317,233				1,317,233		10,586,127		11,903,360			
32	5/1/2031	1,213,696				1,213,696	11,903,360	10,687,598		11,901,294	23,804,655		
33	11/1/2031	1,109,140				1,109,140		10,321,942		11,431,083			
34	5/1/2032	1,009,355				1,009,355	11,431,083	8,679,478		9,688,832	21,119,915		
35	11/1/2032	930,218				930,218		8,582,078		9,512,296			
36	5/1/2033	852,298				852,298	9,512,296	8,595,993		9,448,290	18,960,586		
37	11/1/2033	774,405				774,405		8,610,495		9,384,900			
38	5/1/2034	696,472				696,472	9,384,900	8,651,431		9,347,903	18,732,802		
39	11/1/2034	618,204				618,204		8,154,919		8,773,123			
40	5/1/2035	545,239				545,239	8,773,123	7,813,852		8,359,091	17,132,214		
41	11/1/2035	475,918				475,918		6,903,505		7,379,423			
42	5/1/2036	418,277				418,277	7,379,423	6,969,774		7,388,052	14,767,474		
43	11/1/2036	360,060				360,060		7,011,544		7,371,603			
44	5/1/2037	301,518				301,518	7,371,603	6,734,946		7,036,464	14,408,068		
45	11/1/2037	245,709				245,709		6,739,268		6,984,977			
46	5/1/2038	189,917				189,917	6,984,977	4,990,530		5,180,447	12,165,424		
47	11/1/2038	150,684				150,684		3,812,026		3,962,710			
48	5/1/2039	122,748				122,748	3,962,710	2,748,918		2,871,666	6,834,376		
49	11/1/2039	103,826				103,826		2,631,204		2,735,030			
50	5/1/2040	86,099				86,099	2,735,030	2,427,562		2,513,661	5,248,691		
51	11/1/2040	70,484				70,484		2,421,500		2,491,984			
52	5/1/2041	54,977				54,977	2,491,984	2,409,361		2,464,337	4,956,322		
53	11/1/2041	39,616				39,616		2,164,177		2,203,793			
54	5/1/2042	26,869				26,869	2,203,793	1,895,171		1,922,040	4,125,833		
55	11/1/2042	15,850				15,850		1,849,471		1,865,321			
56	5/1/2043	5,143				5,143	1,865,321	525,049		530,192	2,395,513		
57	11/1/2043	1,438				1,438		135,400		136,838			
58	5/1/2044	455				455	136,838	48,684		49,139	185,977		
59													
60													
61		45,964,136		9,374,228		33,087,062		353,243,558	29,098,375	374,098,224	374,098,224		
62													