from future authorized allotments and other available funds. It includes those projects which could be moved up onto the Fundable Priority List as detailed in Section 5 of these procedures. Projects on the Planning Priority List shall be subjected to public participation together with and at the same time as those on the Fundable Priority List.

2.10 PROJECT: Shall mean a project for the planning, design, or construction of treatment works.

2.11 PROJECT COST: Shall mean the total cost of the construction of the project including consulting, legal, and engineering fees.

2.12 PROJECT PRIORITY LIST: Shall mean the ordered listing of projects for which the Department expects Federal and State financial assistance.

2.13 QUALIFIED AGENCY: Shall mean any legally incorporated town or city, county government, state agency, sanitary district, authority authorized by law, or private business organized to provide treatment works.

2.14 TREATMENT WORKS: Shall mean any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes. These include interceptor sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; and any works, including acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treated wastewater in land application systems before land application) or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal or industrial waste, including waste in combined storm water and sanitary sewer systems.

2.15 WATER QUALITY STANDARDS: Shall mean the standards duly adopted by the State of Delaware and submitted to the Environmental Protection Agency.

2.16 WATERSHED MANAGEMENT PLAN: Shall mean any written description of voluntary or mandatory actions that will result in the reduction of pollutant loads to a surface water body. Plans shall be prepared by a qualified agency and include, but not be limited to, Watershed Implementation Plans, Comprehensive Conservation and Management Plans, and Basin Plans.

SECTION 3 - PRIORITY SYSTEM

3.01 All projects, or in the case of non-point source activities programs, considered eligible for State and Federal funding assistance will be evaluated in accordance with the criteria listed below and described in Section 4 - Criteria for Evaluation and Rating. Priorities will strictly follow the scores received. The "best" score a project may receive is 120 points; such a project would have the highest possible priority. The numerical score is derived using the following classifications:

	Maximum Pts	Bonus Pts
I. Water Quality Protection	0-45 points	0-10 points
II. Targeted Water Bodies	0-20 points	
III. Clean Water Priorities	0-20 points	
IV. Strategies for State Policies and Spending	0-10 points	
V. Green Project Reserve	0-10 points	
VI. Sustainability	0-30 points	
VII. Land Conservation Sponsorship	0 points	10 points
VIII. Borrower Type	0-10 points	
Total Priority Score	145 points	30 points

DRAFT

SECTION 4 - CRITERIA FOR EVALUATION AND RATING

4.01 WATER QUALITY PROTECTION (0-45 points plus 10 bonus points)

For Nutrients, the effectiveness of a given project will be rated based upon the total pounds of nitrogen plus the total pounds of phosphorus that will be removed from discharges as a result of the project. Based on studies conducted by the Department, the total nitrogen plus total phosphorus removal for septic eliminations will be calculated at 0.13 pounds per day per EDU. Other projects, such as wastewater treatment facilities, combined sewer overflows, etc. will be calculated based on engineer's estimates. Points will be determined for effectiveness by multiplying the estimated total pounds of nitrogen plus phosphorus per day to be removed from the discharge by 0.30 (Maximum Points = 45). The qualified agency may submit additional information to support the estimated total pounds of nitrogen plus phosphorus to be removed from the discharge.

For toxic pollutants, the effectiveness of a given project will be rated based on its ability to eliminate or reduce the severity of Delaware fish consumption advisories; eliminate or reduce the severity of toxic impacts to benthic aquatic life; or otherwise attain numeric toxics criteria for the protection of human health and aquatic life in Delaware Water Quality Standards. Points will be determined for effectiveness by multiplying the percent reduction in impact by 0.5 (Maximum Points = 45). The qualified agency may submit additional information to support the estimated percent reduction in toxic impact associated with the project.

Non-point source projects will receive points based on the published efficiencies of the best management practices (BMP's). The points will be determined on the percent efficiency of the project multiplied by 45 points. (i.e. a BMP with a 20% efficiency will receive 9 points).

Treatment plant projects that provide a higher level of treatment than required in the applicable permit will receive an additional BONUS point for each 10% of the allowable pollutant load eliminated by the project.

4.02 TARGETED WATER BODIES (0-20 points)

Pursuant to Section 303(d) of the Clean Water Act, every April 1st of every even-numbered year, Delaware develops a list of waters that do not meet surface water quality standards and need Total Maximum Daily Loads (TMDLs). TMDLs establish the maximum point and non-point source loadings of certain pollutants that must not be exceeded if surface water quality goals are to be met. Priorities (High, Medium, Low) are also established in order to set milestones for the development of TMDLs. Additionally, the "303(d) List" identifies those water bodies targeted for TMDL activities (e.g., monitoring, modeling, developing options, etc.) during the coming 2 years. Scores are assigned as follows:

TMDL Status	Score
Project addresses an existing TMDL allocation, or	20
Project addresses a watershed management plan, or	10
None of the above	0

4.03 CLEAN WATER FACILITY PRIORITIES (0-20 points)

Criteria for ranking specific types of projects that contribute to achieving statewide environmental priorities are presented in this Section.

A. SEPTIC SYSTEM ELIMINATION PROJECTS

Septic system elimination projects will receive fifteen (15) points.

DRAFT

B. WASTEWATER TREATMENT FACILITIES and COMBINED SEWER OVERFLOWS (CSO's)

Projects that provide new, upgraded, or expanded wastewater treatment and disposal facilities or eliminate or reduce the impact of wastewater discharges, including CSO's, but excluding septic elimination projects, will receive twenty (20) points.

C. OTHER WASTEWATER FACILITY PROJECTS

Projects that provide upgraded or expanded wastewater collection systems, including inflow and infiltration (I&I) elimination, that provide new, upgraded or expanded wastewater transmission systems, including pump or lift stations, but excluding septic elimination projects, will receive ten (10) points. Projects that correct I&I problems will receive fifteen (15) points.

D. SURFACE WATER MANAGEMENT PROJECTS

Projects that correct surface water management problems will receive fifteen (15) points. Projects that address surface water management problems under a MS4 permit will receive twenty (20) points.

E. WATERSHED APPROACH TO TOXICS ASSESSMENT AND RESTORATION (WATAR)

Projects that implement elimination or reduction of toxic impacts in Delaware surface waters will receive fifteen (15) points. Projects that eliminate or reduce toxics and implement wetland restoration will receive twenty (20) points.

F. OTHER WATER QUALITY PROJECTS

Other eligible projects that address a non-point source problem, wetland restoration, or other watershed related problem will receive ten (10) points.

4.04 STRATEGIES FOR STATE POLICIES AND SPENDING (0-10 points)

The Governor's Cabinet Committee on State Planning Issues has approved "Delaware Strategies for State Policies and Spending".

A. In part it reads as follows: "It is the State's philosophy that:

1. State spending should promote quality and efficiency – not sprawl.
2. State policies should foster order and resource protection – not degradation."

B. Investment Level Descriptions:

1. Level 1 – The State will direct maximum assistance to upgrades, reconstruction, treatment improvements, and system expansions and will place priority on existing systems for improved efficiency, enhanced water quality management, and additional capacity for redevelopment, infill, and for new community development that supports efficient and orderly land use patterns.
2. Level 2 – The State will direct assistance to extending existing or creating new systems where logical, or where they would prevent future environmental or health risks.
3. Level 3 - State financial assistance to local government's wastewater facilities will be prioritized in Level 1 and 2 areas before being considered in Investment Level 3. Investments needed to correct public health and existing environmental problems will be considered on a case-by-case basis.

DRAFT

4. Level 4 - Additional state investments in water and wastewater systems will be limited to existing or imminent public health, safety or environmental risks only, with little provision for additional capacity to accommodate further development.
5. Out of Play - Lands that are not at all available for development or for redevelopment. These include publicly-owned lands, lands for which serious legal constraints on development are identified, and lands in some form of permanent open-space protection.

Investment Level Scores - Projects in investment areas will be rated as follows:

Investment Level (212 projects only)	Points
Level 1	10
Level 2	10
Level 3	5
Level 4	0
Out of Play	0

Non-Point Source projects are highly likely to be in non-investment areas and do not contribute to sprawl.

Non-Point Source Projects (319)	10

4.05 GREEN PROJECT RESERVE (0-10 points)

Congress' intent in enacting the Green Project Reserve (GPR) is to direct State investment practices in the water sector to guide funding toward projects that utilize green or soft-path practices to complement and augment hard or gray infrastructure, adopt practices that reduce the environmental footprint of water and wastewater treatment, collection, and distribution, help utilities adapt to climate change, enhance water and energy conservation, adopt more sustainable solutions to wet weather flows, and promote innovative approaches to water management problems. Over time, GPR projects could enable utilities to take savings derived from reducing water losses and energy consumption, and use them for public health and environmental enhancement projects. Additionally, EPA expects that green projects will help the water sector improve the quality of water services without putting additional strain on the energy grid, and by reducing the volume of water lost every year.

Projects that address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities will receive additional points in the ranking.

Eligibility will be determined by using the EPA document: 2010 Clean Water and Drinking Water State Revolving Fund 20% Green Project Reserve: Guidance for Determining Eligibility – April 21, 2010

Projects that meet the requirements of one of the four categories below will receive ten (10) points.

A. GREEN INFRASTRUCTURE

Green stormwater infrastructure includes a wide array of practices at multiple scales that manage wet weather and that maintain and restore natural hydrology by infiltrating, evapotranspiring and harvesting and using stormwater. On a regional scale, green infrastructure is the preservation and restoration of natural landscape features, such as forests, floodplains and wetlands, coupled with policies such as infill and redevelopment that reduce overall imperviousness in a watershed. On the local scale green infrastructure consists of site- and neighborhood-specific practices, such as bioretention, trees, green roofs, permeable pavements and cisterns.

B. WATER EFFICIENCY

EPA's WaterSense program defines water efficiency as the use of improved technologies and

DRAFT

practices to deliver equal or better services with less water. Water efficiency encompasses conservation and reuse efforts, as well as water loss reduction and prevention, to protect water resources for the future.

C. ENERGY EFFICIENCY

Energy efficiency is the use of improved technologies and practices to reduce the energy consumption of water quality projects, use energy in a more efficient way, and/or produce/utilize renewable energy.

D. ENVIRONMENTALLY INNOVATIVE

Environmentally innovative projects include those that demonstrate new and/or innovative approaches to delivering services or managing water resources in a more sustainable way.

4.06 SUSTAINABILITY (0-30 points)

A. ASSET MANAGEMENT

The project will receive ten (10) points if the system has mapped its wastewater collection and treatment components and analyzed conditions, including risks of failure, expected dates of renewals and ultimate replacements, and sources and amounts of revenues needed to finance operations, maintenance and capital needs.

B. FULL COST PRICING

The project will receive ten (10) points if project/system has developed appropriate pricing/rate/affordability standards to build, operate, and maintain systems AND project/system has specifically allocated funds for the rehabilitation and replacement of aging and deteriorating infrastructure.

C. CLIMATE CHANGE / RESILIENCY

Projects that incorporate climate change considerations and/or that increase climate resiliency will receive ten (10) points. The State of Delaware has published scenarios for sea level rise and projections for precipitation and temperature that can be utilized for this purpose.

4.07 WATER QUALITY or LAND CONSERVATION SPONSORSHIP (10 bonus points)

The project will receive ten (10) points if the applicant is willing and eligible to sponsor a Forestland, Open Space, or Wetlands Conservation Easement or an Ecology or Watershed Restoration Project. Project must be defined to receive credit for this section.

4.08 TYPE OF APPLICANT (0-10 points)

Applicants will receive points based on type of borrower:

Municipality (i.e. City, Town, or County)	10 points
State Agency	10 points
Non-Profit	5 points
None of the Above	0 points

4.09 PROJECT PRIORITY LIST

Projects are ranked based upon the total scores. The total scores will determine the Project Priority List. In the case of a tie in the priority ranking, projects will be selected in the order of the population served. The project benefiting the larger population will be rated higher.

DRAFT