



NEVADA DIVISION OF

**ENVIRONMENTAL  
PROTECTION**



# **Clean Water State Revolving Fund Intended Use Plan State Fiscal Year 2026**

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

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## **List of Acronyms**

ACFR	Annual Comprehensive Financial Report
ARRA	American Recovery and Reinvestment Act of 2009
CWA	Clean Water Act of 1987, as amended
CWSRF	Clean Water State Revolving Fund
DWSRF	Drinking Water State Revolving Fund
EC	Emerging Contaminants
EPA	Environmental Protection Agency
ER	Environmental Review
FSP	Fiscal Sustainability Plan
FFY	Federal Fiscal Year
IIJA	Infrastructure Investments and Jobs Act
IUP	Intended Use Plan
MHI	Median Household Income
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NIFS	Nevada Infrastructure Financial System
NRS	Nevada Revised Statutes
OFA	Office of Financial Assistance
PER	Preliminary Engineering Report
PFAS	Per- and Polyfluoroalkyl Substances
SFY	State Fiscal Year
TMDL	Total Maximum Daily Loads
WQF	Water Quality Factor

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# 1) Executive Summary

The Clean Water Intended Use Plan (IUP) communicates to municipalities, the public, the U.S. Environmental Protection Agency (EPA), and other State departments on how money in the Clean Water State Revolving Fund (CWSRF) will be managed. The IUP further provides specific details on aspects of the program, including Nevada’s short- and long-term goals, the priority setting process used to rank projects, a list of projects eligible to receive funding from CWSRF, and programmatic requirements to receive funding.

Nevada agrees to comply with all CWSRF regulations, the EPA general grant regulations, all applicable federal cross-cutting authorities, and the specific conditions of each grant.

Nevada has qualified projects ready to apply for these federal EPA grants. The amounts available to Nevada are as follows:

### Federal Grant Awards available to Nevada

	<b>Available</b>	<b>Current Plan</b>	<b>Future Plan</b>
2026 Base Appropriation	\$3,542,000	\$3,542,000	\$0
<b>Subtotal Base Funding</b>	<b>\$3,542,000</b>	<b>\$3,542,000</b>	<b>\$0</b>
2026 IJJA Supplemental	\$12,216,000	\$12,216,000	\$0
2024 IJJA Emerging Contaminants (EC) Reallotment	\$27,000.00	\$27,000.00	\$0
2026 IJJA Emerging Contaminants (EC)	\$1,054,000	\$1,054,000	\$0
<b>Subtotal IJJA Funding</b>	<b>\$13,297,000</b>	<b>\$13,297,000</b>	<b>\$0</b>
<b>Total Federal Funding</b>	<b>\$16,839,000</b>	<b>\$16,839,000</b>	<b>\$0</b>

The first requirement for a system to obtain CWSRF funding is to be added to the Nevada Clean Water Project Priority List. **Attachment A** outlines the CWSRF Project Priority List ranking criteria. See **Attachment D** for the current Priority List effective May 2026. A project pre-application can be submitted at any time through the Nevada Infrastructure Financial System (NIFS)<sup>1</sup>.

Nevada will spend the required grant amounts according to the grant terms and conditions outlined in **Attachment E**. Nevada’s projects expected to receive funding are outlined in **Attachment C**. Eligibility and amounts for principal forgiveness loans that satisfy the subsidy requirement in the grants are outlined in **Attachment B**.

<sup>1</sup> <https://ndepifs.ndep.nv.gov>

## 2) Introduction - Available Federal Funds

The 1987 amendments to the Federal Clean Water Act (CWA) authorized the creation of the 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. NDEP is the agency designated to apply for the capitalization grant for the CWSRF Program and related State funds<sup>2</sup>.

Additionally, Congress passed the Infrastructure Investments and Jobs Act (IIJA) that is expected to provide Nevada with additional resources (in the form of Supplemental and Emerging Contaminant [EC] funds) through State Fiscal Year 2027 (June 30, 2027).

Nevada has projects on its fundable list that support applications to EPA for federal funding. Nevada intends to request the following from federal sources:

**The Intended Use Plan must describe:**

- Goals of the program
- Fundable list of projects
- Information on activities to be supported
- Assurances and specific proposals for meeting the requirements of 33 U.S.C. §1382
- Criteria and methods for fund distribution

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<sup>2</sup> Nevada Revised Statutes (NRS) 445A.060 to 445A.160  
Nevada Administrative Code (NAC) 445A.685 to 445A.805

**Federal Grant Requirements in Dollars**

	Base	IIJA Supplemental	2024 IIJA EC Reallotment	2026 IIJA EC	Total
<b>Total Amount Provided as Subsidy</b>	<b>\$708,400</b>	<b>\$5,985,840</b>	<b>\$27,000</b>	<b>\$1,054,000</b>	<b>\$7,775,240</b>
Mandate to affordability criteria communities	\$354,200	\$5,985,840	\$0	\$0	<b>\$6,340,040</b>
Mandate to qualified entities	\$354,200	\$0	\$27,000	\$1,054,000	<b>\$1,435,200</b>
<b>Total Amount for Set-Asides</b>	<b>\$212,520</b>	<b>\$732,960</b>	<b>\$0</b>	<b>\$0</b>	<b>\$945,480</b>
2% Small systems technical assistance	\$70,840	\$244,320	\$0	\$0	\$315,160
4% Administration	\$141,680	\$488,640	\$0	\$0	\$630,320
<b>Amount Provided as Loans</b>	<b>\$2,621,080</b>	<b>\$5,497,200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$8,118,280</b>
<b>Total Amount of Grant</b>	<b>\$3,542,000</b>	<b>\$12,216,000</b>	<b>\$27,000</b>	<b>\$1,054,000</b>	<b>\$16,839,000</b>
<b>Federal match requirement</b>	<b>\$708,400</b>	<b>\$2,443,200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,151,600</b>

**Federal Grant Requirements in Percent**

	Base	IIJA Supplemental	2024 IIJA EC Reallotment	2026 IIJA EC	Total
<b>Total Amount Provided as Subsidy</b>	<b>20.0%</b>	<b>49.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>46.1%</b>
Mandate to affordability criteria communities	10.0%	49.0%	0.0%	0.0%	37.7%
Mandate to qualified entities	10.0%	0.0%	100.0%	100.0%	8.4%
<b>Total Amount for Set-Asides</b>	<b>6.0%</b>	<b>6.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>5.6%</b>
2% Small systems technical assistance	2.0%	2.0%	0.0%	0.0%	1.9%
4% Administration	4.0%	4.0%	0.0%	0.0%	3.7%
<b>Amount Provided as Loans</b>	<b>15.6%</b>	<b>45.0%</b>	<b>0</b>	<b>0</b>	<b>48.3%</b>
<b>Federal Match requirement</b>	<b>20.0%</b>	<b>20.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>18.7%</b>

### 3) CWSRF Goals

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

- Provide financial assistance to recipients on Nevada's Fundable List (**Attachment C**).
- Ensure compliance with all pertinent federal, state, and local laws and regulations.
- Coordinate and partner with other federal and state funding authorities.
- Provide technical assistance to small wastewater systems.
- Help systems address emerging contaminants.
- Ensure the program's operating budget adequately supports resources and administrative activities.

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

- Assist Nevada's communities in complying with the federal Clean Water Act and State law through below-market-rate financing for projects.
- Obtain optimum use of the CWSRF fund through cash flow modeling.
- Issue debt obligations as needed to either match federal grants or provide additional resources for projects while maintaining the program's AAA rating from Standard and Poor's.
- Build long-term stability within small wastewater systems.
- Address emerging contaminants, especially perfluoroalkyl and polyfluoroalkyl substances (hereinafter PFAS), in communities through direct funding of projects.

## 4) Project Eligibility, Criteria, and Selection

<b>Treatment</b>	<ul style="list-style-type: none"> <li>• Primary, Secondary, Advanced</li> <li>• Centralized and De-centralized</li> </ul>
<b>Stormwater</b>	<ul style="list-style-type: none"> <li>• Gray and green infrastructure</li> </ul>
<b>Agriculture Best Management Practice</b>	<ul style="list-style-type: none"> <li>• Updated irrigation equipment</li> <li>• Sediment control and chemical management</li> <li>• Manure management</li> </ul>
<b>Contaminated Sites</b>	<ul style="list-style-type: none"> <li>• Brownfields, Superfund, Underground Storage Tanks</li> <li>• Capping of wells</li> </ul>
<b>Landfills</b>	<ul style="list-style-type: none"> <li>• Landfill closure, leachate collection, gas condensation, liner systems</li> </ul>
<b>Silviculture</b>	<ul style="list-style-type: none"> <li>• Removal of vegetation, timber thinning, and timber planting</li> </ul>
<b>Groundwater Protection</b>	<ul style="list-style-type: none"> <li>• Aquifer recharge, septic conversions, leachate control</li> </ul>
<b>Surface Water Protection</b>	<ul style="list-style-type: none"> <li>• Purchase land and water rights</li> </ul>
<b>Planning</b>	<ul style="list-style-type: none"> <li>• Preliminary Engineering Reports, Environmental Reviews, Fiscal Sustainability Plans, Watershed Management Plans</li> </ul>
<b>Security</b>	<ul style="list-style-type: none"> <li>• Physical security and cyber security</li> </ul>
<b>Refinancing</b>	<ul style="list-style-type: none"> <li>• For qualified debt obligations for projects if the debt was incurred, and construction initiated after March 7, 1985</li> <li>• Project satisfied CWSRF requirements at the time of the project</li> </ul>

### Special IIJA Funding Emerging Contaminants

The primary purpose must be to address emerging contaminants in clean water.

Nevada intends to focus on addressing PFAS but has the flexibility to fund projects for any contaminant on any of EPA's Contaminant Candidate Lists, and other contaminants identified by EPA. Some of the eligible project types from the Contaminant Candidate List include but are not limited to: Cyanobacteria (blue-green algae); Pesticides; Pharmaceuticals; Biological toxins; Disinfection byproducts; Legionella; Micro-plastics.

Eligible costs include but are not limited to: New treatment; Upgrade or rehabilitate treatment; Consolidation with another system; Planning and design; Pilot testing; non-routine sampling; Septic conversions.

## Partnership in Funding

In an effort to ensure as many projects are completed as possible, and all available federal funds are utilized in Nevada, OFA partners with various agencies to bridge funding gaps and make projects more affordable. Federal partner funders have included the United State Department of Agriculture, Housing and Urban Development, and Indian Health Services.

## Priority List

For a municipality<sup>3</sup> to obtain funding for a publicly owned treatment works project it must be added to the Nevada Project Priority List. **Attachment A** outlines the CWSRF project priority list ranking criteria. See **Attachment D** for the current Priority List. A project pre-application can be submitted at any time through NIFS<sup>4</sup>.

Being added to the priority list does not obligate a system to take out a loan from the CWSRF. However, CWSRF is not able to provide funding for any treatment works project not listed on the finalized priority list.

Nevada will open the priority list at least annually; to allow those listed to renew their pre-applications and add any new projects. Additional openings of the priority list are subject to project need and staff resources.

The priority list is required to be ranked to ensure funding goes to the highest priority project first. However, Nevada can bypass projects on the list that are deemed not ready-to-proceed.<sup>5</sup>

## Ready-to-Proceed

Nevada defines “ready-to-proceed” for the purposes of NAC 445A.765 through NAC 445A.768 to mean the following:

### For planning and design projects

These projects are typically for a short period, no more than five years, and are designed to study technically feasible alternatives for addressing a need of the community. Such projects may include, but are not limited to, the environmental impacts of the chosen project, testing and sampling, exploratory work, permitting, land acquisition, easements, and design to get the project ready for construction.

1. A project has been identified by the governing board (this is not a master plan but a problem that has been identified that can be solved by a construction project); and
2. A cost estimate has been prepared by a Nevada-licensed professional engineer that is not less than six months old for the planning and design of the project; and
3. A timeline for completion is available; and
4. The system and their contracted professionals are registered and active in [www.sam.gov](http://www.sam.gov) as an approved vendor of the federal government; and

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<sup>3</sup> **NRS 445A.375** Municipality means: 1. Any city, town, county, district, association or other public body created by or pursuant to the laws of this State and having jurisdiction over disposal of sewage, industrial wastes or other wastes; or 2. An Indian tribe or an authorized Indian tribal organization.

<sup>4</sup> <https://ndepifs.ndep.nv.gov>

<sup>5</sup> NAC 445A.765 through NAC 445A.768

5. The vendors or service providers for the entity are licensed to do business in the state of Nevada; and
6. The system charges a sufficient user rate to cover operations, maintenance, debt service requirements, reserve requirements, and/or asset replacement, as required by NAC 445A.788 through NAC 445A.791; and
7. All required documents necessary to evaluate the loan application have been submitted timely to NDEP by the applicant; and
8. The system has complied with previous contract or regulatory requirements of the CWSRF program.

**For projects that include the construction of physical assets**

These projects are to construct or replace assets that are intended to last longer than one year and will be maintained by the system over their useful life. The project may include, but is not limited to, engineering supervision and inspection, land acquisition, permitting, easements, materials, utility upgrades, and bonding costs.

1. A project has been defined by the governing board, the board has indicated they intend to seek a loan from the State Revolving Fund for the defined project, and they have designated the individual(s) who are authorized to sign the contract; and
2. A cost estimate has been prepared by a Nevada-licensed professional engineer that is not less than six months old for the construction of the project; and
3. The system and their contractors are registered and active in [sam.gov](http://sam.gov) as an approved vendor of the federal government; and
4. The vendors or service providers for the entity are licensed to do business in the state of Nevada; and
5. A planned draw schedule is available; and
6. A timeline for completion is available; and
7. The system has complied with previous loan requirements from the CWSRF program, or another funding agency; and
8. The system has intent to comply with the requirements for projects as outlined in NAC 445A.777 through NAC 445A.805.
9. All required documents necessary to evaluate the loan application for a construction project have been submitted timely to NDEP by the applicant, including but not limited to:
  - a. The responsible regulatory authority has given approval for construction, treatment technique, or other required permitted action of the project; and
  - b. The necessary environmental documentation required by NAC 445A.742 through NAC 445A.762 has been prepared by the entity in order for the Division to make necessary determinations on the environmental impact of the project; and
  - c. For equivalency projects, the necessary cultural resource investigations and documentation have been prepared by the entity for the Division to coordinate with the State Historical Preservation Office on behalf of the equivalency project.
  - d. Necessary compiled or audited financial statements showing the utility's financial activity separate from other activities of the system.
  - e. The system has obtained the necessary easements, discharge permits, or access to bid the construction process that are necessary for the project. The system has provided assurances that any additional easements, discharge

permits, or access for the full construction of the project will be secured to complete the project as designed.

## NDEP application process

The NIFS program is a web-based program allowing entities and staff to collaborate on a project; store shared documents more efficiently; and provide a simpler application, draw, and project management process. Access to the system is restricted to users who have a need for the information. OFA staff make sure that those gaining access to the system have permission from the authorized representatives of the systems.

## Public Participation

### Priority List Process

The Clean Water Priority List was opened in August 2025 for new applications. A publicly noticed workshop was held on November 5, 2025, at 1:00 pm. The Clean Water Priority List—Effective November 2025 went into effect at the close of the workshop.

The priority list was re-opened February 2026, for new and renewal applications. The list closed in March, with a public workshop held May 5, 2026, at 2:00 pm. The Clean Water Priority List – Effective May 2026 went into effect at the close of the workshop.

### CWSRF IUP

NDEP will post the draft Intended Use Plan for public comment for 30-days prior to finalization. The Intended Use Plan will be in alignment with Nevada public notice policies. The document will be posted on our website as a public notice document and sent out to our listserv members.

Comments received: None

## 5) Set-Aside Activities

The CWA allows each state to set aside up to two percent of its federal capitalization grants as allowed in 33 U.S. Code §1383(k).

### Small System Technical Assistance Set-Aside (2% of grant)

	Requested Amount	Maximum Amount (2%)
2026 Base Appropriation	\$70,840	\$70,840
<b>Subtotal Base Funding</b>	<b>\$70,840</b>	<b>\$70,840</b>
2026 IIJA Supplemental	\$244,320	\$244,320
2024 IIJA Emerging Contaminants Reallotment	\$0	\$540
2026 IIJA Emerging Contaminants	\$0	\$21,080
<b>Subtotal IIJA Funding</b>	<b>\$244,320</b>	<b>\$265,940</b>

The CWA allows each state to set aside up to four percent of its federal capitalization grants as allowed in 33 U.S. Code §1383(d)(7).

**Administration Set-Aside (4% of grant)**

	<b>Requested Amount</b>	<b>Maximum Amount (4%)</b>
2026 Base Appropriation	\$141,680	\$141,680
<b>Subtotal Base Funding</b>	<b>\$141,680</b>	<b>\$141,680</b>
2026 IJJA Supplemental	\$488,640	\$488,640
2024 IJJA Emerging Contaminants Reallotment	\$0	\$1,080
2026 IJJA Emerging Contaminants	\$0	\$42,160
<b>Subtotal IJJA Funding</b>	<b>\$488,640</b>	<b>\$531,880</b>

## 6) Program Financial Management

### Grant match requirements

The CWA requires states to provide a 20% match to the base program capitalization grant. The IJJA requires states to provide a 10% match to the supplemental grant for the first two years, and then 20% match thereafter. Nevada issues general obligation bonds – additionally secured by pledged revenues – to meet this match requirement.

Nevada spends all the required match dollars for a particular grant first before federal grants are drawn on that grant.

**DWSRF Current Match Coverage**

	<b>Base Program</b>	<b>IJJA Supplemental</b>	<b>Total</b>
Total Grants Received	\$258,888,400	\$42,229,000	<b>\$301,117,400</b>
Less ARRA Grant	(\$19,239,100)	\$0	<b>(\$19,239,100)</b>
Total Requiring Match	\$239,649,300	\$42,229,000	<b>\$281,878,300</b>
		Total Match Spent	<b>\$58,126,235</b>
		Total Match Needed	<b>\$54,478,560</b>
		Overmatch/(Undermatch)	<b>\$3,647,675</b>
		2026 Grant Match Requirement	<b>\$3,151,600</b>
		Overmatch/(Undermatch) for Federal Fiscal Year (FFY) 2026	<b>\$496,075</b>

### Program leveraging

States may issue additional bonds through the CWSRF program using the federal capitalization grant as security to provide higher funding levels in the current year. The CWSRF has issued \$135,014,956.70 in leverage funds to further support project needs.

### Loan Origination Fees

NDEP charges a loan origination fee. This fee is used to offset the administration costs of the program.

- For borrowers issuing a bond and receiving a long-term loan:
  - The loan origination fee is 0.50% of the loan amount and is collected within 30 days of loan closing.
  - For borrowers that meet the CWSRF affordability criteria, no origination fee is collected.

Cumulative Receipts	Interest on fees	Cumulative Uses	FY2026 Ending Balance
\$2,363,856.76	\$193,401.97	\$1,3969,814.93	\$967,041.80

## Use of all funds available

Nevada utilizes a cash flow analysis to determine how much money in the program is available for loans over a five-year period. This model takes into account all the funds of the program, including federal grants, state issued bonds, treasurer's interest, and loan repayments. A target minimum balance of \$20 million, plus debt service reserves, is maintained in the fund. As projects are ready-to-proceed, NDEP considers the draw timeline of the project to determine if funding is available and whether additional leverage resources are needed.

Due to the uncertainty surrounding the future federal funding and authorization for the CWSRF, the cash flow model may need to pause projects and/or leverage the program in order to meet demand should federal funding not be appropriated and/or be rescinded. The model as of July 1, 2025, for the next four years was as follows:

Values include federal grants received through FY25 with projected FY26 Allotment	Jul 01,2025	Jul 01,2026	Jul 01,2027	Jul 01,2028	Net Change
	Year 1	Year 2	Year 3	Year 4	
Cash balance forward	\$78,096,615	\$95,547,393	\$79,706,859	\$56,025,650	
Receipts from grants awarded	18,689,080	15,127,680	0	0	33,816,760
Transfer from the DWSRF program <sup>2</sup>	0	60,000,000	0	0	60,000,000
Receipts from bonds issued	0	0	0	6,000,000	6,000,000
Receipts from treasurer's interest <sup>3</sup>	4,115,918	2,599,175	2,393,758	1,800,765	10,909,616
Receipts from loan principal	21,930,526	21,602,879	21,303,730	21,922,916	86,760,051
Receipts from loan interest	6,064,393	5,967,574	5,430,311	5,054,097	22,516,375
Payments for debt service on bonds	(6,383,200)	(6,253,950)	(6,078,325)	(4,538,325)	(23,253,800)
Payments for loan recipients <sup>3</sup>	(26,911,464)	(116,599,517)	(50,242,433)	(38,984,892)	(232,738,306)
Change in debt service reserves	(54,475)	1,715,625	3,511,750	2,073,125	7,246,025
<b>Cash balance forward</b>	<b>\$95,547,393</b>	<b>\$79,706,859</b>	<b>\$56,025,650</b>	<b>\$49,353,336</b>	<b>280,633,238</b>
				Beginning Cash	\$56,025,650
				Ending Cash	<b>\$56,025,650</b>

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)
  - a. 100% of the match bonds are disbursed prior to the grant requiring the match
2. Capitalization grant funds
3. IJJA grant funds
4. Re-loan principal
5. Re-loan interest
6. Treasurer's interest

Loans provided to tribal governments will be funded using capitalization grant funds, IJJA supplemental funds, or re-loan funds only.

## Program Transfers

The Programs may transfer an amount equal to 33% of a fiscal year's Drinking Water State Revolving Fund (DWSRF) program grant to the CWSRF program or an equivalent amount from the CWSRF program to the DWSRF program<sup>6</sup>. Transferring funds between programs reduces bonding costs for unnecessary leverage bonds and utilizes idle cash to current projects. The long-term impact of transfers is expected to be minimal.

**Transfers (based on CWSRF Grants)**

	Base Appropriations	IIJA Supplemental	IIJA EC	IIJA Lead Service Lines	Total
Cumulative DWSRF grants through FFY 2025	\$29,419,500	\$92,332,000	\$32,817,000	\$28,650,000	<b>\$451,218,500</b>
DWSRF Grants State Fiscal Year (SFY) 2026	\$3,984,000	\$25,804,000	\$7,970,000	\$0	<b>\$37,758,000</b>
33% allowed for transfer	\$99,463,155	\$38,984,880	\$13,459,710	\$0	<b>\$151,907,745</b>
<b>Transferred prior to SFY 2025</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,890,140</b>	<b>\$0</b>	<b>\$2,890,140</b>
Transfers pending in SFY 2026	\$0	\$0	\$0	\$0	<b>\$0</b>
Requested in SFY 2026	\$0	\$0	\$0	\$0	<b>\$0</b>
Remaining authority to transfer	\$99,463,155	\$38,894,880	\$10,569,570	\$0	<b>\$149,017,605</b>
<b>Total transfers at the end of SFY 2026</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,890,140</b>	<b>\$0</b>	<b>\$2,890,140</b>

Nevada reserves the right to request a transfer up to the amount allowed under each grant within the year. If a transfer is requested, Nevada will outline in a supplemental document to this IUP the uses of the funds.

**Sources and Uses of all DWSRF funds since inception**

The following table summarizes the CWSRF program funds since inception.

<sup>6</sup> 40 C.F.R. Sec. 35.3530(C)

**Estimated SFY2026 and Cumulative Sources and Uses**

	Cumulative through SFY 2025	SFY 2026	Cumulative Total
<b>SOURCES</b>			
Federal Grants (Base Program)	239,649,300	3,542,000	243,191,300
Federal Grants (IIJA Funding)	43,272,000	13,297,000	56,569,000
Federal Grants (ARRA)	19,239,100	0	19,239,100
State Match Bonds	58,126,235	0	56,126,235
State Leverage Bonds	135,014,957	0	135,014,957
Principal Repayments	398,539,803	21,954,838	420,494,641
Interest Repayments	146,065,406	6,072,879	152,138,285
Service Fees for Administration	2,6302,856	90,933	2,393,789
Investment Earnings	32,966,554	4,580,920	37,547,474
Funds Transferred to (from) CWSRF	2,890,140	0	\$2,890,140
<b>Total Sources</b>	<b>1,078,066,351</b>	<b>49,538,570</b>	<b>1,127,604,921</b>
<b>USES</b>			
Final Loan Agreements (Base & IIJA Program)	683,643,862	88,150,000	771,793,862
Final Loan Agreements (ARRA)	19,222,555	0	19,222,555
Match Bond Debt Service	60,623,970	2,638,725	63,262,695
Leverage Bond Debt Service	164,217,081	3,798,950	168,016,031
Administrative Expenses (Service Fees)	1,369,078	33,019	1,402,097
Set-Asides (Base Funding)	6,472,428	212,520	6,684,948
Set-Asides (IIJA Funding)	2,533,740	732,960	3,266,700
Set-Asides (ARRA Funding)	16,545	0	16,545
Debt Service Reserves	12,332,275	0	12,332,275
Available for Loan Commitments			81,607,213
<b>Total Uses</b>	<b>950,431,534</b>	<b>95,566,174</b>	<b>1,127,604,921</b>

## **Attachment A: CWSRF Project Priority List Ranking Criteria**

Nevada uses a ranking system to prioritize the order in which eligible projects will be financed<sup>7</sup>. On an annual basis – following a statewide solicitation for projects – NDEP develops a statewide priority list of projects, which is 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 regulations<sup>8</sup>.

NDEP may revise the ranking of a project on an existing list at any time if information affecting the ranking of the project becomes available. NDEP may, without holding a public participation workshop, revise a priority list to correct minor typographical or technical errors.

If two or more projects within the same class have the same final rank number, the project with the highest population in its service area will be ranked higher within the class.

Projects meeting affordability criteria as outlined in **Attachment B** shall receive an additional 25 points within a class of projects to determine the final rank number for the project within each 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 NDEP. The projects that are bypassed will be provided notice by NDEP and have an opportunity for objection<sup>9</sup>.

Projects shall be ranked within the priority classes based on the total number of ranking points each project receives.

Requests for financial assistance for emergency situations may be made to NDEP 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 given an opportunity for any comments or objections.

Projects are ranked into the following three classes (listed in order of priority):

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

- (10 points) Treatment works or pollution control projects necessary to eliminate documented public health hazards in unsewered communities. These are evidenced by:
  - A finding of violation issued in writing by the public health authority for the area; and
  - An official action to:
    - Halt or restrict construction of individual sewerage disposal systems;
    - Eliminate or restrict discharge from a non-point source; or
    - Treatment works necessary to eliminate documented public health hazards in sewerage communities (where existing facilities have exceeded

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<sup>7</sup> NAC 445A.767

<sup>8</sup> NAC 445A.768

<sup>9</sup> NAC 445A.7675

their useful life and have deteriorated enough to create a public health hazard)

- (8 points) Treatment works or pollution control projects necessary to correct existing violations of surface water quality standards. Violations must be documented by in-stream water quality data. The municipal discharger or person(s) responsible for the non-point source discharge must have been notified of the violation by NDEP.
- (6 points) Treatment works necessary to correct violations of discharge permit limitations. The violation must be documented by discharge monitoring reports or NDEP compliance monitoring. A notice of violation and an administrative order must have been issued by NDEP.
- (4 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.

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

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

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

- (10 points) Projects providing wastewater treatment and collection systems in existing unsewered communities with no public health hazards or water standards violations; or projects providing wastewater collection systems to unsewered portions of sewered communities.
- (5 points) All other treatment works or pollution control projects.

### **Water quality factor (WQF): applies only to Class A and B projects**

Assessments of surface waters in Nevada are 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 waters where technology-based effluent limitations are not stringent enough to protect water quality standards. The 303(d) List of Waters, now published with the 305(b) report, identifies all assessed waters with one or more pollutants as “impaired” and therefore not “meeting the water quality standard.” NDEP is required to develop Total Maximum Daily Loads (TMDLs) for those water bodies that do not meet water quality standards. NDEP then establishes the allowable loadings of pollutants or other quantifiable parameters for a waterbody, based on the relationship between point and non-point pollution sources and in-stream water quality conditions. TMDLs are prioritized by designated use classifications and the severity of pollution.

The numerical value of WQF is based on where a treatment plant discharges or what is affected by the discharge from a non-point source.

- (5 points) Not supporting: at least one of the water quality standards for beneficial use was not met.
- (1 point) Fully supporting: however, a project is needed to maintain water quality standards.

### **Project readiness: applies to all priority classes**

The highest point value is assigned to projects that are ready to bid a project. Projects with approved facility plans and that are ready to go to bid will receive a median point value. Projects with only an approved facility plan receive the lowest point value available.

- (10 points) Plans and specifications approved by NDEP: includes everything needed to bid the project
- (7 points) Facility plan approved by NDEP: final plans and specifications to be completed within six months
- (5 points) Facility plan approved by NDEP

### **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 still delivering the service levels customer’s 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 efficiently meet this challenge.

Systems will receive additional points for each of the following criteria that apply:

- (1 point) The system has mapped its treatment and collection system and analyzed conditions, including:
  - Likelihood of failure
  - Expected dates of renewals and ultimate replacements
  - Sources and amounts of revenues needed to finance operation, maintenance, and capital needs
- (1 point) The system has developed appropriate rate structures to build, operate, and maintain the system
- (1 point) The system has specifically allocated funds for the rehabilitation and replacement of aging and deteriorating infrastructure

### **Green projects: applies to all priority classes**

Green projects (if eligible by federal requirements) are projects that include a component(s) that install improve green infrastructure as defined by EPA.

## **Attachment B: CWSRF Principal Forgiveness Loans**

Principal forgiveness loans are available to the extent there are federal grants awarded and available to Nevada that require compliance with 33 U.S.C §1383(i). If grants are not awarded or are rescinded, or federal laws change, Nevada is under no obligation to provide principal forgiveness funding to any recipient.

Nevada seeks to support as many communities as possible with the limited resources available. Therefore, the amount a single project may receive as principal forgiveness funding is limited.

Funds are committed on a first-come, first-served basis, depending on project priority list rank and readiness-to-proceed for the phase of the project within a grant cycle. Projects already partially funded will be prioritized over other projects when determining if available funds exist.

### **System or project qualifications and total estimated grant amounts available**

	<b>Base Appropriation</b>	<b>IIJA Supplemental</b>	<b>2024 IIJA EC Reallotment</b>	<b>2026 IIJA EC</b>	<b>Total</b>
<b>Total Amount Provided as Subsidy</b>	<b>\$708,400</b>	<b>\$5,985,840</b>	<b>\$27,000</b>	<b>\$1,054,000</b>	<b>\$7,775,240</b>
Mandate to affordability criteria communities	\$354,200	\$5,985,840	\$0	\$0	<b>\$6,340,040</b>
Mandate to qualified entities	\$354,200	\$0	\$27,000	\$1,054,000	<b>\$1,435,200</b>

#### **Base Appropriation Mandate**

##### **To communities meeting 33 U.S.C §1383(i)(2).**

- Systems or projects must satisfy this requirement to obtain funding.

##### **To qualified entities.**

- Traditional Loan Incentives
- Traditional loan recipients may receive up to 1.5% of the loan as principal forgiveness. Funds will be available to the first qualified borrower(s) to submit a loan application and sign a contract. The program is available until funds are committed. Funds are available on a first come, first qualified basis. There are no limits to the number of borrowers or size of repayable loan that qualifies. No exceptions apply to this funding.
- Short-term planning and design loans.

## System or project funding limitations from the base grants

### Construction Projects

Limit \$2,500,000 per project<sup>1</sup>

### Short-term design and planning loans

#### Preliminary Engineering Reports (PER) and Environmental Documents

- Limit of 80% of the document cost.
- A 20% match will be required upon each draw request.
- CWSRF cannot fund master plans or regional water plans that do not directly contribute to the construction of a capital project.

#### Project exploration

- Limit of 80% of the document costs.
- A 20% match will be required upon each draw request.

#### Design that directly contributes to a capital project

Limited to project funding eligibility

<sup>1</sup>See Requirements for additional funding beyond the limitations.

## System or project funding limitations from the emerging contaminants grants

### Construction Projects

- No limit

### Short-term design and planning loans

#### Preliminary Engineering Reports (PER) and Environmental Documents

- Limit of 80% of the document cost.
- A 20% match will be required upon each draw request.

#### Project exploration

- Limit of 80% of the document cost.
- A 20% match will be required upon each draw request.

#### Design that directly contributes to a capital project

- No limit

## Requirements for additional funding beyond the limitations NDEP has additional funds from the grants, AND

- Additional funding required to complete the project would raise the average rates by more than 25%; or
- The system is fully funding depreciation; or
- The system is funding a portion of the project with a repayable loan.

## Affordability Criteria

Federal law requires Nevada to establish affordability criteria that includes income, unemployment data, population trends, and other data determined relevant by the State<sup>10</sup>. This identifies the systems or projects that will further qualify for additional subsidy in the form of principal forgiveness loans. Funding is available for systems that meet the affordability criteria, and are implementing a project that addresses efficiency, stormwater management, or project planning.

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.”

<u>Income Data</u>	<u>Possible Points</u>
<b>Median Household Income (MHI) of project service area</b>	
MHI shall be taken to mean the American Community Survey information used for the current year project priority list that relates to the census tract of the project area; or a valid income survey performed within the last five calendar years.	
Below 80% of State MHI	50
Between 80% and 99% of State MHI	30
Between 100% and 119% of State MHI	0
Above 120% of State MHI	-20
<b>Percent of families and people whose income in the past 12 months has been below the state property level</b>	
Project service area is at or below the state percent	20
Project service area is below the state percent	0

<u>Population Trend</u>	<u>Possible Points</u>
<b>Based upon last three years of American Community Survey best available data</b>	
Decreasing and/or system serves less than 1,000 residents	5
Increasing	0

<u>Workforce Indicators</u>	<u>Possible Points</u>
<b>Percent of residential population of the service area not in the workforce</b>	
Based upon American Community Survey for MHI data	
Lower than or equal to state	0
Between 100% and 110% of state	10
Between 111% and 120% of state	15
Above 120% of state	20
<b>Unemployment Rate</b>	

<sup>10</sup> 33 U.S.C. §1383(i)

Based upon American Community Survey used for MHI data	
Lower than or equal to the state	0
Between 100% and 110% of state	5
Greater than 110% of state	10

<u>Affordability</u>	<u>Possible Points</u>
How will additional loan dollars impact water system residential rates <ul style="list-style-type: none"> <li>• Rates must already be sufficient to cover current operations, maintenance, debt service and required reserves for the system.</li> <li>• Average user rate is based on the rate a residential customer would pay for the average usage of water consumed.</li> </ul>	
The system has not specifically allocated funds for the rehabilitation and replacement of aging and deteriorating infrastructure.	-5
System has not reviewed rates in three years	-5
System is not fully funding depreciation	-5
Residential average user rates increased by more than 10% in the last 5 years, or will increase by more than 10% to fully fund this project	10
Residential average user rates increased by more than 20% in the last 5 years, or will increase by more than 20% to fully fund this project	20
Residential average user rates increased by more than 30% in the last 5 years, or will increase by more than 30% to fully fund this project	30
<b>Residential base rate to Median Household Income:</b>	
Residential base rate is above 2.0% of the communities MHI	20
Residential base rate is between 1.5% and 1.99% of the communities MHI	10
Residential base rate is below 1.5% of the communities MHI	0

<u>Other Factors</u>	<u>Possible Points</u>
Qualifies as a Class A project on the current Clean Water Priority List	10
Project is preparing a Preliminary Engineering Report (PER) with an Environmental Review (ER) to plan for a project	10
Septic-to-Sewer Conversions with required centralized system consolidation	10
Project addressing non-point source, stormwater, or green infrastructure	10
Project addressing emerging contaminants	50
System is facing a current emergency	50
Population demographics 10% of the population (see below)	10
Population demographics 15% of the population (see below)	20
Population demographics 25% of the population (see below)	30
Second homes/vacation homes are greater than 30% of the service area	-10
<b>Maximum Points are 285</b>	
<b>Points needed to qualify for Principal Forgiveness are 50</b>	

**Population Demographics**

Percent of the population experiencing one or more of the following will receive additional points

- Supplemental Nutrition Benefits
- Disabilities
- No health insurance

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## Special terms and conditions for principal forgiveness

### User Rates

Evaluate user rates approved by the governing board at least once every five years to ensure they are sufficient to cover costs of:

- Operating the current and funded system, and
- Maintaining the current and funded system, and
- Debt service of the current and funded system, and
- Reserve requirements of any funding authority, and
- Evaluate the impact on rates to fully fund depreciation.

**Technical assistance in developing sufficient rates can be provided to small systems free of charge.**

### Develop and maintain a Fiscal Sustainability Plan (FSP)

A Fiscal Sustainability plan (FSP):

- Contains an inventory of all assets that are part of the system, and
- Identifies critical assets of the system, and
- Contains an evaluation of the condition and performance of inventoried assets, and
- Lists 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 implements for conservation efforts.

Loan applicants must certify as part of the funding agreement that the recipient has, or will develop, a plan prior to the final draw on the loan. Existing applicant plans must have been reviewed and/or updated by the governing board no longer than five years prior to the date of the loan application. The development of an asset management plan will also satisfy this requirement.

**Technical assistance in developing an FSP can be provided to small systems free of charge.**

### Develop and maintain a Capital Replacement Reserve Account

Systems will need to establish and fund a short-lived capital replacement reserve account for the life of the project.

- Must be funded at least yearly based upon the system's short-lived assets
  - (15 years or less), amortized on a straight-line basis.
- Utilities may only use these reserve funds for capital improvements.
- Utilities cannot use these reserve funds for inventory, maintenance, or operation expenses.
- Utilities must clearly identify their annual contribution to this fund and the fund balance — in their financial statements
- NDEP may consider other cash the system has available for capital improvements to meet this requirement.
- NDEP may consider this requirement satisfied if the system is fully funding depreciation.

**Technical assistance in developing a reserve account can be provided to applicants free of charge.**

**PER and ER documents**

- Systems will be required to commit to a timeline in the funding agreement.
- The preliminary engineering report must be formatted in accordance with Rural Utilities Services Bulletin 1780-2 to prepare for a specific course of action the system must address.
- CWSRF cannot fund master plans or regional water plans that do not directly contribute to the construction of a capital project.
- The environmental document must include sufficient information and evidence to support NDEP's determination for environmental impacts. The document must be prepared by qualified individuals required for the type of project being constructed.

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# Attachment C: CWSRF 2026 Fundable List

PL Class	PL Rank	D <sup>B</sup>	E <sup>C</sup>	C <sup>E</sup>	Grant used	Community Name/Project Sponsor	NPDES Number	Population	Project Description	Total Project Cost	Total CWSRF Assistance <sup>B</sup>	Principal Forgiveness	Green Project Reserve	Binding Commitment
A	3	Y			All available	Beatty Water & Sanitation District		1,010	Arsenic Evaporation Basin Relining	322,858	322,858	322,858		
A	6	Y			All available	Gerlach GID		200	New aerators	958,000	958,000	958,000		
A	9	Y			All available	Elko County	NS0030003	287	Sewer Pond Relining	483,075	483,075	483,075		
B	20	Y			All available	Hawthorne Utilities	NS0020009	3,020	PER, effluent management	85,000	85,000	85,000	68,000	
B	41	Y			All available	Pioche Public Utilities	NS0050052	1,435	Sewer collection pipe	550,000	550,000	550,000		
B	42	Y			All available	Reno, City of	NS2008500	371,343	New Dewatering Building	51,943,049	51,943,049			
B	46				All available	Henderson, City of	NV0022098	343,486	Stephane Reclaimed Water Line	12,600,000	12,600,000		10,600,000	Nov 2025
B	51	Y			All available	TRI General Improvement District	NS2000502	20,000	Treatment Plant	26,581,863	26,581,863			
C	62	Y			All available	Baker Water & Sewer GID	NS0094012	150	Construct Wastewater System	1,117,291	1,117,291	1,117,291		
C	81				IJJA EC	Las Vegas Valley Water District	NV0021911	7,200	Septic to Sewer Conversion	9,000,000	1,054,000	1,054,000		
C				Y	IJJA EC	Clark County Water Reclamation District	NS0021261	269,912	Microplastics Analysis Instrument	310,342	310,342	310,342		
											<b>95,988,478</b>	<b>4,863,566</b>	<b>10,668,000</b>	

<sup>A</sup>Clean Water Priority List Effective May 2026

<sup>B</sup>Includes traditional and principal forgiveness loans

<sup>C</sup>Equivalency Project

<sup>D</sup>Meets the state definition of affordability for additional subsidy

<sup>E</sup>Funding from the IJJA Emerging Contaminants Grant

**Attachment D: Clean Water Priority List – Effective May 2026**

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## **Attachment E: CWSRF Grant and Loan Conditions**

For the purposes of this section, the following definitions are used:

<b>Equivalency Project</b>	Projects that are selected to comply with the capitalization grants. The funding of these projects must equal an equivalent amount of the grant to satisfy the grant requirements, regardless of actual cash disbursed to the chosen project.
<b>Peer Review</b>	A cursory review of the work of the design engineer for a project, conducted by a person with equal competence and expertise in that discipline who is retained by the applicant specifically to provide suggestions or comments which may enhance the performance of the water project or aid in the operation and maintenance of the water project.
<b>Useful Life</b>	The period during which a project provides a service as designed without becoming obsolete or inoperable.
<b>Value Engineering</b>	A specialized technique for controlling costs which uses a systematic and creative approach to identify and focus on any unnecessary cost to reduce the cost of a project without affecting the reliability or efficiency of the project.

<b>Additional Subsidy</b>	Nevada awards principal forgiveness loans to satisfy the subsidy requirement in the grants. A borrower does not need to issue a bond if the loan is forgiven. Additionally, interest is also forgiven. Eligibility for a principal forgiveness loan is outlined in <b>Attachment B</b> . Nevada's expected projects receiving principal forgiveness funding are outlined in <b>Attachment C</b> .
<b>American Iron and Steel</b>	All borrowers will comply with the American Iron and Steel Requirement on any project funded in whole, or in part, with CWSRF funds.
<b>Architectural and Engineering Procurement</b>	A CWSRF applicant identified as an equivalent project 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 percent of the original contract.

<p><b>Auditing</b></p>	<p>Nevada’s Annual Comprehensive Financial Report (ACFR), Single Audit Report, and internal controls over financial reporting are independently audited by a contracted accounting firm. The CWSRF program is presented on the ACFR as a major enterprise fund, along with two other funds. OFA will prepare a management discussion of financial activity report at the end of the fiscal year and will publish the report when the State audit is completed. The report will highlight the program’s financial activities.</p>
<p><b>Binding Commitments</b></p>	<p>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 33 U.S. Code §1382(b)(3). Nevada defines a binding commitment when a loan contract is executed.</p>
<p><b>Borrower Financial Review and Assurances</b>  (NAC 445A.770)  (NAC 445A.778)  (NAC 445A.779)  (NAC 445A.780)  (NAC 445A.781)  (NAC 445A.789)  (NAC 445A.790)</p>	<p>OFA will evaluate each applicant’s fiscal information prior to executing a loan, as well as each year the loan is outstanding. Borrowers must demonstrate their ability to repay the loan to safeguard the public funds in the loan contract. Borrowers must also demonstrate fiscal sustainability in their system throughout the term of the loan contract.</p> <p>Reviewable fiscal information includes, but is not limited to bank statements, financial reports, financial audits, credit reports, letters of credit, user rates, debt management policies, and capital improvement plans.</p> <p>Current ratios used to analyze the borrower’s solvency and liquidity include (but not limited to): working capital, operating ratio (before non-cash expenses), and debt coverage ratio (before non-cash expenses).</p> <p>Borrowers must design a system user rate that produces the money required for the cost of operation, maintenance, and the replacement of treatment works and other assets of the utility. Phased-in rate structures will be considered sufficient if they are fully implemented by the time construction of the proposed project is complete.</p> <p>Borrowers will maintain project accounts in accordance with generally accepted governmental accounting standards. This includes maintaining a separate account that records all revenues and expenditures directly and indirectly related to the system receiving funding.</p> <p>Borrowers receiving any loan for a treatment works project or a principal forgiveness loan must further prepare a fiscal sustainability plan, or asset management plan. Borrowers receiving a principal forgiveness loan must further commit to funding a capital replacement reserve account as a condition of receiving funding.</p>

<p><b>Build America, Buy America (BABA)</b></p>	<p>Borrowers identified as an equivalent project will comply with the Build America, Buy America Requirement on any project funded with CWSRF funds that executes a new or amended loan agreement after May 14, 2022, unless an EPA approved waiver is issued.</p>
<p><b>Cost and Effectiveness</b> (NAC 445A.734) (NAC 445A.736)</p>	<p>CWSRF applicants for pollution control projects must certify that the proposed project has prepared a cost-effect analysis of the project.</p>
<p><b>Construction Commencement</b> (NAC 445A.792) (NAC 445A.793)</p>	<p>OFA will require borrowers to submit bidding schedules, estimated schedules of payment, proof of the receipt of all permits required to construct the project, documentation that any procedures for purchasing and contracting required by a State agency will be adhered to, agendas for any conferences regarding bidding and construction, project schedules, and any other related activity; and any other documents OFA deems necessary.</p>
<p><b>Construction Process</b> (NAC 445A.793) (NAC 445A.797) (NAC 445A.798) (NAC 445A.799) (NAC 445A.800)</p>	<p>OFA will require borrowers to promptly notify OFA in writing of awarding contracts, changes to contracts, delays in construction, and when construction is anticipated to be completed.</p> <p>The Division may conduct oversight inspections during the construction of a project to ascertain that the recipient is constructing the project according to the approved plans and specifications and applicable contract requirements.</p>
<p><b>Construction Completion</b> (NAC 445A.801) (NAC 445A.802) (NAC 445A.803) (NAC 445A.804) (NAC 445A.805)</p>	<p>Borrowers shall submit to NDEP a draft operations and maintenance manual, one set of drawings of the improvement as it was built, certification of performance, and any other documents deemed necessary by the division.</p> <p>Borrowers shall coordinate with NDEP a final inspection of the improvement to ensure that the facilities of the project are operating and capable of satisfying the applicable requirements for public health and water quality.</p> <p>Borrowers shall notify the Division of any claims against the owner, the professional engineer, the contractor, or any subcontractor arising from or related to the project; and is responsible for the resolution of those claims.</p> <p>A recipient shall not abandon, substantially discontinue the use of or dispose of a project during its useful life without the prior written approval of the Division.</p>
<p><b>Davis-Bacon Wage Act and State Prevailing Wage Requirements.</b> (NAC 445A.794)</p>	<p>Borrowers shall comply with the provisions of the Davis-Bacon Act, 40 U.S.C. §§ 276a et seq., if they apply, the applicable provisions of chapter 338 of NRS and all other applicable state and federal labor laws.</p>
<p><b>Business Enterprise</b> (NAC 445A.795)</p>	<p>Borrowers identified as an equivalent project will comply with the requirements of federal law concerning the participation of business enterprise.</p>

<p><b>Emerging Contaminants</b></p>	<p>Funding provided to Nevada from the IIJA Emerging Contaminants grants will be used in accordance with federal law and EPA guidance. Nevada will continue to prioritize systems addressing Per- and polyfluoroalkyl substances with this funding. Should projects that do not address per- and polyfluoroalkyl substances materialize, Nevada will concentrate these funds on addressing any item on the EPA Contaminant Candidate Lists.</p>
<p><b>Environmental Review</b> (NAC 445A.742 to NAC 445A.762)</p>	<p>Nevada will ensure an environmental review of each project receiving assistance is completed prior to awarding funds from the CWSRF. The environmental review will meet federal requirements and include any other applicable crosscutter requirements.</p>
<p><b>Federal Crosscutters</b></p>	<p>Nevada will ensure borrowers identified as an equivalent project comply with other federal crosscutters, where applicable, that are allowed to be followed on an equivalent basis. Nevada will ensure borrowers follow all federal crosscutters, including Title VI of the Civil Rights Act, where the law requires all borrowers must follow federal requirements.</p>
<p><b>Fiscal Sustainability Plans</b></p>	<p>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 The Water Resource Reform and Development Act of 2014. Nevada will obtain appropriate certifications from those projects.</p>
<p><b>Green Projects</b></p>	<p>Nevada will commit to use at least ten percent of the federal grants 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).</p>
<p><b>Leveraging the Program</b></p>	<p>The CWSRF program has issued leveraged bonds. OFA reserves the right to issue a leverage bond should project demand require additional funds.</p>

<p><b>Loan Interest</b></p>	<p>Nevada does not issue direct loans to CWSRF public applicants. Rather, the CWSRF applicant will be required to issue a bond, which the State Treasurer will purchase on behalf of the CWSRF program – if the loan is repayable. For private applicants, a direct loan is issued and secured with a combination of collateral and lien instruments at OFA’s discretion. Interest rates are established by the State Board of Finance, Debt Management Policy and are fixed for the life of the loan. Interest will begin to accrue upon a draw against the bond. It will be repayable every six months on July 1 and January 1 while the principal remains outstanding. Loan interest will be used by the program to repay outstanding debt issued to match the capitalization grant. The interest rate policy is established by the State Board of Finance and published in the State Debt Management Policy<sup>11</sup>.</p> <p>OFA considers the market rate to be that of the Bond Buyer 20 Index. Interest rates will range from 50% to 59% of the market rate depending on the type of bond the borrower is issuing.</p> <p>When a loan is for a 30-year term, the Bond Buyer 20 will be adjusted using the Municipal Market Data scale up to a 30-year rate. Special terms may be offered under certain circumstances after consultation and concurrence from the State Treasurer’s Office.</p>
<p><b>Loan Principal</b></p>	<p>Traditional loans may have a maximum term of 30 years, or the life of the assets funded – whichever is shorter.</p> <p>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. Loan principal will be payable every six months on July 1 and January 1. Principal from loan recipients will be used by the program to issue new loans.</p>

<sup>11</sup> <https://www.nevadatreasurer.gov/Finances/Debt/Home/>

<p><b>Loan Payoff and Refinancing</b></p>	<p>NDEP recognizes the need for proper fiscal and infrastructure sustainability in systems. Therefore, NDEP does allow a current CWSRF borrower to pay off or restructure their outstanding CWSRF debt. Due to the impact this will have on the CWSRF fund and staff resources, these requests are processed on a first-come, first-served basis and can be denied by NDEP for good cause shown. Borrowers must meet certain conditions to qualify for approval from NDEP for early payoff or restructuring:</p> <ul style="list-style-type: none"> <li>• The existing CWSRF loan must be fully drawn or de-obligated;</li> <li>• The first principal draw on the loan must be five years old or older;</li> <li>• The early payoff or restructuring cannot violate tax-exempt bond law;</li> <li>• The borrower must demonstrate the need and/or benefit of early payoff and/or restructure to the users of the system;</li> <li>• The State Treasurer's Office must also agree to the payoff;</li> <li>• Loans can only be restructured once. If the loan was previously restructured, it cannot be paid early at a later date.</li> </ul>
<p><b>Loan Origination Fees</b></p>	<p>Loan origination fees shall be payable within 30 days of loan closing.</p>
<p><b>Procurement of Contracts</b></p>	<p>Borrowers shall comply with applicable Nevada laws for procuring engineering and construction contracts.</p>
<p><b>Reporting</b></p>	<p>Nevada will provide data or information on the CWSRF program to federal, state, or public inquiries in a manner as requested. Data will be entered into the federal reporting system at least quarterly.</p>
<p><b>Telecommunications</b></p>	<p>Borrowers must comply with 2 Code of Federal Regulations 200.216 from procuring or obtaining telecommunication equipment as described in Public Law 115-232, Section 889, covered telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).</p>
<p><b>Value Engineering (NAC 445A.782)</b></p>	<p>Systems shall conduct value engineering if the total estimated cost of constructing the water project is more than \$10,000,000. If the Division determines that a project is especially complex, the Division shall require the applicant to submit the project for peer review.</p>