

Clean Water State Revolving Fund Loan Program

Intended Use Plan, Update #1

State Fiscal Year 2017

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Clean Water State Revolving Fund Loan Program

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DEQ is a leader in
restoring, maintaining and
enhancing the quality of
Oregon's air, land and
water.



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Table of Contents

Introduction	1
Clean Water State Revolving Fund Program Goals	2
Program Goals	2
Federal Capitalization Grant Requirements	4
Program Administration.....	5
Administrative Expenses	5
Funding Options	6
Terms and Conditions	6
Loans and Bond Purchases	6
Applications	7
Project Descriptions	8
Project Priority List in Alphabetical Order	10
Project Priority List in Rank Order	10
Applicants Ready to Proceed	10
Funding Award By-Pass Procedure	10
Priority Ranking Criteria.....	11
Estimated Funds Available for State Fiscal Year 2017.....	11
Sources of Funds.....	11
Uses of Funds	12
Funding Allocations.....	13
Planning Reserve	13
Small Community Reserve	13
Green Project Reserve.....	13
Additional Subsidization.....	14
Proposed State Fiscal Year 2017 Activity.....	15
Timely Use of Funds.....	15
Binding Commitments and Funds Available	16
Environmental Review/Cross- Cutters.....	16
Operating Agreement.....	16
Single Audit Act.....	16
Public Involvement.....	17
Rulemaking	17
Clean Water State Revolving Fund Advisory Committee	17
Public Notice of an Environmental Determination	17

2017 Intended Use Plan, Update #1

Notice and comments on the Intended Use Plan.....	17
Public Notice of This Intended Use Plan	18
What is Proposed?	18
Description of Proposed Intended Use Plan.....	18
To Receive a Copy of the Proposed Intended Use Plan.....	18
Appendices	19
Appendix 1: Project Priority List in Alphabetical Order	19
Appendix 2: Project Priority List in Rank Order	20
Appendix 3: Applicants Ready to Proceed	21
Appendix 4: Estimated Funds Available Through State Fiscal Year 2017.....	22
Appendix 5: Estimated State Fiscal Year 2017 Activity.....	23
Appendix 6: Binding Commitments and Funds Available	24
Appendix 7: Public Comments	25

Introduction

The Intended Use Plan is a document the Oregon Department of Environmental Quality prepares for the U.S. Environmental Protection Agency and others interested in Oregon's Clean Water State Revolving Fund program. This Intended Use Plan describes how DEQ proposes to use the Clean Water State Revolving Fund during state fiscal year 2017 (July 1, 2016 through June 30, 2017).

DEQ's Clean Water State Revolving Fund program offers below-market interest rate loans and bond purchases to public agencies for planning, design, construction or implementation of the following water quality improvement projects:

- Wastewater collection, treatment, water reuse and disposal systems
- Non-point source water pollution control projects
- Development and implementation of management plans for federally-designated estuaries in Oregon (Tillamook Bay and Lower Columbia River)

Applicants that have submitted applications for eligible projects are included on the project priority list in priority order. However, DEQ does not commit or reserve funds for individual projects until an applicant meets all application requirements. This indicates the project's readiness to proceed. DEQ funds projects that are ready to proceed in priority order.

All Clean Water State Revolving Fund program activities are governed by Oregon Administrative Rules Chapter 340, Division 54, which can be found on the Secretary of State website:

http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_340/340_054.html

Clean Water Benefits and Federal Funding Accountability and Transparency Act Reporting: EPA requires state Clean Water State Revolving Fund programs to fund only projects that have a demonstrated environmental benefit. States must report this benefit for each project in the Clean Water Benefits Reporting database no later than the end of the fiscal quarter in which the loan, amendment, or binding commitment is executed, as a condition of the capitalization grant. DEQ will report these environmental outputs or outcomes along with other required data fields in Clean Water Benefits Reporting database by the end of the fiscal quarter in which a financial assistance agreement is executed.

Additionally, to meet the Federal Funding Accountability and Transparency Act reporting requirement, DEQ will report funding award amounts and loan agreement information for projects until a combined dollar amount equal to the applicable capitalization grant is reported. Oregon's newly executed Clean Water State Revolving Fund financial assistance agreements in excess of \$25,000 will be entered into the Federal Funding Accountability and Transparency Act Subaward Reporting System database by the end of the month following the month in which the agreement was executed, in accordance with EPA guidance¹. For example, a financial assistance agreement signed any day in May 2017 will be entered into Federal Funding Accountability and Transparency Act Subaward Reporting System database by June 30, 2017.

1

Guidance on Federal Funding Accountability and Transparency Act reporting through Clean Water State Revolving Fund and Drinking Water State Revolving Fund data systems (March 23, 2011).

Clean Water State Revolving Fund Program Goals

Mission Statement

Oregon's Clean Water State Revolving Fund program supports communities by funding projects that improve water quality and environmental outcomes for the State of Oregon. The program is dedicated to working with small communities and on projects that increase financial and environmental sustainability, climate resiliency, and water and energy efficiency.

Program Goals

- 1. GOAL: Assist communities in restoring, maintaining and enhancing water quality by offering financial assistance for water pollution control, water quality improvement, and protection projects. (PROJECTS)**

OBJECTIVES

- Continue priority focus on providing loans to publically owned treatment facilities in Oregon. Develop tools to assist communities in obtaining loans.
- Support emerging markets to obtain loans; these include irrigation districts, working with tribes and local community loans.
- Encourage innovative and non-traditional projects, such as green infrastructure, water and/or energy efficiency, climate resilience, and sustainability environmentally and financially sustainable projects.
- Encourage communities to focus on high priority, water quality improvements projects statewide, including stormwater, nonpoint and estuary projects.

- 2. GOAL: Administer the Clean Water State Revolving Fund for program excellence and ensure compliance with program regulatory requirements, financial integrity, viability and perpetuity. (PROGRAM)**

OBJECTIVES

Finance

- Maintain the revolving nature of the fund and an active pace of disbursements in conjunction with the receipt of new funds and loan repayments.
- Ensure program budget adequately supports resources, administrative costs and anticipates future needs.
- Provide financial assistance most advantageous to borrowers, to the maximum extent possible and maintain sound financial management for the program.
- Develop criteria and implement pilot projects that encourage developing and emerging markets.

Programmatic

- Ensure the program effectively serves the needs of our existing, developing and emerging markets incorporating treatment and non-treatment solutions for all sources of water pollution.
- Ensure the program complies with changing state and federal regulations.

Marketing/Communications

- Strategically market and communicate the Clean Water State Revolving Fund availability, range of eligible projects, and benefits to decision makers at eligible and interested public agencies. Build on previous successes and increase those market shares.

3. GOAL: Assist borrowers with the loan process to meet regulatory requirements with federal and state water quality standards, utility and financial management. (TECHNICAL ASSISTANCE)

OBJECTIVES

- Provide technical assistance to small communities using principals of effective utility management to assess financial, operational, managerial, and infrastructure capability needs that will result in water quality improvements.
- Provide training and technical assistance to communities in conjunction with new program requirements of the Water Resources Reform and Development Act of 2014.

4. GOAL: Coordinate and collaborate with other state and federal programs to provide financial assistance for water quality improvements to Oregon public agencies. (COORDINATION)

OBJECTIVES

- Develop a strategy with other funding agencies to communicate, coordinate and jointly fund projects with high priority water quality needs in the State.
- In priority basins, identify opportunities to address point source and non-point source water quality impairments and other finance options, Clean Water State Revolving Fund loans and sponsorship options towards recipients whose projects can most effectively reduce the impairments.

Federal Capitalization Grant Requirements

DEQ must comply with EPA capitalization grant requirements to receive its federal funding allocation. The annual EPA capitalization grant provides additional funding to the Clean Water State Revolving Fund that increases DEQ's capacity to fund water quality improvement projects. This Intended Use Plan includes the federal fiscal year 2016 (Oct. 1, 2016 through Sept. 30, 2017) capitalization grant.

DEQ received the federal fiscal year 2016 capitalization grant in the amount of \$14,974,000 on August 4, 2016.

Federal Fiscal Year 2016 Capitalization Grant Payment Schedules

The estimated payment schedule for the federal fiscal year 2016 capitalization grant is:

July – Sept. 2016: \$6,000,000

October – Dec. 2016: \$6,000,000

January – March 2017: \$2,974,000

DEQ plans to disburse 100 percent of the required state match prior to disbursing any of the associated federal grant funds.

Program Administration

Administrative Expenses

DEQ charges an annual fee in the amount of 0.5 percent of the unpaid balance (beginning with the second payment) as prescribed in Oregon Administrative Rule 340-054-0065(6). Annual fees are adequate to support DEQ’s administration of the program. DEQ will continue to monitor the fees fund to ensure the revenue source is adequate. Fee revenue is kept in an account separate from the regular loan fund and is used exclusively to pay program administrative costs. As of June 30, 2016, the program had approximately \$3.5 million in the administrative fund available for administrative expenses.

DEQ uses the annual fee revenue to pay administrative expenses for program operations and therefore chooses to bank the four percent allowed under the capitalization grant for future administrative use. The banked authority stands at \$8.4 million. See Table 1 below for a summary of the total grants (including the total grants through the federal fiscal year 2016 capitalization grant, administrative allowance, allowance used and the remaining banked authority).

Table 1: Total of Banked Authority

Total capitalization grants through September 30, 2016	\$462,389,785
four percent administrative allowance	18,495,591
Allowance used through 6/30/2016	<u>10,101,744</u>
Banked Authority remaining	8,393,847

Funding Options

Two funding options are available through the program:

- Loans with terms not-to-exceed the lesser of 30 years or the useful life of the asset
- Bond purchase agreements not-to-exceed the lesser of 30 years or the useful life of the asset

Terms and Conditions

Loans and Bond Purchases

The Clean Water State Revolving Fund offers loans and bond purchases with maximum repayment duration of 30 years after project completion, and interest rates based on the average 20-year municipal bond rate, as published by the Federal Reserve. Thirty year terms are subject to an interest rate premium based on community demographics. Shorter terms may have different interest rates. The average bond rate is calculated on a quarterly basis. A percentage of that rate is used for the loan interest rate on loans signed in the subsequent calendar quarter. These percentages are stated in Oregon Administrative Rule 340-054-0065(4).

Interest rates for 20-year loans signed during the period October 1, 2016 through December 30, 2016 will be about 1.16 percent for small communities below the statewide median household income and about 1.60 percent for all other communities. Loan rates are based on the average municipal bond rates during the July through September period. New rates will be calculated and published on the [Clean Water State Revolving Fund website](#) in January 2017 for the next quarter.

Applications

DEQ published and sent out an Annual Solicitation and Update [Newsletter](#) to interested parties in February 2016 to solicit applications for financing. DEQ encourages public agencies to submit a completed application for all eligible projects regardless of the project schedule or status. Although DEQ accepts applications at any time, application deadlines are set prior to DEQ's application scoring meetings. The final application deadline for funding during DEQ's state fiscal year 2017 is April 14, 2017.

Under Oregon Administrative Rule 340-054-0025(6)(a), project applications will remain on the priority list for up to 36 months, after which they will be removed from the list. DEQ also removes project applications from the list upon execution of a borrowing agreement or upon request by the applicant.

This Intended Use Plan includes 15 project applications for a total of \$86,148,504 in requested funding. Since the publication of the initial state fiscal year 2017 Intended Use Plan, DEQ received three new applications. These applications are from the City of Umatilla, the Middle Fork Irrigation District and Central Oregon Irrigation District. Six applications have been removed from the list of projects in Table 2 because loan agreements were signed or the applicant was no longer requesting financing from the Clean Water State Revolving Fund. These applicants are the Cities of Sheridan, Bend (2), Canyonville, Heppner, and Redmond.

Table 2 contains a brief description of each project, organized in alphabetical order, which includes:

- Newest applications are identified with a project number ending in "17."
- Applicants that serve populations of 10,000 or less are indicated as eligible for small community reserve funds as defined by administrative rule.
- Projects that meet categorical green project reserve requirements are identified with qualified funding.

Project Descriptions

Table 2: Project Description List

Application Number	Application Name Description	Requested Amount
11750-13	City of Ashland (Jackson County)	\$11,200,000
Sec. 212 Design and Construction. New oxidation ditch and pipeline improvements to provide sufficient treatment during high flows. This project includes a sponsorship project in the amount of \$1,300,000 to partially replace an irrigation canal with a pipeline. This piping project is consistent with Oregon Nonpoint Source Management Plan sections 2.3.3 and 3.3.1.		
18230-16	City of Brookings (Curry County)	\$3,214,470
This proposal includes I/I work throughout city, including 2 miles of sewer mains and laterals. Construction to install 1500 linear feet of 27-inch of secondary interceptor on Railroad St. Pump testing and overhaul for 28 pumps. A methane storage and FOG feasibility study will provide methane gas storage to assure consistent supply of methane, supplied by anaerobic digester, to heat the digester. The project will also include aeration blower upgrades. This proposal also includes a Sponsorship Option (\$845,385) to redirect drainage to bio-swales in Azalea Park, develop engineered wetlands, improve storm drainage on Chetco Avenue, and update the city's current water conservation plan. The stormwater related actions qualify for green project reserve funding; \$355,000 categorically green infrastructure (1.2-2). Updating the water conservation plan qualifies for green project reserve funding; \$25,000 categorically water efficiency improvement (2.2-5). The sponsorship projects are consistent with Oregon Nonpoint Source Management Plan sections 1.2, 2.3.4, 3.3.2, and 5.3.10.		
21640-17	Central Oregon Irrigation District (Deschutes County)	\$1,140,000
Sec. 319 Design and Construction. Piping of approximately 3,000 linear feet of open canal. COID will also upgrade the fish screen for the Central Oregon Canal at its inlet on the Deschutes River. Piping the canal is estimated to conserve 5 cfs for instream use. Reference to NPS Plan: This project is consistent with the NPS Plan in Sections 2.3 (short-term goal) and 3.5.2 (integrated report).		
22700-16	Clean Water Services (Washington County)	\$35,111,614
Sec. 212 Design and Construction with Sponsorship Option. 1) upgrade secondary treatment at their Durham treatment plant, including a new aeration basin and a new secondary clarifier; 2) construct an on-site renewable natural gas fueling facility at their Rock Creek treatment plant; and 3) riparian/floodplain restoration in the Fanno Creek sub basin. The Durham upgrades should allow CWS to maintain compliance for a variety of permit requirements through 2036. This project is consistent with the goals of the Oregon Nonpoint Source Management Program Plan, section 3.5.3 - Total Maximum Daily Loads and Water Quality Management Plans.		
26110-15	City of Dallas (Polk County)	\$7,000,000
Sec. 212 Design and Construction. Project for expansion of the irrigation of treated (Class A) effluent in parks, playgrounds, and athletic fields to include industrial uses and residential landscape irrigation. The project also includes rehabilitation of 5,000 LF of an interceptor sewer line to avoid sewer overflows during high flow events. This project includes a Sponsorship Option in the amount of \$1,750,000 to acquire 460 acres of land adjacent to Mercer Reservoir. The reservoir is the City's drinking water supply and purchasing the surrounding land will protect the reservoir from sedimentation and runoff. The project will reuse 37 percent of its Class A treated effluent at a cost of \$6M and requires a business case to qualify for green project reserve under Green Project Reserve guidance section 2.4. The Sponsorship Option is supported by section 3.4.3 of the 2014 Oregon Nonpoint Source Management Plan.		
26750-17	City of Dayton (Yamhill County)	\$2,500,000
Sec. 212 Design and Construction. Replace the footbridge pump station and the Ferry Street trunk sewer (approximately 3,000 LF) both elements were built in 1965 and are under capacity. This is an interim financing loan for US Department of Agriculture, Rural Development.		
29650-16	City of Dundee (Yamhill County)	\$950,000
Sec. 212 Design and Construction with Sponsorship Option. This is an I/I project intending to reduce high flows during rainstorm events. One such event caused a plant washout in 2014 rendering the plant unable to perform biological treatment of its wastewater. This proposal includes a Sponsorship Option in the amount of \$350,000 that will connect, replace, and upsize components of their stormwater collection system. The sponsorship option portion of this project is consistent with the goals of the Oregon Nonpoint Source Management Program Plan, Section 3.3.3.		
37450-14	City of Glendale (Douglas County)	\$1,600,000
Sec. 212 Design and Construction and Small Community. Design and construction of upgrades to the headworks, pump station, treatment unit, tertiary sand filter, and reconstruction of existing outfall.		

Application Number	Application Name Description	Requested Amount
38980-17	Green Sanitary District (Douglas County)	\$600,000
	Sec. 212 Design and Construction. Purchase of approximately 180 acres of land for effluent irrigation to meet the excess thermal load limits during the summer months. The purchase of the land will eliminate summer discharge to the South Umpqua River.	
49800-17	City of Joseph (Wallowa County)	\$30,000
	Sec. 212 Planning. The City will develop a Wastewater Facilities Plan. Facilities have not been studied in over 20 years. The City is experiencing needs in the wastewater treatment and disposal systems and needs to evaluate its adequacy for current and projected needs.	
57510-16	City of Lincoln City (Lincoln County)	\$260,000
	Sec 319 Local Community Loan. The city will make financing available to property owners of 43 residences within a Local Improvement District (LID) to install a grinder pump, construction of a service line between the grinder and the existing lateral, and decommissioning of the existing septic tank. The collected wastewater will discharge to an existing pump station and conveyed to the City's Waste Water Treatment Plant. The project will benefit Devil's Lake that is 303(d) listed for Chlorophyll A, pH, harmful algal blooms/aquatic weeds. This project is consistent with the goals of the Oregon Nonpoint Source Management Program Plan, section 6.1.	
62370-17	City of Madras (Jefferson County)	\$1,150,000
	Sec. 212 Design and Construction. This project will address a safe and preferred means of disposal of wastewater for the Herzberg Heights and Bel-Air Estates by adding a collection system extension; pipeline to connect into main extension.	
65100-17	Middle Fork Irrigation District (Hood River County)	\$20,000,000
	Sec. 319 Design and Construction. Middle Fork Irrigation District will implement multiple projects to improve water quality and quantity associated with its irrigation diversions in the Middle Fork Hood River watershed. Specific projects include: installing a new deep water outlet and improving fish passage in Laurance Lake, installing new irrigation pipe to alleviate impacts from current irrigation system and addressing return flows from the irrigation system, improving the spillway at the Clear Branch Dam, and improving irrigation efficiency by Middle Fork Irrigation District patrons. Reference to Nonpoint Source Management Plan: This project is consistent with the Nonpoint Source Management Plan in Sections 2.3 (short-term goal), 3.5.3 (Total Maximum Daily Load Management Plan), 4.3.1 & 4.3.3 (Agricultural Memorandum of Agreement & Total Maximum Daily Load implementation).	
73540-17	City of Pilot Rock (Umatilla County)	\$4,135,000
	Sec. 212 Design and Construction. The city will construct a new evaporation pond system on city owned property to eliminate the current secondary pond, eliminate potential impacts to shallow groundwater, and adjacent 303 (d) listed Birch Creek. A new lift station will be added in a new location. This is an interim financing loan for US Department of Agriculture, Rural Development.	
93050-17	City of Umatilla (Umatilla County)	\$2,342,420
	Sec. 212 Design and Construction. Construction of a 2.5 mile pipeline to accommodate industrial wastewater from the Port of Umatilla. Industrial wastewater will be discharged to a US Bureau of Reclamation canal and ultimately used by the West Extension Irrigation District. The industrial wastewater currently goes to the Wastewater Treatment Plant.	

Project Priority List in Alphabetical Order

[Appendix 1](#) includes all projects for which DEQ has received applications, whether or not the project is ready to proceed. To be awarded funding, an applicant must complete all applicable Clean Water State Revolving Fund requirements. The project priority list is in alphabetical order by applicant, and includes the following additional information required by EPA: (1) project number; (2) amount requested; (3) EPA needs category; (4) water quality permit number (for federal National Pollution Discharge Elimination System permits EPA's "OR" identification number is listed and for state Water Pollution Control Facility permits the DEQ identification number is listed); and (5) preliminary project schedule.

Project Priority List in Rank Order

[Appendix 2](#) includes the same projects listed in Appendix 1; however, this list is sorted in project rank order. Appendix 2 also includes the points assigned during the scoring process, applicable green project reserve category, and an indication whether the project was submitted by a small community as defined under Oregon Administrative Rule 340-054-0010(28), or is for facility planning, or both.

Applicants Ready to Proceed

Program staff score and rank each eligible application submitted, and then the project is included in the Intended Use Plan. DEQ will only fund a project if it is included in the Intended Use Plan and is ready to proceed. "Ready to proceed" means applicants have satisfied all Clean Water State Revolving Fund requirements, including, but not limited to: a land use compatibility statement, an environmental review (if applicable), and documentation supporting compliance with the federal cross-cutting authorities. An applicant is not considered ready to execute a loan agreement until all requirements have been satisfied. Once all requirements are satisfied, DEQ will offer funding to applicants that are ready to proceed and begin the loan agreement execution process. Subsequent Intended Use Plan updates will reflect the projects from Table 2 that are ready to proceed and which applicants have signed a loan agreement.

[Appendix 3](#) indicates three applicants with three projects are ready to proceed including the City of Lincoln City (57510-16), City of Dallas (26110-15) and Green Sanitary District (38980-17). These applicants have completed the requirements necessary to receive a loan offer for their projects.

Funding Award By-Pass Procedure

The program may not always have sufficient funds available to offer funding to all projects that are ready to proceed. In this situation, DEQ will award funding to projects that are ready to proceed in rank order based on the Project Priority List ranking as published in the Intended Use Plan. If an applicant declines funding, DEQ will go to the next highest ranking project and offer funding to that project, until all available funds have been committed. If the number of projects ready to proceed does not draw down all available program funds, DEQ will award funding without regard to ranking, since available funds will accommodate all projects ready to proceed. This encourages applicants to proceed with their projects and ensures funds are used in a timely manner. This procedure allows DEQ to fund a lower ranking project ahead of a higher ranking project if the lower ranking project is ready to proceed while the higher ranking project is not. DEQ will use this same procedure for the Green Project Reserve funding to ensure these are fully obligated in accordance with DEQ and federal requirements.

Priority Ranking Criteria

DEQ used criteria in Oregon Administrative Rule 340-054-0026 and 340-054-0027 to rank projects. Non-planning project ranking criteria include: water quality standards and public health considerations; watershed and health benefits; and other considerations. Planning projects are ranked similarly to the non-planning applications.

Estimated Funds Available for State Fiscal Year 2017

[Appendix 4](#) provides the calculation of funds available for state fiscal year 2017 and includes the first half of state fiscal year 2018 (hereafter referred to as state fiscal year 2017 for this section only). This calculation includes the federal fiscal year 2016 capitalization grant in the amount of \$14,974,000.

Sources of Funds

Federal Capitalization Funds

DEQ will allocate any additional federal or state funds that become available during state fiscal year 2017 based on this Intended Use Plan. The federal fiscal year 2016 capitalization grant award includes a proposed federal payment schedule based on project schedules and when the cash will be needed.

State Match: DEQ plans to issue bonds for additional matching funds in early 2017. Appendix 4 represents the timing of the funds supply to the demand for funds. DEQ has the statutory and budgetary authority to raise sufficient match in order to provide the required 20 percent state contribution as needed.

Investment Earnings

Investment earnings are projected conservatively through state fiscal year 2017 based on low-market interest rates and the relatively high cash balance of the fund. The long term goal is to keep cash reserves low by balancing the need for cash to cover variability in project completion schedules against the goal of keeping funds in use by communities. As the program's available cash balance gradually declines due to the disbursement of funds to borrowers, investment interest earnings also will gradually decline.

Repayments

Appendix 4 shows projected repayments (principal repayments and interest payments) for state fiscal year 2017 and state fiscal year 2018 in the amount of \$182,251,423 as included in the cash available. This amount includes the following three categories (from most time-certain to least time-certain):

- 1) Repayments on projects that are fully disbursed and already in repayment;
- 2) Repayments of interim loans with long-term financing through USDA Rural Development; and
- 3) Repayments on signed agreements that are not fully disbursed at this time but are expected to be in repayment before the end of state fiscal year 2017.

The estimates for 2) and 3) are less time-certain because they are dependent upon timely project completion. Repayment schedules are delayed frequently when projects finish later than anticipated. However, unscheduled prepayments increase the actual repayments received. New agreements for short-term projects also increase the repayments actually received. The net effect of these factors in recent years has been to increase actual repayments received over the amount projected. In addition, this estimate of repayments does not include repayments from agreements not yet executed, but which could be signed and in repayment during state fiscal year 2017.

The amount of repayments stated above includes DEQ's estimate of repayments, based on existing agreements. State fiscal year 2016 is included in this calculation as the demand for disbursement funds has historically been spread over at least three years after the agreement is signed. Additionally, the inclusion of repayments supports the supply of funds to the demand for funds. Failure to provide funding at a level that can be supported by the

program means fewer projects completed and higher balances of cash remaining unused. Future calculations of funds available may be adjusted as conditions warrant.

Uses of Funds

Administrative Expenses

Prior to 2004, DEQ used the four percent allowed under the capitalization grant for administrative uses. After 2004, DEQ uses the annual fee revenue to pay administrative expenses for program operations and therefore chooses to bank the four percent allowed under the capitalization grant for administrative use. Appendix 4 represents the historical use of this allowance.

Debt Service on Match Bonds

When state match bonds are sold, the program is required to pay the debt service on the bonds. It has an impact on the dollars available to fund projects this year and in future years. During state fiscal year 2017 the program will pay approximately \$1,900,000 in debt service costs on bonds issued in previous years. This debt service has a limiting effect on the availability of funds needed for the program over the long term.

Financial advisors recommended a one day bond sale for the bond issuance for state fiscal year 2017 to provide matching funds for the balance of federal fiscal year 2016 as well as the anticipated 2017 and 2018 capitalization grants. The current bond issuance will not result in debt service.

Funding Allocations

Each year DEQ establishes a maximum amount of funding available per project and sets aside certain amounts for the planning reserve, small community reserve, green project reserve and additional subsidization based on administrative rules. Based on current funds available, the maximum amount of funding per project for state fiscal year 2017 is \$27,337,714.

DEQ does not expect to fund any projects for more than the maximum amount per project. However, this could occur if there are not enough projects ready to proceed during state fiscal year 2017. If this occurs, any remaining available funding may be offered to existing borrowers in rank order.

Planning Reserve

The total planning allocation cannot exceed \$3,000,000 per Oregon Administrative Rule 340-054-0036(1)(b). Projects will be funded until such time as the reserve is fully allocated, or until any remaining reserve is reallocated to design or construction projects. Planning projects that are not fully funded through the planning reserves may be funded with the remaining funds only by competing with all other projects in priority order. If the planning reserve is not used, DEQ will allocate any remaining funds to design or construction projects in priority order during the final quarter of the state fiscal year.

Small Community Reserve

The small community reserve is designated for municipalities with a population of 10,000 or less. The reserve cannot exceed 25 percent of the current funds available per Oregon Administrative Rule 340-054-0036(1)(a). For state fiscal year 2017, the maximum funding under the small community reserve is \$40,525,463. Small community projects that are not fully funded through the small community reserve may be funded with the remaining loan funds by priority order. If the small community reserve is not fully used, DEQ will allocate any remaining reserve funds to design or construction projects in priority order during the final quarter of the state fiscal year.

Green Project Reserve

The federal fiscal year 2016 capitalization grant requires DEQ to use at least 10 percent of the grant for projects that qualify for funding under the green project reserve. The minimum amount of green project reserve DEQ must provide from the federal fiscal year 2016 capitalization grant will be \$1,497,400.

For a project to obtain green project reserve funding, it must follow the EPA Green Project Reserve Guidance ([EPA 2012 Green Project Guidance](#)) for determining project eligibility. Appendix 2 indicates projects that meet the green project reserve under the four categories: Green Infrastructure – GI; Water Efficiency – WE; Energy Efficiency – EE; and Environmentally Innovative Activity – EIA.

[Appendix 5](#) summarizes how DEQ expects to satisfy the federal fiscal year 2015 and federal fiscal year 2016 green project reserve requirement by executing an agreement with four projects.

The federal fiscal year 2015 requirement of \$1,575,800 will be met with the Clackamas Soil and Water Conservation District, project number 22405-16, application in the amount of \$250,000 of which \$250,000 is a categorically environmentally innovative project, Rock Creek Irrigation District, project number 78270-15, application amount of \$270,786, of which 100% is categorically water efficiency and Coos Bay, project number 24000-16 of which \$2,200,000 is 100% categorically green infrastructure.

DEQ expects to meet the GPR requirement for federal fiscal year 2016 with City of Dallas project number 26110-15, application amount of \$7,000,000 of which \$1,750,000 is categorically 100% water efficiency.

Please see the chart below for a breakdown by federal fiscal grant year.

FFY Grant	2015	2016
GPR Required	1,575,800	1,494,000
Clackamas SWCD	250,000	
Rock Creek	270,786	
Coos Bay	2,200,000	
Dallas		1,750,000
	(1,144,986)	(256,000)

DEQ will obtain documentation to verify these projects meet the green project reserve eligibility categorically or will review a business case demonstrating the validity of green infrastructure prior to execution of funding.

Throughout the year DEQ receives new projects that are included in Intended Use Plan updates. DEQ anticipates fulfilling future green project reserve requirements for capitalization grants throughout the year with the eligible ready-to-proceed projects. DEQ will identify green project reserve allocations in subsequent Intended Use Plan updates. DEQ cannot reallocate the Green Project Reserve funds to any other funding category.

Additional Subsidization

The 2014 Water Resources Reform and Development Act amended the Clean Water Act and removed the requirement that state Clean Water State Revolving Fund programs provide a minimum amount of principal forgiveness. Accordingly, DEQ revised its rule in Oregon Administrative Rule 340-054-0065(11) to allow a percentage of each capitalization grant to be allocated to eligible applicants as principal forgiveness. The amount of principal forgiveness provided each year is dependent on the amount of the federal appropriation and to some extent the percentage of principal forgiveness offered by DEQ in previous years.

Subsequent to the Water Resources Reform and Development Act Clean Water Act amendments pursuant to additional subsidization, the federal fiscal year 2016 capitalization grant agreement includes a provision requiring 10% of the allocated grant be offered as additional subsidization. This will be in addition to any principal forgiveness that DEQ offers as allowed by Oregon Administrative Rule 340-054-0065 (11). For the federal fiscal year 2016 grant, DEQ plans to award additional subsidization at total of \$2,716,633 in the form of principal forgiveness to:

City of Madras	\$500,000
Green Sanitary District	\$477,133
Pilot Rock	\$500,000
Umatilla	\$500,000
Clackamas Soil and Water Conservation District	\$271,000
City of Dundee	\$411,000

These six applicants qualify for additional subsidization under the affordability and green project criteria outlined in Oregon Administrative Rule 340-054-0065(11). There are no other eligible recipients at this time.

Proposed State Fiscal Year 2017 Activity

[Appendix 5](#) includes projects proposed for funding with state fiscal year 2017 funds based on the calculation of funds available as stated in Appendix 4.

The top section of Appendix 5 shows projects that may receive increases to their existing agreements. The lower section shows new agreements that may be executed, based on applications already received and includes the highest ranking projects that could be funded if ready to proceed. Funds will be allocated as projects become ready to proceed and funds are available. As indicated in this table, program funds are currently oversubscribed. Oregon Administrative Rule 340-054-0036 (3)(a)(A) places a cap of awarding no more than 15% of available funds in any given fiscal year to a single loan. Recipients of program funds in amounts less than the total amount applied for in state fiscal year 2017 may receive additional funding from DEQ in future years to supplement the unfunded amount requested in state fiscal year 2017.

[Appendix 5](#) is an estimate only and the actual state fiscal year 2017 funding activity may be different based on the demand for funds, the overall ranking of projects, projects' readiness to proceed and recent rule amendments. Any remaining available funds will be obligated as applicants become ready to proceed and request agreements. In addition to the 10% required by the federal fiscal year 2016 capitalization grant agreement, DEQ may provide up to 8% of the federal fiscal year 2016 capitalization grant in additional subsidization in the form of principal forgiveness. Applicants who meet the requirements according Oregon Administrative Rule 340-054-065 (11) will be offered principal forgiveness as they become ready to proceed.

Timely Use of Funds

DEQ intends to use funds in the program in a timely and expeditious manner. EPA requires funds to be committed within one year of availability, with some exceptions. [Appendix 6](#) documents DEQ's Clean Water State Revolving Fund program compliance with this requirement, including information by project for early repayments. DEQ has three years to commit early principal payments.

Federal Loan

With the Oregon Administrative Rule revisions of October 2015, DEQ established a new type of loan, the "federal loan." Launching of the federal loan is a pilot project giving DEQ the opportunity annually to offer incentives, in the form of a reduced interest rate, on a first come, first served basis for a subset of borrowers subject to additional federal funding application requirements. These projects are funded with monies directly made available by the federal capitalization grant for the associated federal fiscal year. This strategy obligates one or two large communities in each fiscal year to address the federal environmental cross cutting authorities, also known as cross-cutters. This allows DEQ, when appropriate, to waive the cross-cutter documentation for smaller, less resourced communities.

Binding Commitments and Funds Available

EPA's Memorandum #SRF 99-05 requires the program to execute binding commitments at least equal to the amount of funds available in the program, within one year of that fund availability. [Appendix 6](#) calculates the amount of funds available in 2017 and compares that amount to the binding commitments executed as of December 20, 2016. Appendix 6 identifies the binding commitments including the details of early repayments from applicants during state fiscal year 2015 and state fiscal year 2016.

Environmental Review/Cross-Cutters

EPA approved DEQ's current state environmental review process in February 2008. Documentation of this process is available upon request and can be found on DEQ's website. All projects deemed treatment works by DEQ are required to undergo environmental review.

At a minimum, projects equal to the amount of EPA's capitalization grants must comply with federal cross-cutter laws. DEQ is in compliance with the federal cross-cutter requirements.

For federal fiscal year 2016 capitalization grant reporting purposes, City of Canyonville and City of Redmond are identified as DEQ's "federal loans." As outlined in an earlier section, Canyonville and Redmond have met all federal equivalency requirements, including the federal cross cutting authorities.

Operating Agreement

The operating agreement between the EPA Region 10 and the DEQ for the program includes procedures, assurances, certifications, applicable federal authorities and laws, and other on-going documentation required for the program. The Operating Agreement is discussed here to incorporate the required assurances, certifications and other documentation by reference. Copies of the operating agreement are available upon request.

Single Audit Act

Borrowers who have been disbursed federal funds under DEQ's Clean Water State Revolving Fund program may be subject to the requirements of the Single Audit Act and 2 CFR 200 (Omni Circular). DEQ monitors borrowers' compliance with those requirements in an amount equal to the capitalization grants.

Public Involvement

Oregon's Clean Water State Revolving Fund program provides several opportunities for the public's involvement. These include the formal public notice process when administrative rules are revised, when projects require an environmental determination, and when the Intended Use Plan is revised.

Rulemaking

The program's administrative rules are revised to address changes in federal requirements or to better meet the financial needs of communities. Oregon's rulemaking process includes input from a public advisory committee, public hearings and public comment periods. The public is also encouraged to provide comments directly to the Environmental Quality Commission on administrative rule changes.

Clean Water State Revolving Fund Advisory Committee

DEQ frequently involves public advisory committees to assist the agency in developing policy. DEQ established the Clean Water State Revolving Fund Advisory Committee to address program issues and provide input to DEQ for rulemaking. The standing committee includes 14 members representing statewide organizations with an interest in financing water quality improvement projects. Interests represented included local governments, wastewater treatment facilities, environmental advocacy, federal and state agencies, and local conservation districts. Committee meetings are considered public meetings and the public is welcome to attend.

Public Notice of an Environmental Determination

Applicants must complete an environmental impact analysis for projects meeting the definition of treatment works. All projects deemed treatment works by DEQ are required to undergo an environmental review. The environmental review process includes the opportunity for public review and comment, which is generally a 30-day period. DEQ currently issues a public notice in a state-wide publication and in a local publication for each project.

Notice and comments on the Intended Use Plan

DEQ completes an Intended Use Plan annually and updates the plan as DEQ receives new applications for the Clean Water State Revolving Fund. The draft Intended Use Plan is then published in the Dailey Journal of Commerce. The notice process includes a 30-day public review and comment period. Upon the completion of the public comment period, DEQ considers all comments, and then finalizes the Intended Use Plan.

Public Notice of This Intended Use Plan

This proposed Intended Use Plan for state fiscal year 2017 will be noticed for 30 days in the Daily Journal of Commerce.

Public Notice
Oregon DEQ Clean Water State Revolving Fund
Proposed Intended Use Plan State Fiscal Year 2017, Update #1

Notice Issued: February 6, 2017
Comments Due: March 8, 2017

What is Proposed?

The Oregon Department of Environmental Quality has prepared a revision to the *Proposed Intended Use Plan State Fiscal Year 2017, Update #1* for the Clean Water State Revolving Fund Program in accordance with procedures set forth in Oregon Administrative Rules, chapter 340, division 54. After the close of the public comment period, DEQ will address any comments received and finalize the *Proposed Intended Use Plan, Update #1*.

Description of Proposed Intended Use Plan

The *Intended Use Plan State Fiscal Year 2017, Update #1* includes 15 projects for a total of \$86,148,504 in requested funding for planning, design or construction of projects needed to address water quality improvement in Oregon.

To Receive a Copy of the Proposed Intended Use Plan

The revised *Proposed Intended Use Plan State Fiscal Year 2017, Update #1* and the option to sign up for notifications through GovDelivery are available on DEQ's website at: <http://www.oregon.gov/deq/wq/cwsrf/Pages/CWSRF-IUP.aspx>. Comments on this Intended Use Plan must be submitted in writing via mail, fax or email any time prior to the comment deadline of 5 p.m. on Wednesday, March 8, 2017. Written comments may be mailed, faxed or emailed to:

Mail: Oregon Department of Environmental Quality
Operations Division
Attn: Lee Ann Lawrence
700 NE Multnomah Street, Suite 600
Portland, OR 97232
Fax: 503-229-6037
Email: intendeduseplancomments@deq.state.or.us

In addition to the above notice, DEQ sent email notification of this proposed Intended Use Plan to the new applicants for this funding cycle and to the following:

David Garcia
U.S. Environmental Protection Agency
1200 6th Avenue, Seattle, WA 98101

Susie Smith, Executive Director
Oregon Association of Clean Water Agencies
107 SE Washington Street, Portland, OR 97214

Appendices

Appendix 1: Project Priority List in Alphabetical Order

Applicant	Project #	Amount Requested (\$)	EPA Needs Category	Permit Number	Preliminary Project Schedule		
					Application *	Start	Completion
Ashland	11750-13	11,200,000	I,IV-B,VII	OR0026255	Sep-15	Oct-15	Jan-16
Brookings	18230-16	3,214,470	III-B, IV-A,VI	101773	Apr-14	Jul-16	Oct-16
Central Oregon Irrigation Dist.	21640-17	1,140,000	VII-A, VII-D	N/A	Aug-16	Oct-17	May-18
Clean Water Services	22700-16	35,111,614	I, II, VII-K	OR0028118	Aug-15	Jun-16	May-17
Dallas	26110-15	7,000,000	I, II, III-A, X	101518	Jul-15	Jul-15	Aug-15
Dayton	26750-17	2,500,000	III-B	101742	Apr-16	May-16	Oct-17
Dundee	29650-16	950,000	III-A, VII-D	101722	Jul-15	Aug-15	Sep-17
Glendale	37450-14	1,600,000	I	OR0026409	Apr-13	Jul-13	Oct-15
Green Sanitary District	38980-17	600,000	I	100554	Apr-16	Oct-16	Nov-16
Joseph	49800-17	30,000	I, II	101602	Apr-16	Aug-16	Jun-17
Lincoln City	57510-16	260,000	VII-L	N/A	Aug-15	Jan-16	Jan-19
Madras	62370-17	1,115,000	IV-A	101739	Apr-16	Jul-17	Dec-17
Middle Fork Irrigation Dist.	57510-16	20,000,000	V11-A	N/A	Aug-16	Jul-18	Jul-21
Pilot Rock	73540-17	4,135,000	I	971357	Apr-16	May-18	Dec-18
Umatilla	93050-17	2,342,420	X	N/A	Aug-16	Jan-17	Jul-17

NOTES:

*The Application date is DEQ's Application Deadline when DEQ received the application.

The "Start" and "Completion" dates listed in the Preliminary Project Schedule were developed from the information provided in the respective project application.

Appendix 2: Project Priority List in Rank Order

Priority Ranking	Scoring	Project Number	Applicant	Amount Requested	Green Project Reserve Category and Amount	Small Community & Facility Planning
1	90	11750-13	Ashland	11,200,000		
2	71	65100-17	Middle Fork Irrigation District	20,000,000		
3	64	18200-15	Brookings	3,214,470	GI - \$355,000, WE – \$25,000	SC
4	60	73540-17	Pilot Rock	4,135,000		SC
5	59	21640-17	Central Oregon Irrigation District	1,140,000	WE - 1,140,000	
6	58	37450-14	Glendale	1,600,000		SC
6	58	62370-17	Madras	1,115,000		SC
7	57	26750-17	Dayton	2,500,000		SC
8	55	38980-17	Green Sanitary District	600,000		SC
9	55	57510-16	Lincoln City	260,000		SC
10	52	22700-16	Clean Water Services	35,111,614	GI - \$2,160,000	
11	49	29650-16	Dundee	950,000		SC
12	47	93050-17	Umatilla	2,342,420		
13	45	26110-15	Dallas	7,000,000	WE - \$6,000,000	
14	19	49800-17	Joseph	30,000		SC & FP

Appendix 3: Applicants Ready to Proceed

Priority Ranking	Scoring	Project Number	Applicant	Amount Requested	Green Project Reserve Category and Amount	Small Community & Facility Planning
8	55	38980-17	Green Sanitary District	954,266	N/A	SC
9	55	57510-16	Lincoln City	260,000	260,000	SC
13	45	26110-15	Dallas	1,750,000	1,750,000	N/A

Appendix 4: Estimated Funds Available Through State Fiscal Year 2017

Source of Funds	Actual through FY 2015	Actual for FY 2016	Estimated for FY 2017-18	Total
Federal Capitalization Grants	431,657,785	15,758,000	14,974,000	462,389,785
State Match *	83,488,926	0	5,000,000	88,488,926
Investment Earnings	35,569,609	1,482,935	2,800,000	39,852,544
Loan Principal Repayments	521,795,926	22,995,336	65,514,881	610,306,143
Loan Interest Payments	166,393,405	9,158,321	17,829,347	193,381,073
Total Sources of Cash	1,238,905,651	49,394,592	106,118,228	1,394,418,471
*Includes \$3M transfer from Fee Account in 2002				
Uses of Funds				
Loans and Amendments	1,040,108,607	111,428,406	N/A	1,151,537,013
Administration Expense Paid with Grant	10,101,744	0	0	10,101,744
Debt Service on Match Bonds	46,194,023	2,034,268	2,300,000	50,528,291
Total Uses of Cash	1,096,404,374	113,462,674	2,300,000	1,212,167,048
Sources of Cash Less Uses of Cash	142,501,277	-64,068,082	103,818,228	182,251,423
Net Available to Loan - FY 2017	N/A	N/A	182,251,423	182,251,423

Appendix 5: Estimated State Fiscal Year 2017 Activity

Project	Facility Planning	Small Comm.	GPR Funding (Cap; Grant Year 15,16)	Other	FP,SC,GPR and Other Total	PF Subsidy	Remaining Available CWSRF Funds
Current Available Funds	3,000,000	45,562,856	4,148,314	129,540,254	182,251,423	2,716,920	182,251,423
Use of Available Funds - Increases							
Bend *				27,337,714	27,337,714		154,913,710
Coos Bay		4,000,000			4,000,000		150,913,710
Clackamas Soil & Water Conservation District			542,000		542,000	271,000	150,371,710
Subtotals		4,000,000	542,000	27,337,714	31,879,714	271,000	
Balance	3,000,000	41,562,856	3,606,314	102,202,540	150,371,710	2,445,920	150,371,710
Use of Available Funds - New Loans							
Ashland				11,200,000	11,200,000		139,171,710
Bend †				5,450,000	5,450,000		133,721,710
Bend †				7,895,000	7,895,000		125,826,710
Brookings		3,214,470			3,214,470		122,612,240
Canyonville †		9,070,000			9,070,000		113,542,240
Central Oregon Irrigation District			1,140,000		1,140,000		12,402,240
Clean Water Services *				27,337,714	29,670,325		82,731,915
Clean Water Services				2,160,000	2,160,000		80,571,915
Dallas		5,250,000	1,750,000		7,000,000		73,571,915
Dayton		2,500,000			2,500,000		71,071,915
Dundee		950,000			950,000	411,000	70,121,915
Glendale		1,600,000			1,600,000		68,521,915
Green Sanitary District		954,266			954,266	477,133	67,567,649
Heppner †	40,000				40,000		67,567,649
Joseph	30,000				30,000		67,567,649
Lincoln City				260,000	260,000		67,567,649
Madras		1,115,000			1,115,000	500,000	66,122,649
Middle Fork Irrigation District				20,000,000	20,000,000		46,122,649
Parkdale Sanitary District †		2,133,000			2,133,000		43,989,649
Pilot Rock		4,135,000			4,135,000	500,000	39,854,649
Redmond †				7,129,250	7,129,250		32,725,399
Sheridan (no longer pursuing a CWSRF loan)		1,700,000					32,725,399
Umatilla		2,342,420			2,342,420	500,000	30,382,979
Subtotal	70,000	34,964,156	2,890,000	81,431,964	119,988,731	2,445,633	
Balance	2,930,000	6,598,700	716,314	20,770,577	30,382,979		287

*Current request exceeds maximum allowed per Oregon Administrative Rule 340-054-0036(3)(a)(A). At the end of state fiscal year 2017, DEQ may allocate any remaining funds.

† denotes signed agreement

Appendix 6: Binding Commitments and Funds Available

Funds Available as of June 30, 2016:

Total Federal Cap Grants Awarded	Total State Match	Total Principal Repayments	Total Interest Repayments	Total Early Principal Repayments SFY 15, 16*	Total Cumulative Admin Allowance and Bond Debt Service	TOTAL FUNDS AVAILABLE
447,415,785	83,488,926	544,791,262	175,551,726	-15,584,890	-66,124,922	1,288,300,243
				2015 -12,739,250	Admin Allowance -17,896,631	
				2016 -2,845,640	Bond Debt Service -48,228,291	
Adjusted Total						1,206,590,431
Total Binding Commitments as of December 20, 2016:						1,182,704,637
Binding Commitments as a Percentage of Funds Available From 2016:						98.0%
* DEQ has three years to commit early principal payments.						

EARLY REPAYMENTS DEQ HAS RECEIVED FROM BORROWERS

Borrower/Loan Number	Amount	State Fiscal Year	Date
Athena 11850	48,239	FY 2015	9/12/2014
Athena 11850	10,208	FY 2015	10/29/2014
Neskowin SD 68650	58,441	FY 2015	7/2/2014
Creswell 25140	2,839	FY 2015	12/1/2014
Coburg 23043	6,175,421	FY 2015	1/28/2015
Govt. Camp 38350	57,991	FY 2015	2/10/2015
Govt. Camp 38350	43,068	FY 2015	8/15/2015
Gresham 39192	3,017,094	FY 2015	5/27/2015
Gresham 39191	2,767,097	FY 2015	5/28/2015
Gresham 39189	434,568	FY 2015	5/29/2015
Ione 47690	14,000	FY 2015	6/18/2015
Coos Bay Port 24190	110,284	FY 2015	5/29/2015
Total			12,739,250
Tri City Water and Sanitary 92270	141,869	FY 2016	7/1/2015
Govt. Camp 38350	57,991	FY 2016	8/10/2015
Winston 97792	282,728	FY 2016	8/27/2015
Roseburg USA 78860	75,371	FY 2016	9/1/2015
Waldport 94341	79,837	FY 2016	9/2/2015
Athena 11850	32,204	FY 2016	10/14/2015
Monument 66390	99,951	FY 2016	11/17/2015
Sisters 85050	15,989	FY 2016	1/12/2016
Reedsport 8710	100,000	FY 2016	2/1/2016
Govt. Camp 38350	69,736	FY 2016	2/10/2016
Farmer's Irr. Dist. 32244	1,500	FY 2016	5/20/2016
Hood River 45760	1,888,464	FY 2016	6/1/2016
Total			2,845,640

Appendix 7: Public Comments

One commenter, David Carcia, U.S. Environmental Protection Agency, Region 10 (Seattle, WA), submitted comments during the public notice period for the Proposed Intended Use Plan, Update #1 – State Fiscal Year 2017. The comments and the agency’s responses are listed below.

Comment #	EPA Comment	DEQ Response
1	<p>Appendix 6 lists 4% allowance as \$17,896,631, which is very close to 4% of the NIMS cumulative grant amount for SFY2016. However, on page 5 it's listed as \$18,495,591, which is derived from a total grants amount that is significantly more than the amount listed in NIMS. Please review and revise the administrative allowance, as needed.</p>	<p>DEQ reviewed the comment. DEQ updates the administrative allowance in Appendix 6 at the end of each state fiscal year. The four percent allowance on page 5 reflects the allowance as of September 30, 2016. DEQ added this date to the table on page 5 to indicate when the allowance was calculated.</p>
2	<p>EPA WRRDA guidance states, in part, "The FWPCA section 603(d)(1)(E) requires a recipient of a loan for a project that involves the repair, replacement, or expansion of a publicly owned treatment works to develop and implement a fiscal sustainability plan (FSP) or certify that it has developed and implemented such a plan." Since FSP is required (by loan closing) for all projects that propose work on existing POTW, EPA recommends that you include a brief description of this requirement in the IUP as outreach to your stakeholders, unless FSP has already become a routine part of the program that is understood by most borrowers.</p>	<p>DEQ includes the fiscal sustainability plan requirement in the application checklist. It is already a routine part of the program and is understood by most borrowers.</p>
3	<p>Under the FWPCA section 602(b)(13), Clean Water State Revolving Fund (CWSRF) programs must require all assistance recipients meeting the definition of municipality or intermunicipal, interstate, or State agency to certify that they have conducted the studies and evaluations described in 602(b)(13)(A) and (B), referred to collectively as a cost and effectiveness (C&E) analysis. Since this C&E requirement likely applies to many DEQ SRF borrowers and the certification is due before design and construction can occur, EPA recommends that you include a brief description of this requirement in the IUP as outreach to your stakeholders, unless C&E has already become a routine part of the program that is understood by most borrowers.</p>	<p>This information is available DEQ’s website. The Cost and Effectiveness requirement is already a routine part of the program and is understood by most borrowers.</p>

Comment #	EPA Comment	DEQ Response
4	Green Project Reserve section, page 13: This section notes that FFY15/SFY16 GPR was to be funded by Clean Water Services, but the GPR loan chart shows FFY15 GPR funded by Coos Bay, instead. Please review and revise, if needed.	DEQ reviewed this comment. DEQ revised this to show a Green Project Reserve allocation for Coos Bay instead of Clean Water Services. Clean Water Services was not ready to proceed at the time the Green Project Reserve needed to be allocated.
5	Green Project Reserve section, page 13: The IUP lists minimum GPR required as \$1,509,400. Since the total FFY16 CWSRF grant amount awarded was \$14,974,000, the minimum GPR required for FFY16 is ten percent of that amount or \$1,494,000. No action is needed as DEQ can award over the minimum required.	DEQ reviewed this comment and made the revision this to reflect \$1,497,400, ten percent of the capitalization grant amount, as the Green Project Reserve requirement.
6	EPA recommends that DEQ update Appendix 4 such that it has one column for actuals through SFY2016 and split estimated amount in two columns for SFY2017 and SFY2018, respectively.	DEQ will incorporate this change in the 2018 Intended Use Plan.
7	Environmental Review, page 17: This section does not mention that all SRF-funded projects deemed to be treatment works by DEQ must undergo environmental review. Please revise this section to clarify that environmental review is required for all treatment works projects in addition to the "federal loans" equivalent to the capitalization grant amount, which also have to complete the cross-cutters.	DEQ agrees and revised this section.
8	Estimated Funds, page 11 and Appendix 4: EPA recommends that DEQ indicate how much of the projected \$182,251,423 repayments listed in the IUP are expected per year (SFY2017 and SFY2018). This could easily be represented by putting cumulative actuals into one column and then use the other two column in Appendix 4 for estimated SFY2017 and estimated SFY2018, respectively.	DEQ agrees to incorporate this change in the 2018 Intended Use Plan.
9	Use of Funds, page 12: The following statement is in the IUP "...financial advisors have recommended a one day bond sale for this state fiscal year's matching funds as the loan fund has sufficient cash due to a significant amount of early repayments." Why is there a need to sell even a one day bond if there was sufficient cash from the repayments? Since DEQ sold a one day bond, it implies that there was not quite enough match. Please briefly clarify these points in the final IUP.	DEQ reviewed this comment and revised this section.

Comment #	EPA Comment	DEQ Response
10	Public Notice of an Environmental Determination, page 17: Meeting the definition of treatment works now is the criteria for requiring environmental review, as opposed to the previous language that called them "Section 212 projects." Please revise the first sentence to indicate that all projects deemed treatment works by DEQ are required to undergo environmental review. You can then delete the last sentence.	DEQ agrees and revised this section.
11	Administrative Expenses, page 5: The IUP lists administrative fund balance of approximately 3.5 million available for administrative expenses as of June 30, 2016. Since this IUP update is being published in March 2017, please update the fund balance estimate to the last completed quarter ending December 31, 2016.	DEQ reviewed this comment. DEQ updates the fund balance in Appendix 5 each time the Intended Use Plan is updated. DEQ updates the administrative fund balance on page 5 at the end of the state fiscal year.