



# **Clean Water State Revolving Fund**

# Intended Use Plan State Fiscal Year 2019



Hawthorne Utilities Engineered Wetlands Project

### Submitted to the U.S. Environmental Protection Agency Region IX

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### LIST OF ACRONYMS

AB = Assembly Bill ARRA = American Recovery and Reinvestment Act of 2009 CBR = Clean Water Benefits Reporting CFR = United States Code of Federal Regulations CWA = the Clean Water Act of 1987, as amended CWSRF = Clean Water State Revolving Fund DCNR = Department of Conservation and Natural Resources DWSRF = Drinking Water State Revolving Fund EPA = Environmental Protection Agency FFY = Federal Fiscal Year **GPR=Green Project Reserve Projects** HUD = Housing and Urban Development IUP = Intended Use Plan MHI = Median Household Income NAC = Nevada Administrative Code NDEP = Nevada Division of Environmental Protection NIMS = National Information Management System NRS = Nevada Revised Statute OFA = Office of Financial Assistance SFY = State Fiscal Year SRF = State Revolving Fund TMDL = Total Maximum Daily Loads USDA = United States Department of Agriculture WQF = Water Quality Factor WRRDA = Water Resource Reform and Development Act of 2014



Churchill County System Improvements

### 1) Introduction

The 1987 Amendments to the Federal Clean Water Act (CWA) authorized the creation of the Clean Water State Revolving Fund (CWSRF). Nevada's program is administered by the Office of Financial Assistance (OFA) under the direction of the Nevada Division of Environmental Protection (NDEP), Department of Conservation and Natural Resources (DCNR). NDEP is the designated agency to apply for the capitalization grant for the CWSRF Program and related state funds. Nevada Revised Statutes (NRS) 445A.060 to 445A.160, inclusive, are the state statutes for the CWSRF. The regulations for the CWSRF can be found in the Nevada Administrative Code (NAC) 445A.685 to 445A.805, inclusive.

The CWA, along with NAC 445A.764, requires State Programs to prepare an annual Intended Use Plan (IUP) for Federal funding. The IUP must describe the use of a state's capitalization grant, state match funds, principal and interest from loan repayments, other interest earnings of the CWSRF, bond proceeds, funds designated for administration, funds transferred from or to the Drinking Water State Revolving Fund (DWSRF), and any other monies deposited into the CWSRF. The IUP is the central component of the CWSRF grant application and communicates plans to stakeholders who include; systems, the public, EPA, and other state departments. This IUP provides specific details on key aspects of the program including our state's short- and long-term goals, the priority setting process used to rank projects and the list of projects eligible to receive funding from available CWSRF funding.

Nevada is expected to receive a federal capitalization grant under the Federal Fiscal Year 2019 Appropriation. The Appropriation requires amounts to be used from the capitalization grant for additional subsidy and green projects. Nevada plans to meet these requirements. Nevada is requesting the following funding levels:

Federal Capitalization Grant		\$8,644,900
Amount provided as 10% subsidy	10%	\$864,490
Amount provided as additional subsidy	Up to 30%	\$0 - \$2,593,470
Amount provided as loans	60%-90%	\$5,186,940 - \$7,780,410
Set-Aside Requests		
4% Administration	0.0%	\$0

### 2) <u>Goals</u>

#### **Nevada's Short-Term Goals**

- Provide financial assistance to recipients outlined on Nevada's 2019 Fundable List in Attachment C.
- Ensure compliance with all pertinent federal, state and local water pollution control laws and regulations.
- Ensure fiscal soundness and perpetuity in the CWSRF program, which provides below AAA market rate financing for water pollution control projects.
- Coordinate with other federal and state funding authorities to ensure systems receive as many resources as possible in funding their project.
- Market the CWSRF program to educate potential borrowers on funding green infrastructure projects, nonpoint source projects, and other emerging markets such as irrigation districts.

#### Nevada's Long-Term Goals Continue to assist Nevada's communities in fulfilling the requirements of the federal ۲ CWA and State regulations through below AAA market rate financing for water pollution control projects. Obtain optimum turnover of the CWSRF fund while maintaining the necessary reserve for debt service that safeguards the program's AAA rating from Standard and Poor's. Issue debt obligations as needed to provide funding to the program either to match the federal grants or provide additional resources for projects. Enhance Nevada's disadvantaged systems long-term sustainability by working with systems to develop fiscal sustainability plans, reasonable rates to sustain their system. and short-lived asset reserves. Ensure the program budget adequately supports resources, administrative activities and anticipates future needs. Develop an internal web based application that will maintain accountability over the CWSRF program and allow electronic interfacing with borrowers.

## 3) Project Eligibility, Criteria and Selection

The Nevada CWSRF program can be used to:

- Provide loans at a subsidized interest rate to systems for:
  - Wastewater Treatment (Centralized and Decentralized)
    - Storm Water Management
    - Agricultural Best Management Practices
    - Habitat Protection and Restoration
    - Groundwater Protection and Restoration
    - Surface Water Protection and Restoration
    - Green Infrastructure
    - Water and Energy conservation
    - Planning, design and assessment
- Refinance qualifying debt obligations for projects if the debt was incurred and construction initiated after March 7, 1985. The OFA will not refinance loans that were solely for the purchase of land.
- Provide loan guarantees for local debt obligations.
- Provide additional subsidy to eligible recipients in the form of principal forgiveness.

The OFA considers the health and safety of the citizens of Nevada its first priority. The OFA conservatively estimates the needs of the systems within the state over a two year fiscal period. The needs of our systems, however, vary widely. Some of our systems are concerned with aging infrastructure, while others are working on attainment of water quality standards. The OFA accounts for these challenges by having direct dialogue with systems, engineers, technical assistance providers and contractors that deal with these systems directly. Nevada is a small enough state by system count that allows the OFA to work with these systems and understand which projects will be most ready to proceed.

#### Priority List

The first requirement for a system to obtain funding is to be added to the Nevada Project Priority List. A project pre-application can be submitted at any time and obtained on NDEP's website: <a href="https://ndep.nv.gov/water/financing-infrastructure/state-revolving-fund-loans/clean-water-watewater">https://ndep.nv.gov/water/financing-infrastructure/state-revolving-fund-loans/clean-water-watewater</a>.

Attachment A outlines the CWSRF project priority list ranking criteria. See Attachment D for the 2019 Priority List and Attachment E for the 2020 Priority List.

#### Public Participation

At the end of each calendar year, NDEP sends out a solicitation to all systems for proposed water projects. In late December 2017, NDEP sent out a solicitation letter for the 2019 Priority List.

NDEP will conduct a public hearing on the proposed priority list in order to encourage public participation and provide a time for public comment. The Division shall provide notice of the time and place set for the workshop not less than 15 days before the workshop, unless a longer period is required. NDEP may provide such notice by publishing in a newspaper of general circulation in an area affected by the proposed action, mailing the notice to each interested person who requests to be on a mailing list maintained by the Division, posting on NDEP's public notice website, posting on the State's Public Notice website, sending an email through the Division's maintained Listserv, or any other means reasonably calculated to provide such notice to the general public and any person who may be affected. The notice will include all of the required elements of a public notice as outlined in the statutes.

The Division held a Priority List Workshop on May 8, 2018 at 10:00 am for review of the 2019 Priority List. The 2019 Priority List went into effect at the close of that public meeting.

In December 2018, NDEP sent out a solicitation letter for the 2020 Priority List. The Division held a Priority List Workshop on March 12, 2019 at 3:30 pm for review of the 2020 Priority List. The 2020 Priority List went into effect at the close of that public meeting.

To ensure that the public has an opportunity to review our proposed plans for the CWSRF, the 2019 draft IUP will be posted on the Division's website <a href="https://ndep.nv.gov/water/financing-infrastructure/state-revolving-fund-loans/clean-water-wastewater">https://ndep.nv.gov/water/financing-infrastructure/state-revolving-fund-loans/clean-water-wastewater</a> for 30 days before it is finalized. Notice of the DRAFT IUP for public comment was posted on the State's Public Notice website, the Division's public notice website, and through email from the Division's maintained Listserv.

### 4) Loan Requirements and Program Assurances

Nevada will assure compliance with the following federal requirements:

- <u>Affordability and Additional Subsidy Criteria</u>. Nevada has approved affordability criteria that meets the requirements in the Water Resource Reform and Development Act of 2014 (WRRDA) (<u>Attachment B</u>). Additionally, Nevada will provide additional subsidy as required by the grant conditions (<u>Attachment C</u>).
- <u>American Iron and Steel</u>. Nevada will ensure borrowers comply with the American Iron and Steel Requirement on any project funded in whole or in part with CWSRF funds.
- Architectural and Engineering (A/E) Services Procurement. A CWSRF applicant will be required to demonstrate that architectural and engineering contracts were procured through a process identified in 40 U.S.C. 1101 et seq. Nevada considers a contract "significantly modified" for purposes of this section if, the type or scope of work varies from the professional services in the original solicitation and/or, the cost of work increases by more than 50% of the original contract.
- <u>Binding Commitments</u>. Nevada will enter into binding commitments equal to at least 120% of each grant payment within one year after receipt (on a cumulative basis) in accordance with the U.S. Code of Federal Regulations (CFR) §35.3135(c).

- <u>Cash Draw Ratio</u>. Nevada will deposit and disburse required state match funds prior to drawing any funds from the federal capitalization grant.
- <u>Cost and Effectiveness</u>. CWSRF Applicants must certify that the applicant has studied and evaluated the cost and effectiveness of the proposed project, has selected, to the maximum extent practicable, a project or activity that maximizes the potential for efficient water use, reuse, recapture, water conservation, and energy conservation.
- <u>Davis-Bacon</u>. Nevada will ensure borrowers comply with The Davis-Bacon act for construction projects funded in whole or in part with CWSRF funds.
- <u>Disadvantaged Business Enterprise</u>. Nevada agrees to follow the DBE Good Faith Efforts' Guidance and goals approved by EPA-Region 9 on November 22, 2016. All contracts for funding assistance under the CWSRF program will contain the good faith effort guidance and goal percentages.
- <u>Environmental Reviews</u>. Nevada will ensure an environmental review of each project receiving assistance is completed prior to awarding funds from the CWSRF. The environmental review will include other federal cross-cutter requirements as applicable.
- <u>Expeditious and Timely Expenditures.</u> Nevada will expend all funds in the CWSRF in an expeditious and timely manner in accordance to CFR §35.3135(d).
- <u>Federal Cross-Cutters</u>. Nevada will ensure compliance to other federal cross-cutters, where applicable.
- <u>Fiscal Sustainability Plans</u>. For applicable CWSRF projects involving repair, replacement, or expansion of a publicly owned treatment works, the recipient of a loan shall develop and implement a fiscal sustainability plan as outlined by WRRDA. Nevada will obtain appropriate certifications.
- Green Project Reserve. To the extent that there are sufficient eligible project applications, Nevada will use not less than 10% of the capitalization grant for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. Nevada will continue to conduct outreach to systems in an effort to bring more projects forward.
- <u>Reporting</u>. Nevada commits to providing data or information on the CWSRF program to federal, state, or public inquiries in a manner as requested.

### 5) Financial Management

#### Grant Match Requirements

CFR §35.3135(a) requires state to provide a twenty (20) percent match to the capitalization grant. Nevada issues General Obligation Bonds additionally secured by pledged revenues to meet this match requirement. In State Fiscal Year (SFY) 2017, Nevada issued a par amount of \$3,760,000, which satisfied the match requirement through the 2019 grant award.

#### Program Leveraging

States may issue additional bonds through the CWSRF program using the federal capitalization grant as security to provide for higher funding levels in the current year. The CWSRF program has issued leveraged bonds previously with a par amount totaling \$165,030,000. The OFA does not see a need for additional leveraged funds in SFY 2019, but will consider issuing leverage bonds should projects ready to proceed need funding in a more expeditious manner.

#### Administration

The changes to the CWA from WRRDA allows states to take up to 4% of the cumulative federal capitalization grant, 1/5 of the current valuation of the fund, or \$400,000 per year to support administration of the program. Nevada has historically requested less than authorized to allow more funding for projects. No funding for administration will be requested in the FFY 2019 grant application as Nevada intends to use fee income to support administrative activities.

#### Fee Income

The OFA applies a loan origination fee of 0.5% of the amount of the base loan. The fee will be applied to all loans except principal forgiveness loans and the restructuring of an existing SRF loan. The fee income will cover the costs of administration and be deposited directly into the fund.

#### Auditing

Nevada's Comprehensive Annual Financial Report (CAFR), Single Audit Report, and Internal Controls over financial reporting are independently audited by a contracted external accounting firm. The CWSRF program is presented on the CAFR as a major enterprise fund, along with two other funds. The OFA will prepare a financial report at the end of the fiscal year and publish the report at the completion of the state audit that will highlight the programs financial activities. Nevada intends to comply with CFR 35.3135(h).

#### Borrower creditworthiness and review

The OFA will evaluate each applicant's fiscal information prior to executing a loan and each year the loan is outstanding. Borrowers must demonstrate their ability to repay the loan extended to them to safeguard the public funds extended to the borrower in the loan contract. Borrowers must also demonstrate fiscal sustainability in their system throughout the term of the loan contract. Fiscal information that can be reviewed include, but are not limited to: bank statements, financial reports, financial audits, user rates, debt management policies, and capital improvement plans. Current ratios used to analyze the borrowers solvency and liquidity include: current ratio, sales/receivables, operating ratio (before depreciation), and debt coverage ratio (before depreciation).

#### Principal Repayments

Loans will generally have a maximum term of 20 years or the life of the assets funded, whichever is shorter. The OFA has, with concurrence from the State Treasurer's Office, permitted a maximum term of 30 years or the life of the assets funded for a percentage of funds available within a SFY. Up to 75% of the future funds remaining at the start of each SFY could be available for 30 year term loans. For SFY2019, the amount available in 30 year terms is \$22 million.

Repayment of loan principal will commence no later than three years after the date of the agreement or immediately after project completion, whichever is earlier. Principal from loan recipients will be used by the program to issue new loans and repay outstanding principal on leveraged bonds issued by the program.

#### Interest on Loans

Nevada does not issue direct loans to CWSRF applicants. Rather, the CWSRF applicant will be required to issue a bond, to which the State Treasurer will purchase on behalf of the CWSRF program if the loan is repayable. Interest rates are established by the State Board of Finance, Debt Management Policy and fixed for the life of the loan. Interest will begin to accrue upon a draw against the bond and repayable every six months while principal remains outstanding. Loan interest will be used by the program to repay outstanding debt issued to match the capitalization grant or leverage the CWSRF.

The interest rate for SRF project loans with 20 year terms shall be:

• For tax-exempt bonds, the State shall charge an interest rate on the outstanding principal of the general obligation bond equal to 62.5% of the Index of Twenty Bonds most recently published in The Bond Buyer.

• For taxable bonds, the State shall charge an interest rate on the outstanding principal of the general obligation bond equal to 62.5% of an available index of taxable general obligation bonds or if not available, an applicable index.

The interest rate for SRF project loans with 30 year terms shall be:

- For tax-exempt bonds, the State shall charge an interest rate on the outstanding principal of the general obligation bonds equal to 62.5% of the Index of Twenty Bonds most recently published in The Bond Buyer plus the difference between the Municipal Market Data (MMD) 20 year versus 30 year AAA curve scale.
- For taxable bonds, the State shall charge an interest rate on the outstanding principal of the general obligation bond equal to 62.5% of an available index of taxable general obligation bonds or if not available, an applicable index.

The interest rate for refinancing existing SRF project loans (average life of the refunding bonds is ten years or less) or municipal debt incurred for a SRF qualified project (average life of the refunding bonds is ten years or less) shall be:

• For tax-exempt bonds, the State shall charge an interest rate on the outstanding principal of the general obligation bond equal to the rate of the current MMD AAA Curve scale corresponding to the average life of the refunding bonds (rounded up to the next full year) plus 25 basis points.

In special circumstances where a SRF loan financing or refinancing does not fit within the interest rate parameters above (e.g. a SRF project loan with an amortization term of ten years or less, a taxable refinancing of an existing SRF project loan or municipal debt incurred for a SRF qualified project), the Treasurer's Office in consultation with its Financial Advisor and the Division of Environmental Protection will determine the rate utilizing an applicable index in line with the methodology above to produce a loan at or below the current market rate.

#### Use of All Funds Available

All loans will be funded with resources in a specific order, utilizing the first-in, first-out method for bonds and grants:

- 1. Bond proceeds (Match and Leverage, if available)
- 2. Capitalization Grant Funds
- 3. Re-loan Principal
- 4. Re-loan Interest

Estimated FY2019 Cu	umulative Sourc	es and Uses	S
	Through SFY 2018	2019 Fiscal Year	Cumulative
Sources			
Federal Capitalization Grants	195,151,300	8,644,900	203,796,200
ARRA Capitalization Grant	19,239,100	0	19,239,100
State Match Bonds	41,766,632	0	41,766,632
State Leverage Bonds	99,991,815	0	99,991,815
Principal Repayments	242,528,071	21,027,239	263,555,310
Interest Repayments	108,676,810	5,628,123	114,304,933
Fees for Administration	1,208,200	175,000	1,383,200
Investment Earnings	19,557,030	720,872	20,277,902
TOTAL SOURCES	728,118,959	36,196,134	764,315,093
USES			
Final Loan Agreements (non-ARRA)	452,611,059	0	452,611,059
Final Loan Agreements (ARRA)	19,222,555	0	19,222,555
Fundable List of Projects	10,909,890	26,982,335	37,892,225
Match Bond Debt Service	45,789,726	1,656,900	47,446,626
Leverage Bond Debt Service	122,356,451	7,344,925	129,701,376
Administrative Expenses (non-ARRA)	4,866,427	211,974	5,078,401
Administrative Expense (ARRA)	16,545	0	16,545
Available for future loan commitments	54,533,656		54,533,656
Debt Service Reserves	17,812,650	0	17,812,650
TOTAL USES	728,118,959	36,196,134	764,315,093

#### Principal Forgiveness Loans

Nevada does not require an entity to issue a bond if the loan is forgiven. Additionally, interest and loan origination fees are also forgiven. Eligibility for a principal forgiveness loan is outlined in **Attachment B**. The amount of CWSRF funds that are available for principal forgiveness loans is based upon the current federal capitalization grant amount and grant conditions. Nevada will spend the required capitalization grant amounts as outlined in the current appropriation act. Nevada's total amount used towards principal forgiveness loans is outlined on **Attachment C**.

#### Program Transfers

The OFA reserves the option to transfer up to 33 percent of CWSRF capitalization grant funds to the DWSRF program, or an equivalent amount from the DWSRF to the CWSRF. Nevada has not transferred any funds since program inception.

#### Green Project Reserve

The federal fiscal year 2019 capitalization grant is anticipated to require Nevada to use at least 10 percent of the grant for projects that qualify for funding under the green project reserve as specified by the EPA Green Project Reserve Guidance (EPA 2012 Green Project Guidance). See **Attachment C** for current year funding.

## Attachment A: CWSRF Project Priority List Ranking Criteria

Projects shall be ranked within the <u>Priority</u> Classes on the basis of the total number of ranking points each project receives.

#### PRIORITY CLASSES

#### Class A: Project benefits public health and/or the environment

- Treatment works or pollution control projects necessary to eliminate documented public health hazards in unsewered communities as evidenced by a finding of violation which has been issued in writing by the public health authority having jurisdiction over the area and by an official action which has been taken to halt or restrict construction of individual sewerage disposal systems, eliminate or restrict the discharge from a non- point source, or treatment works necessary to eliminate documented public health hazards in sewered communities where existing facilities have exceeded their useful life and have deteriorated to the point that a public health hazards exists. (10 points)
- Treatment works or pollution control projects necessary to correct existing surface water quality standards violations. Violations must be documented by in-stream water quality data and have resulted in a notification of water quality standards violations being issued by NDEP to the municipal discharger or to the person(s) responsible for the non-point source discharge. (8 points)
- Treatment works necessary to correct violations of discharge permit limitations. Permit limit violations must be documented by discharge monitoring reports or NDEP compliance monitoring, with a resultant notice of violation and administrative order issued by NDEP. (6 points)
- Treatment works or pollution control projects necessary to eliminate and/or prevent interference with an existing beneficial use of groundwater where it has been determined that such an interference exists. (4 points)

#### Class B: Projects necessary to increase reliability or sustainability

- Treatment works necessary to provide a degree of treatment beyond that required by water quality standards or permit requirements in order to reclaim and reuse wastewater or to provide treatment works or pollution control projects to sustain compliance with water quality standards or maintain beneficial uses. (10 points)
- Interceptors in sewered communities, pumping stations, infiltration inflow correction, correction of combined sewer overflows, sewer system rehabilitation, and reclaimed water distribution. (8 points)
- Facility flow or loading as a percent of design capacity exceeds 85% (6 points); exceeds 75% (4 points)

#### Class C: Other clean water needs projects

- Projects which provide wastewater treatment and collection in existing unsewered communities where no public health hazards or water standards violations have been demonstrated or to provide wastewater collection systems to unsewered portions of sewered communities. (10 points)
- All other treatment works or pollution control projects. (5 points)

#### Water quality factor (WQF): applies only to Class A & B projects.

Surface waters in Nevada are assessed based on a two-year, rotating watershed basin cycle. Assessment data and narrative explanations are compiled into the 305(b) Report to Congress. Section 303(d) of the CWA requires each state to list those waters within its boundaries for which technology based effluent limitations are not stringent enough to protect any water quality standard applicable to such waters. The 303(d) List of Waters, now published with the 305(b) report, identifies all waters assessed as "impaired" for one or more pollutants, and are therefore waters not "meeting the water quality standard." NDEP is required to develop TMDLs for those water bodies that are not meeting water quality standards establishing the allowable loadings of pollutants or other quantifiable parameters for a waterbody based on the relationship between point and nonpoint pollution sources and in-stream water quality conditions. TMDLs are prioritized with respect to designated use classifications and the severity of pollution.

- The numerical value of WQF is based on the segment to which a treatment plant discharges or which is affected by the discharge from a non-point source:
  - Not supporting At least one of the water quality standards for the beneficial use was not met (5 points)
  - Groundwater impairment that affects water quality (5 points)
  - Fully supporting; however project is needed to maintain attainment of water quality standards (1 point)

#### Project Readiness: applies to all priority classes

- The highest point value is assigned to projects that are ready to bid a project. Those projects with approved facility plans and that will be ready to go to bid receive a median point value. Projects with an approved facility plan only receive the lowest point value available.
  - Plans and Specification approved by NDEP includes everything needed to bid the project (10 points)
  - Facility Plan approved by NDEP; final plans and specifications to be completed within six months (7 points)
  - Facility Plan approved by NDEP (5 points)

#### Asset Management: applies to all priority classes

- NDEP encourages systems that do not have an existing Asset Management Plan to develop and implement one. Asset management is actively managing infrastructure capital assets to minimize the total cost of owning and operating them, while delivering the service levels customers' desire. Each utility is responsible for making sure that its system stays in good working order regardless of the age of components or the availability of additional funds. Asset management programs with long-range planning, life-cycle costing, proactive operations and maintenance, and capital replacement plans based on cost-benefit analyses can be the most efficient method of meeting this challenge.
- Systems will receive additional points for all of the following criteria that apply:
  - The system has mapped its treatment and collection system and analyzed conditions, including risks of failure, expected dates of renewals and ultimate replacements, and sources and amounts of revenues needed to finance operation, maintenance, and capital needs (1 points)
  - The system has developed appropriate rate structures to build, operate, and maintain the system (1 points)
  - The system has specifically allocated funds for the rehabilitation and replacement of aging and deteriorating infrastructure (1 points)

#### Green Projects: applies to all priority classes

Green projects are projects that include a component(s) that has Green Infrastructure, Water Efficiency, Energy Efficiency or Environmentally Innovative Benefit. The EPA has provided information on green project reserve guidance at the following URL: <u>http://water.epa.gov/grants\_funding/cwsrf/Green-Project-Reserve.cfm</u>. Systems may receive additional points for projects that incorporate green infrastructure, water conservation/efficiency, energy efficiency, or environmentally innovative components.

Systems will receive 5 additional points if any of the following criteria that apply (this is not an exhaustive list):

- Energy efficient retrofits and upgrades to pumps, treatment processes, etc.;
- Installation of water-efficient devices;
- On site clean power production including: wind, solar, hydroelectric, geothermal, biogas, etc.;
- Energy management planning, including energy assessments, energy audits, optimization studies, and sub-metering of individual processes to determine high energy use areas expected to result in a capital project;
- Reuse of treated effluent;
- Establishment or restoration of permanent riparian buffers, floodplains, wetlands, or other vegetated buffers;
- Project to manage wet weather and restore natural hydrology by infiltration, evapotranspiration, or harvesting and using storm water;
- Green storm water infrastructure for parking areas;
- Other environmentally innovative projects.

#### General Criteria: applies to all priority classes

On an annual basis, following a statewide solicitation for projects at the end of each calendar year, the Division develops a statewide priority list of water projects, which is made a part of this IUP. Placement on the priority list does not guarantee that a project will be funded. However, only those projects that are included on the priority list will be considered for possible funding. Any list, before it is finalized, must undergo the public review and comment process outlined in the regulations.

The Division may revise the ranking of a project on an existing list at any time if information affecting the ranking of the project becomes available that was not available at the time the list was developed. The Division may, without holding a public participation workshop, revise a priority list to correct minor typographical or technical errors.

The product of the initial rank number of a project within a class of projects and the ratio of the state median household income to the median household income that is associated with the service area served by the applicant determines the final rank number associated with the project within each class.

If two or more projects within the same class have the same final rank number, the project that is associated with the service area with the highest population shall be deemed to be ranked higher within the class.

Eligible projects on the priority list may be bypassed if the applicant withdraws a project, requests that action be deferred, fails to meet submittal deadlines, or is not ready to proceed as determined by the Division. The projects that are bypassed will be provided notice by the Division and have an opportunity for objection.

Requests for financial assistance for emergency situations may be made to the Division at any time. In any emergency situation, an applicant may submit a loan application without waiting for a revision to the priority list. All other applicants on an approved priority list will be notified of an emergency request and be given an opportunity for any comments or objections.

## Attachment B: CWSRF Criteria to determine eligibility for a Principal Forgiveness Loan

NAC 445A.764(b) requires the Intended Use Plan to list, "the types of activities to receive financial assistance from the fund, including eligible categories of cost, the types of financial assistance to be provided by the fund and the terms for the various types of financial assistance provided by the fund."

#### Eligible systems for subsidy funding under the 10% mandate

The following systems or needs will be deemed eligible for a principal forgiveness loan by the OFA:

- Projects deemed eligible by Nevada's Affordability Criteria.
- Projects that assist with storm water or non-point source mitigation.
- Projects that assist with green infrastructure.
- Funding for communities with a population of less than 10,000 people.
- Preliminary Engineering Reports (PER) with an Environmental Review(ER) for the selected project for any size system.
  - Must be formatted in accordance with Rural Utilities Services Bulletin 1780-2 to prepare for a specific course of action the community must address. The PER and ER cannot simply address all system needs or provide for a master plan of the system. Additionally, the ER must address the specific course of action and/or Area of impact by the project identified in the PER.
  - Systems must demonstrate a need for principal forgiveness funding rather than a traditional loan.
- Design Only projects for any size system
  - Project requesting design must have been determined to be the best alternative for the specific course of action the community must address, and be ready to proceed to construction upon completion of the design.
  - Systems must demonstrate a need for principal forgiveness funding rather than a traditional loan.

## Eligible systems for subsidy funding under the additional 0-30% subsidy allowed under the Clean Water Act, as amended

The following systems will be deemed eligible for a principal forgiveness loan by the OFA:

• Projects deemed eligible by Nevada's Affordability Criteria

#### Affordability Criteria

Nevada defines a disadvantaged community as an area served by a public water system in which the average income per household is less than 80 percent of the median household income (MHI) of the state.

The OFA will evaluate systems using the below criteria to determine if they will qualify for a principal forgiveness loan. A total of 200 points are available. A system needs to obtain 50 or more points to be eligible for a principal forgiveness loan.

- Median Household Income (MHI) shall be taken to mean:
  - The latest American Community Survey information used for the current year project priority list, or,
  - A valid income survey performed within the last five (5) calendar years.
- Population Trends shall be taken to mean:

- The change in population over a three (3) year period as reported on the latest American Community Surveys available.
- Unemployment Percentage shall be taken to mean:
  - The percent listed on the same American Community Survey used for the MHI calculations.
- Percent of population not in workforce shall be taken to mean:
  - The percent listed on the same American Community Survey used for the MHI calculations.
- Affordability shall be taken to mean:
  - Whether or not an interest bearing loan will increase sufficient user rates by 25% or more.
     A comparison to the existing operating, maintenance, debt service, and reserve requirements to the new operating, maintenance, debt service, and reserve requirements will be performed. This will be compared to existing user rates.
    - Existing rates must be considered sufficient, meaning rates will cover operating, maintenance, debt service, and reserve requirements of the new system.
- Other factors will be counted if they relate to the project.

State Median Household Inocme (MHI) verses Community MHI	Possible Points	System Received
Based upon the Current Priority List data		
1.25 or more	50	
less than 1.25	0	
Project Points		0
Population Trend	Possible Points	System Received
Based upon last three years of American Community Survey best available data		
1. Decreasing	5	
2. Increasing	0	
Project Points		0
Unemployment Rate	Possible Points	System Received
Based upon American Community Survey used for MHI data		
Greater than 80% of statewide unemployment	5	
Less than 80% of statewide unemployment	0	
Project Points		0
Population not in labor force	Possible Points	System Received
Based upon American Community Survey used for MHI data		
Greater than state percentage	10	
Less than state percentage	0	
Project Points		0
Affordability	Possible Points	System Received
Would an interest bearing loan increase already reasonable user rates by 25% or		
more with the new system and debt service?		
Yes	15	
No	0	0
Project Points		0
Other Factors	Possible Points	System Received
Qualifies as a Class A project on the current Clean Water Priority List	25	
Consolidation into another system	50	
Project considered Green	20	
Small Systems that serve populations less than 10,000 people	20	
Project Points		0

#### **Total Project Points**

Maximum Points are 200 Points needed to Qualify for Principal Forgiveness is 50 0

#### Special Terms and Conditions for principal forgiveness loans

- Construction Projects
  - Applicants seeking funding from the CWSRF for construction projects must demonstrate the systems willingness to sustain themselves into the future and ensure the public funds provided in the contract are used in the best interest of the community. OFA will add, as a condition of the loan contract for principal forgiveness loans, that borrowers:
    - Evaluate user charges at least once every three years.
    - Maintain a fiscal sustainability plan (FSP) that:
      - Includes an inventory of critical assets that are part of the system; and
      - Evaluates the condition and performance of inventoried assets or asset groupings; and
      - Documents the useful life of the assets; and
      - Contains a plan for maintaining, repairing, and as necessary, replacing the assets; and
      - Contains a plan for funding maintenance, repair and replacement; and
      - Evaluates and implements water and energy conservation efforts.

Loan applicants must certify as part of the funding agreement that the recipient has, or will develop, a FSP prior to the final draw on the loan. Existing applicant FSP's must have been reviewed and/or updated by the governing board no longer than five (5) years prior to the date of the loan application. Assistance in developing a FSP can be provided to applicants free of charge.

- Set-aside funds into a reserve account for capital replacement.
  - OFA calculates this yearly investment based upon the system's short-lived assets (15 years or less) amortized on a straight-line basis.
    - Short-lived assets may include pumps, meters, and data collection equipment like telemetry, alarms, and SCADA units. For this purpose, short-lived assets are in conformity to capital assets generally accepted as those with a life expectancy of 15 years or less.
  - Utilities may only use these reserve funds for capital improvements. Importantly, these improvements are not restricted to the system's short lived assets. There are several expenses that qualify as capital expenditures:
    - Bringing a new facility into service;
    - Planning or designing a new facility that will enhance the existing system;
    - Extending the life or enhancing the value of an asset with better quality materials or system upgrades.
  - Utilities cannot use these reserve funds for inventory items, for maintenance, or for operation expenses. For example, utilities cannot use these reserve funds for minor incidentals like repair clamps, small tools, service contracts, inventory parts and fittings, spare lengths of pipe for repairs, or maintenance supplies like paint, grease, and other similar dayto-day supplies.
  - Utilities cannot use the funds in the reserve account for the purpose of expanding their system. For example, they may not use these reserves to finance the installation of new services or the extension of main lines to serve new areas or customers.
  - Utilities must clearly identify their annual contribution to this fund—along with the fund balance—on their financial statements.

- The required capital reserve schedule—established at the completion of a project—will become a binding condition of the grant. Utilities must notify OFA, in writing, when they make a withdrawal from the reserve fund for a capital improvement and must include the amount and nature of the expenditure.
- Principal forgiveness funding for eligible recipients for construction projects under the 10% mandate may receive, with good cause shown, the full amount of federal authority.
- Principal forgiveness funding for eligible recipients for construction projects under the additional subsidy allowed by the CWA may be provided up to \$500,000 for each project unless the project is deemed a Class A project, or the project experiences increased costs due to economic fluctuations or other extenuating circumstances determined by the OFA.
- Consolidation of two or more systems of any size
  - Principal forgiveness funding may be provided up to \$500,000 unless the project is deemed a Class A project or other extenuating circumstances determined by the OFA.
- Preliminary Engineering Reports with an Environmental Review for the selected project and Design only projects of any size system.
  - Principal forgiveness funding will be provided up to \$100,000 for each project. A 15% match will be required for each disbursement request for these projects.

Projects to be applied to the 2019 Grant	e applied	to the 2(	019 Grant							
Grant	٦L	PL	Community Name/Project Population	Population	Project Description	Total	Interest	Additional	Additional Green Project Estimated	Estimated
Applied to:	Class <sup>A</sup>	Rank <sup>A</sup>	Sponsor			Assistance	Rate	Subsidy	Reserve	Binding
								Provided		Commitment
2019	A	01	Storey County (Gold Hill)	68	68 New treatment	500,000	ЬF	500,000		6/30/2019
2019	Þ	03	Minden Gardnerville Sanitation District	8,657	8,657 Consolidation of Pineview Estates Mobile Home Park	500,000	ЪF	500,000		6/30/2019
2019	۵	20	Washoe County	35,580	35,580 Reuse treatment expansion / new transmission	34,200,000	TBD	0	864,490	6/30/2019
						35,200,000		1,000,000	864,490	
<u>Projects to be applied to earlier Grants-Ad</u>	e applied	to earlie	er Grants-Additional Subsidy							
Grant	٦L	PL	Community Name/Project Population	Population	Project Description	Total	Interest	Additional	Binding	
Applied to:	Class <sup>A</sup>	Rank <sup>A</sup>	Sponsor			Assistance	Rate	Subsidy Provided	Commitment	
2017	c	36		75	76 Contin to Course Concolidation	330 076	DL	220 026	0100/00/11	

Applied to: Class <sup>A</sup> Rank <sup>A</sup>	Class <sup>A</sup>	Rank <sup>A</sup>	Sponsor			Assistance	Rate		Commitment
								Provided	
2017	ပ	36	Churchill County	75	75 Septic to Sewer Consolidation	330,075	ΡF	330,075	11/28/2018
2017 / 2018	A	9	Churchill County	75	75 Septic to Sewer Consolidation	1,075,000	ΡF	1,075,000	2
2018	ပ	37	Humboldt County-McDermitt	200	200 System Improvements	143,575	ΡF	143,575	6/30/2019
2018	A	-	Story County (Gold Hill)	68	68 New Treatment	643,575	ΡF	643,575	6/30/2019
2018	8	21	Nye County (Gabbs)	378	378 Sewer Main and Lateral	500,000	ΡF	500,000	6/30/2019
				1	Replacement				
						2,692,225		2,692,225	
<sup>A</sup> 2020 CWSRF Priority List Class	F Priority I	_ist Class	0			37,892,225		3,692,225	
<sup>B</sup> 2020 CWSRF Priority List Ranking	F Priority I	-ist Rank	ing			37,892,225		3,692,225	

## Attachment C: CWSRF 2019 Fundable List

Class A: Project benefits public health and/or the environment	e environment	Total		State MHI /		Bavised			
Applicant	Permit No.	Points	Population	PWWS MHI	Ē	Points	Project Description	Estimate	Funded
Hawthorne	NS0020009	25	3,020	1.51	۵	37.73	Wastewater Treatment Facility Improvements (GREEN)	\$ 1,500,000	۲
Storey Co (Gold Hill)	GNEVOSDS09L0129	25	68	1.22		30.52	New treatment/disposal system to replace failing OSDS & septic systems	\$ 700,000	
Humboldt Co (Grass Valley)		28	4,000	1.09		30.46	PER/ER; New Wastewater Treatment System	\$ 90,000	
Lyon County Utilities	NS2000500	27	10,733	96.0		25.92	Sewer Lift Station Rehab/Replace (GREEN) & replacement of sewer main	\$ 8,000,000	
City of Fernley	NS0080011	22	19,200	1.02			WWTP Improvements	\$ 1,300,000	≻
Douglas County (North Valley)	NS0060025	25	4,500	0.82		20.57	Septic-to-Sewer Consolidation	\$ 1,500,000	
Churchill Co (Lattin Rd)	NS0090008	17	600	1.17		19.90	Sewer Extention & Septic-to-Sewer Consolidation	\$ 732,895	
Washoe County (Spanish Springs)	NV0020150	38	20,239	0.65			Septic-to-Sewer Consolidation - Spanish Springs	\$ 31,900,000	
							Total Class A	\$ 45,722,895	
Class B: Projects necessary to increase reliability or sustainability	ity or sustainability								
Applicant	Permit No.	<u>Total</u> Points	Population	State MHI / PWWS MHI	5	Revised Points	Project Description	Estimate	Funded
Tonopah Public Utilities	NS0000026	24	2,478	1.38	۵	Γ	Treatment effluent infrastructure project - Phase 2 (GREEN)	\$ 3,516,900	
Hawthorne	NS0020009	17	3,020	1.51	۵	25.66	Sewer System Improvements	\$ 5,857,000	
Lyon County Utilities	NS2000500	23	13,000	0.96		22.08	Lyon County Rolling A WWTP Expansion/Reuse of treated effluent (GREEN)	\$ 12,000,000	
Nye County (Gabbs)	NS0070021	80	378	2.71	۵	21.67	Sewer main & lateral replacement	\$ 500,000	
Elko Co Public Works (Mountain City)	NS0040023	16	09	1.33	۵	21.26	Sewer collection system repairs	\$ 600,000	
Douglas Co Lake Tahoe Sewer Authority	NS0080033	23	2,800	0.82			Aeration Basin Equipment Rehabilitation		
wer	NS0010019	16	4,410	1.16			Replacement of effluent reuse line (GREEN)		
Pershing Co (Imlay)	GNEVOSDS09L0125	15	122	1.07		Ť	Treatment & Collection System Replacement	\$ 1,000,000	
Lander Co Sewer & Water District 2 (Austin)	NS0030015	12	350	1.14			Sewer Main Rehabilitation		۲3
Washoe Co (So Truckee Meadows WRF)	NS0040024	5	35,580	1.14		Π	South Truckee Meadows Water Reclamation Facility Expansion (GREEN)	8	
McGil-Ruth GID	NS0087046	12	1,200	0.99		Τ	McGill Wastewater Treatment Facility Upgrade		
City of North Las Vegas	NV0023647	11	231,000	0.99		Ì	Sewer Main Rehabilitation	\$ 11,840,000	≻
Douglas Co Lake Tahoe Sewer Authority	NS0080033	13	2,801	0.82	+	T	Headworks Improvements & other system improvements		
Douglas Co Lake Tahoe Sewer Authority	NS0080033	13	2,800	0.82	+	T	Grit Removal Rehabilitation Project		
Douglas County Public Works	Multiple	13	9,450	0.77	+		Telemetry & SCADA improvements		
Douglas Co (North Valley)	NS0060025	12	4,500	0.82			North Valley Wastewater Treatment Plant Replacement/Expansion		~
Washoe Co (Cold Springs WRF)	NS0092926	12	4,527	0.82		9.83	Cold Springs Water Reclamation Facility expansion & upgrade (GREEN)		
City of Carlin	NS0093001	=	2,800	0.71	+	1	Lift station; pond lining; collection system rehabilitation		
Washoe Co (Pleasant Valley)	NS0040025	9	35,580	0.64	+		Geiger sanitary sewer lift station & sewer interceptor		
City of Ely	NS0070015	8	5,500	0.79	_		Upgrades to the City's Sanitary Sewer Collection System	\$ 6,720,290	
City of Ely	NS0070015	8	5,500	0.79		6.34	Sewer Main Replacements on Aultman St & Great Basin Blvd	\$ 1,427,500	
							Total Class B	\$ 142,264,630	
Class C: Other clean water needs projects									
Applicant	Permit No.	<u>Total</u> Points	Population	State MHI / PWWS MHI	5	Revised Points	Project Description	Estimate	Funded
Churchill Co - Golf Course	NS2007500	23	hand	1.17			Consolidation of the Churchill Co Golf Course with the Churchill Co sewer system	ഴ	
Humboldt Co (McDermitt)	NS0093005	15	200	1.48	۵		ic treatment backwas	\$ 100,000	
A Doubted Filtion		, ,	12,000	0.06		10 55	Storm water improvements in Deuton (CDEEN)	÷	

Year 2019 Priority List - Clean Water State Revolving Loan Fund

Nevada CWSRF Intended Use Plan SFY 2019

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<sup>1</sup> Disadvantaged Community <sup>2</sup> PER & ER funded only <sup>3</sup> Funded by Others

100,000 500,000 743,575

 Consolidation of the Churchill Co Goff Course with the Churchill Co sewer system
 \$

 Arsenic treatment backwash discharge line to existing lift station
 \$

 Storm water improvements in Dayton (GREEN)
 \$

26.92 22.13 10.56

1.17 0.96

600 200 12,000

Churchill Co - Golf Course Humboldt Co (McDermitt) Lyon County Utilities

31 32 33

\$ 188,731,100

TOTAL FOR ALL PROJECTS Total Class C

Attachment D: CWSRF 2019 Project Priority List

A: Project benefits p	ronment		Total	State MHI/		Revised			
Applicant	Permit No.	Population	Points	PWWS MHI	اد	Points	Project Description	Estimate Fu	Funded
1 Storey Co (Gold Hill)	GNEVOSDS09L0129	89	25	1.27	۵	31.87	New treatment/disposal system to replace failing OSDS & septic systems	\$ 1,200,000	
	NS2000500	10,733	27	0.98		26.45	Sewer lift station rehab/replace (GREEN) & replacement of sewer main	\$ 8,000,000	
	NS0040027	8,657	23	1.12		25.74	Consolidation of Pineview Estates with MGSD	6.858.940	۲3
		300	18	1.28		23.07	New treatment lagoon & rehabilitate 2 lift stations	2.025.034	
Γ	NS0060025	4.500	25	0.91		22.68	Septic-to-Sewer consolidation		
6 [Churchill Co (Lattin Rd)	NS0090008	600	17	118	ŀ	20.09	Sawar axtansion & Santic-to-Sawar consolidation		>
Ι	NV0020150	20,239	28	0.65	+	18.25	Septic-to-Sewer consolidation - Spanish Springs	6	-
8 Humboldt Co (Grass Valley)		4,000	6	1.14		10.26	PER/ER; New wastewater treatment system	000'06 \$	
							T otal Class A	\$ 52,648,974	
Class B: Projects necessary to increase reliability or sustai	ustainability								
Priority Applicant	Permit No.	Population	<u>Total</u> Points	State MHI/ PWWS MHI	<u>م</u>	Revised Points	Project Description	Estimate Fur	Funded
9 Tonopah Public Utilities	NS000026	2,478	24	1.47		35.22	Treatment effluent infrastructure project - Phase 2 (GREEN)	<b>\$ 3,516,900</b>	Π
10 Washoe Co ( Huffaker Reservoir) <sup>4</sup>	NS0040024	35,580	25	1.09		27.26	Huffaker reservoir water quality & management project	\$ 4,000,000	
11 Lyon County Utilities	NS2000500	13,000	23	0.98		22.53	Lyon County Rolling A WWTP expansion/reuse of treated effluent (GREEN)	\$ 15,000,000	
12 Hawthorne	NS0020009	3,020	17	1.31		22.30	Sewer collection system improvements		
1	NS0080033	2,800	23	0.91		20.87	Aeration basin equipment rehabilitation	1	
14 City of Reno <sup>4</sup>	NS2008500	34,000	19	1.06		20.21	Reno-Stead water reclamation facility expansion to 4 MGD (GRREN)	52	
	NS0040023	60	16	1.23		19.71	Sewer collection system repairs	8	
	NS0040024	35,580	18	1.09		19.63	South Truckee Meadows Steamboat lift station expansion	\$ 10,000,000	
	NS0040024	35,580	18	1.09		19.63	South Truckee Meadows sanitary sewer collection system rehabilitation	-	
City of West Wendover	NS0010019	4,410	16	1.14		18.24	Replacement of effluent reuse line (GREEN)	\$ 1,606,800	
Pershing Co (mlay)	GNEVOSDS09L0125	122	15	1.06		15.84	Treatment & collection system replacement	- 1	
Τ	NS0040024	35,580	13	1.09	4	14.18	South Truckee Meadows water reclamation facility expansion (GREEN)	34	
		3/8	Σ	1.63	2	13.02	Sewer main & lateral replacement		T
T	NS00/0015	5,500	13	0.98	+	12.68	Murry Street sewer		
	NS008/046	1,200	71	10.1	-	11.11	INCGIII wastewater treatment facility upgrade	\$ 5/6,060	
24   Douglas Co Lake Larioe Sewel Aurifolity 25   Douglas Co Lake Tahao Sours Authority		2,001	25	200	-	00.11	Pedaworks III.ploveriterits & otriet system III.ploveriterits Dei somool anabalitation arcitoti	Ţ	
Т		2,000	2 5	0.9		00.11	CIT FETTOVAL FETADIILAUOTI PLOJECT	6 1,322,120	
Т	NS0040025	35 580	5	0.67	+	11 33	Teletrieury & SCADA Improvements Geigen lift station & Plaasant Vallay sewer intercentor	-	
T	NV0023647	231.000	11	66.0	+	10.92	Sewer main rehabilitation	1	<b>~</b>
29 Douglas Co (North Valley)	NS0060025	4,500	12	0.91		10.89	North Valley wastewater treatment plant replacement/expansion (GREEN)		7
	NS0070015	5,500	10	0.98		9.76	Wastewater treatment plant sludge dewatering press	\$ 519,900	
31 Lander Co Sewer & Water District 2 (Austin)	NS0030015	350	8	1.22		9.73	Sewer main rehabilitation	1,200,000	۲3
	NS0093001	2,800	11	0.75		8.22	Lift station; pond lining; collection system rehabilitation	\$ 10,000,000	
	NS0070015	5,500	80	0.98		7.81	Upgrades to the City's sanitary sewer collection system		
	NS0070015	5,500	8	0.98		7.81	Sewer main replacements on Aultman St & Great Basin Blvd	- 1	
35 Washoe Co (Cold Springs WRF)	NS0092926	4,527	7	0.80		5.58	Cold Springs water reclamation facility expansion & upgrade (GREEN)	\$ 29,400,000	
							T otal Class B	\$ 230,652,180	
<u>Class C: Other clean water needs projects</u>									
Priority Applicant	Permit No.	Population	<u>Total</u> Points	State MHI/ PWWS MHI	۔ ا	Revised Points	Project Description	Estimate Fu	Funded
	NS2007500	600	23	1.18		27.18	Consolidation of the Churchill Co golf course with the Churchill Co sewer system	<u>.</u>	×
37 Humboldt Co (McDemitt)	NS0093005	200	15	1.53	۵	22.88	Arsenic treatment backwash discharge line to existing lift station	မ	
38 Lyon County Utilities		12,000	11	0.98		10.78	Storm water improvements in Dayton (GREEN)	\$ 500,000	

2020 Priority List - Clean Water State Revolving Loan Fund

Class A: Project benefits public health and/or the environment

### Nevada CWSRF Intended Use Plan SFY 2019

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## Attachment E: CWSRF 2020 Project Priority List

Legend:

<sup>1</sup> Eligible for Disadvantaged Community Designation <sup>2</sup> PER & ER or Design funded only <sup>3</sup> Funded by Others <sup>4</sup> New Project on CWSRF Priority List

Total Class C

788,575 500,000

\$ 284,089,729 TOTAL FOR ALL PROJECTS