



NEVADA DIVISION OF  
**ENVIRONMENTAL  
PROTECTION**

**DRAFT**



# **Drinking Water State Revolving Fund**

## **Intended Use Plan**

### **State Fiscal Year 2024**

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

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## **List of Acronyms**

ARRA	American Recovery and Reinvestment Act of 2009
BIL	Bi-partisan Infrastructure Law
BFWP	Board for Financing Water Projects
BSDW	Bureau of Safe Drinking Water
CWSRF	Clean Water State Revolving Fund
DWSRF	Drinking Water State Revolving Fund
EPA	Environmental Protection Agency
ETT	Enforcement Targeting Tool
FFY	Federal Fiscal Year
IUP	Intended Use Plan
MHI	Median Household Income
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NRS	Nevada Revised Statute
NvRWA	Nevada Rural Water Association
OFA	Office of Financial Assistance
PWS	Public Water System
PWSS	Public Water System Supervision
RCAC	Rural Community Assistance Corporation
SDWA	Safe Drinking Water Act of 1996, as amended
SDWIS	Safe Drinking Water Information System
SFY	State Fiscal Year
TMF	Technical, Managerial, and Financial (Capacity)
ULO	Unliquidated Obligations
WIIN	Water Infrastructure Improvements for the Nation Act of 2016

# 1) Executive Summary

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

Nevada has qualified projects to apply for federal grants from the EPA. Those amounts are as follows:

Federal Grant Awards available to Nevada			
	Available	Current Plan	Future Plan
2022 Base Appropriation Re-allotment	\$120,000	\$120,000	\$0
2024 Base Appropriation*	\$5,236,000	\$5,236,000	\$0
<b>Subtotal Base funding</b>	<b>\$5,356,000</b>	<b>\$5,356,000</b>	<b>\$0</b>
2024 BIL Supplemental*	\$23,831,000	\$23,831,000	\$0
2022 BIL (EC) Re-allotment	\$59,000	\$59,000	\$0
2023 BIL Emerging Contaminants (EC)	\$7,921,000	\$7,921,000	\$0
2024 BIL Emerging Contaminants (EC)*	\$7,921,000	\$7,921,000	\$0
2024 BIL Lead Service Lines (LSL)*	\$28,650,000	\$0	\$0
<b>Subtotal BIL Funding</b>	<b>\$68,382,000</b>	<b>\$39,732,000</b>	<b>\$0</b>
<b>Total Federal Funding</b>	<b>\$73,738,000</b>	<b>\$45,088,000</b>	<b>\$0</b>

The first requirement for a system to obtain funding is to be added to the Nevada Project Priority List. **Attachment A** outlines the DWSRF project priority list ranking criteria. See **Attachment D** for the Priority List effective January 2024. An updated Priority List effective May 2024 is underway. This priority list will be forwarded to EPA once finalized. 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 expected projects receiving funding are outlined on **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.nv.gov>

## 2) Introduction; available federal funds

The 1996 Amendments to the Federal Safe Drinking Water Act (SDWA) authorized the creation of the DWSRF. Nevada’s program is administered by the Office of Financial Assistance (OFA), under the direction of the Nevada Division of Environmental Protection (NDEP), Department of Conservation and Natural Resources (DCNR). NDEP is the designated agency to apply for the capitalization grant for the DWSRF Program and related state funds<sup>2</sup>.

Additionally, Congress and the President passed and signed into law the Infrastructure Investments and Jobs Act (IIJA), also known as the Bi-partisan Infrastructure Law (BIL) that is expected to provide Nevada additional resources over the next five years.

Nevada has projects on its IUP that support applications to EPA for federal funding. Nevada intends to request the following from the appropriations act:

### The Intended Use Plan must describe:

- Use of a state’s capitalization grant
- State match funds
- Principal and interest from loan repayments
- Other interest earnings of the DWSRF
- Bond proceeds
- Funds designated for administration.
- Funds transferred from or to the Clean Water State Revolving Fund (CWSRF)
- Any other monies deposited into the DWSRF

### Base Appropriation requirements in dollars<sup>1</sup>

	2022 Base	2024 Base	Total
<b>Total Amount Provided as Subsidy</b>	<b>\$58,800</b>	<b>\$2,565,640</b>	<b>\$2,624,440</b>
Mandate to Disadvantaged Communities	\$42,000	\$1,832,600	\$1,874,600
Mandate to qualified entities	\$16,800	\$733,040	\$749,840
<b>Total Amount for Set-asides</b>	<b>\$61,200</b>	<b>\$1,623,160</b>	<b>\$1,684,360</b>
2% Small systems technical assistance	\$43,200	\$104,720	\$147,920
4% Administration	\$0	\$209,440	\$209,440
10% State program management	\$0	\$523,600	\$523,600
15% Local assistance	\$18,000	\$785,400	\$803,400
<b>Amount provided as Loans</b>	<b>\$0</b>	<b>\$1,047,200</b>	<b>\$1,047,200</b>
<b>Total Amount of grant</b>	<b>\$120,000</b>	<b>\$5,236,000</b>	<b>\$5,356,000</b>
<b>Federal Match requirement</b>	<b>\$24,000</b>	<b>\$1,047,200</b>	<b>\$1,071,200</b>

<sup>1</sup> Values are estimates only. Final allotments have not been released by EPA.

<sup>2</sup> Nevada Revised Statutes (NRS) 445A.200 to 445A.295  
Nevada Administrative Code (NAC) 445A.6751 to 445A.67644

<b>Base Appropriation requirements in percent</b>			
	2022 Base	2024 Base	Total
<b>Total Amount Provided as Subsidy</b>	<b>49.00%</b>	<b>49.00%</b>	<b>49.00%</b>
Mandate to Disadvantaged Communities	35.00%	35.00%	35.00%
Mandate to qualified entities	14.00%	14.00%	14.00%
<b>Total Amount for Set-asides</b>	<b>51.00%</b>	<b>31.00%</b>	<b>31.45%</b>
2% Small systems technical assistance	36.00%	2.00%	2.76%
4% Administration	0.00%	4.00%	3.91%
10% State program management	0.00%	10.00%	3.91%
15% Local assistance	15.00%	15.00%	15.00%
<b>Amount provided as Loans</b>	<b>0.00%</b>	<b>20.00%</b>	<b>19.55%</b>
<b>Federal Match Requirement</b>	<b>20.00%</b>	<b>20.00%</b>	<b>20.00%</b>

The 2022 Base appropriation re-allotment is what is anticipated to be re-allocated from other states not applying for capitalization grants. This amount is an estimate only. The actual grant application will be prepared once final allotments are issued by EPA.

Nevada intends to request the following from the BIL allotments:

<b>BIL funding requirements in dollars<sup>3</sup></b>					
	Supplemental	2022 EC	2023 EC	2024 EC	Total
<b>Total Amount Provided as Subsidy</b>	<b>\$11,677,190</b>	<b>\$59,000</b>	<b>\$7,921,000</b>	<b>\$7,921,000</b>	<b>\$27,578,190</b>
Mandate to Disadvantaged Communities	\$11,677,190	\$14,750	\$1,980,250	\$1,980,250	\$15,652,440
Mandate to qualified entities	\$0	\$44,250	\$5,940,750	\$5,940,750	\$11,925,750
<b>Total Amount for Set-asides</b>	<b>\$7,387,610</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,387,610</b>
2% Small systems technical assistance	\$476,620	\$0	\$0	\$0	\$476,620
4% Administration	\$953,240	\$0	\$0	\$0	\$953,240
10% State program management	\$2,383,100	\$0	\$0	\$0	\$2,383,100
15% Local assistance	\$3,574,650	\$0	\$0	\$0	\$3,574,650
<b>Amount provided as Loans</b>	<b>\$4,766,200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,766,200</b>
<b>Total Amount of grant</b>	<b>\$23,831,000</b>	<b>\$59,000</b>	<b>\$7,921,000</b>	<b>\$7,921,000</b>	<b>\$39,732,000</b>
<b>Federal Match requirement</b>	<b>\$4,766,200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,766,200</b>

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<sup>3</sup> Values are estimates only. Final allotments have not been released by EPA.

<b>BIL funding requirements in percent</b>					
	<b>Supplemental</b>	<b>2022 EC</b>	<b>2023 EC</b>	<b>2024 EC</b>	<b>Total</b>
<b>Total Amount Provided as Subsidy</b>	<b>49.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>69.41%</b>
Mandate to Disadvantaged Communities	49.00%	25.00%	25.00%	25.00%	39.40%
Mandate to qualified entities	0.00%	75.00%	75.00%	75.00%	30.02%
<b>Total Amount for Set-asides</b>	<b>31.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>18.59%</b>
2% Small systems technical assistance	2.00%	0.00%	0.00%	0.00%	1.20%
4% Administration	4.00%	0.00%	0.00%	0.00%	2.40%
10% State program management	10.00%	0.00%	0.00%	0.00%	6.00%
15% Local assistance	15.00%	0.00%	0.00%	0.00%	9.00%
<b>Amount provided as Loans</b>	<b>20.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>12.00%</b>
<b>Federal Match Requirement</b>	<b>20.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>12.00%</b>

### 3) DWSRF Goals

#### Nevada's Short-Term Goals

- Provide financial assistance to recipients outlined 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 to ensure systems receive as many resources as possible to fund projects.
- Provide technical assistance to build operating, managerial, and financial capacity in drinking water systems.
- Evaluate the risk to Nevada's Drinking Water to per- and polyfluoroalkyl substances (PFAS) contamination using the 2022 Nevada PFAS Action Plan.
- Help systems address emerging contaminants in their communities.
- Help systems prepare a lead and copper inventory.
- Ensure the program's operating budget adequately supports resources and administrative activities, while anticipating future needs.
- Provide a limited-time, loan incentive program that will help address excess idle cash in the DWSRF program.

## Nevada's Long-Term Goals

- Obtain optimum turnover of the DWSRF fund while maintaining the necessary reserve for debt service that safeguards the program's AAA rating from Standard and Poor's.
- Issue debt obligations as needed so program funds either match federal grants or provide additional resources for projects.
- Enhance long-term sustainability for Nevada's disadvantaged systems by helping develop asset management plans, evaluating service goals, calculating sufficient rates to sustain systems, and funding capital reserve accounts.
- Coordinate with USEPA and Region 9 EPA to engage Nevada staff in an Area Wide Optimization Program (AWOP) to address long-term surface water, disinfection byproducts and groundwater treatment compliance.
- Address emerging contaminants, especially PFAS, in communities through direct funding of projects that will capture, treat, and mitigate emerging contaminants.

### 4) Project Eligibility, Criteria, and Selection

<b>Supply</b>	Primary or redundant sources that meet water quality standards and drought mitigation.
<b>Storage</b>	Primary or redundant storage tanks, including internal re-coatings.
<b>Treatment</b>	Safe Drinking Water standards and Nevada secondary standards, including emerging contaminants
<b>Distribution</b>	Transmission, distribution, service lines, meters, isolation valves, and SCADA controls.
<b>Security</b>	Physical Security (fences, cameras, lighting) and Cyber Security to prevent hackers controlling your system.
<b>Planning</b>	Preliminary Engineering Reports; Environmental Reviews; Cultural Resources
<b>Refinancing</b>	For qualified debt issued by the borrower after March 7, 1985.



## Special BIL Funding Emerging Contaminants

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

Given the clear Congressional intent that these funds focus on projects addressing perfluoroalkyl and polyfluoroalkyl substances (hereinafter PFAS), EPA expects Nevada to actively solicit and prioritize PFAS-focused projects. Nevada, however, has the flexibility to fund projects for any contaminant in 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:

- New treatment
- Upgrade or rehabilitate treatment
- Development of a new source of supply
- Consolidation with another system
- Planning and design
- Pilot testing
- non-routine sampling
- Creation of a new community water system to remove an unsafe privately-owned source

## Special BIL Funding Lead Service Lines

The primary purpose must be to address Lead or galvanized service lines.

A lead service line is defined as a line which connects the water main to the building inlet. A lead service line may be owned by the water system, owned by the property owner, or both. For the purposes of this subpart, a galvanized service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material. EPA has expanded the eligible uses beyond the definition above to also include the replacement of lead goosenecks, pigtails, and connectors as eligible expenses, whether standalone or connected to a lead service line.

Eligible costs include:

- **MUST** remove both public and private side of the service line.
- Lead or galvanized goosenecks, pigtails, and connectors
- Curb stops, curb stop boxes, and other service line appurtenances.
- Consolidation with another system.
- Site restoration, including landscaping, sidewalks, driveways, etc. if the removal was necessary to replace the lead service line.
- Temporary pitcher filters or point-of-use (POU) devices.
- non-routine sampling.
- Development or updating of lead service line inventories.

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

## 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. OFA proudly partners with the following agencies on a regular basis to coordinate funding and planning (this list is not limited but is provided as an example):

- United States Department of Agriculture—Rural Development.
- United States Department of the Interior—Bureau of Reclamation
- United States Department of Health and Human Services—Indian Health Services
- Nevada Governor’s Office of Economic Development—Community Development Block Grant Program.
- Nevada Department of Emergency Management-Federal Emergency Management Agency grants
- Nevada State Infrastructure Bank

## Priority list

The first requirement for a system to obtain funding from the DWSRF is to be added to the Nevada Project Priority List. **Attachment A** outlines the DWSRF project priority list ranking criteria. See **Attachment D** for the Priority List effective January 2024. An updated Priority List effective May 2024 is underway. This priority list will be forwarded to EPA once finalized. A project pre-application can be submitted at any time through the Nevada Infrastructure Financial System (NIFS)<sup>4</sup>.

Systems are not obligated to take out a loan from the DWSRF by being placed on the priority list. However, the DWSRF is not able to provide funding for any system or project not listed on the finalized priority list.

Nevada will open the priority list, at least annually, to require 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>

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

<sup>5</sup> NAC 445A.67567 through NAC 445A.67573

## Capacity assessment

The SDWA requires that a public water system (PWS) applying for a DWSRF loan must show it has the technical, managerial, and financial (TMF) capacity to ensure compliance and system sustainability<sup>6</sup>. OFA regulations also require borrowers obtain and/or maintain TMF capability (or capacity) when obtaining a loan from the program<sup>7</sup>. If a system does not have adequate capacity, assistance may only be provided if it will ensure the system can acquire adequate capacity. The goal of this requirement is to ensure that DWSRF assistance is not used to create or support non-viable systems. NDEP's TMF capacity survey is filled out as part of the DWSRF loan application process – if a system has not gone through a capacity survey in the past five years. OFA can use the TMF capacity survey and will also consider the results of sanitary surveys and the Enforcement Targeting Tool (ETT) score when assessing capacity.

## Technical capacity

NRS 445A.847 “Technical capability” defined. “Technical capability” means the ability of a public water system to:

1. Obtain an adequate and reliable source of water that is necessary to provide the quantity and quality of water required by the system;
2. Establish and maintain an adequate infrastructure for the treatment, storage and distribution of the quantity and quality of water required by the system; and
3. Employ operators who have the technical knowledge and ability to operate the system.

OFA reviews the records of the system to see if there are any outstanding water compliance problems. OFA will first support funding a project that is addressing a current water compliance problem. Should the system have additional projects, OFA will only support them concurrently with the compliance project. This review is done in partnership with the Bureau of Safe Drinking Water (BSDW).

The engineering reports, plans, and specifications for the proposed project, and the system's technical capacity from the TMF capacity survey, will all be evaluated during the loan application process. The water system must have a qualified water operator in accordance with the State's operator certification program.

## Managerial capacity

NRS 445A.827 “Managerial capability” defined. “Managerial capability” means the ability of a public water system to conduct its administrative affairs in a manner that ensures compliance with all applicable standards based on:

1. The accountability, responsibility and authority of the owner or operator of the system;
2. The personnel and organization of the system; and
3. The ability of the persons who manage the system to work with:
  - a. Jurisdictional, regulatory and other governmental agencies;
  - b. Trade and industry organizations; and
  - c. The persons served by the system.

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<sup>6</sup> NAC 445A.67563(7) and NAC 445A.67563(8)

<sup>7</sup> NAC 445A.67518

OFA reviews the applicant’s managerial capacity from the TMF capacity survey and supporting documentation to assure that management is: involved in the day-to-day supervision of the water system, responsive to all regulations, available to respond to emergencies, and capable of identifying and addressing all necessary capital improvements to assure operation viability.

OFA also reviews the managerial capacity to undertake the chosen project. Management must have either sufficient, competent staff, or contracted vendors, who can properly administer the technical aspects of the project, as well as all DWSRF funding requirements.

OFA will encourage physical and/or managerial consolidation efforts when two or more systems can benefit, and encourage other options, such as contract management or partnerships with other communities in their area. The priority ranking criteria provides additional points to encourage this objective.

## **Financial capacity**

NRS 445A.817 “Financial capability” defined. “Financial capability” means the ability of a public water system to:

1. Pay the costs related to maintenance, operations, depreciation and capital expenses;
2. Maintain creditworthiness; and
3. Establish and maintain adequate fiscal controls and accounting methods required for the operation of the system.

OFA reviews the applicant’s financial capacity from the TMF capacity survey, the project budget, annual financial reports, and other financial information to ensure the applicant has adequate financial capacity. Financial ratios are used to analyze traditional loan borrower’s solvency and liquidity, and include: the current ratio, working capital, operating ratio (before non-cash expenses), debt coverage ratio (before non-cash expenses), and debt-to-asset ratio.

Principal forgiveness borrowers are evaluated for their ability to financially support operations, maintenance, debt service, and required reserves of their current and project completed system. They are further required to prepare an asset management plan and establish a capital replacement reserve account or fund depreciation. The priority ranking criteria provides additional points to encourage this objective.

## **NDEP changes to reduce the burden of the application process**

NDEP took the initiative to create a web-based platform that helps borrowers, technical assistance providers, and OFA staff work more efficiently with projects from the DWSRF. The Nevada Infrastructure Financial System (NIFS) program has been up and running since October 2021.

<https://ndepifs.ndep.nv.gov/Default>

The program allows for:

- Borrowers to:
  - Submit applications for funding electronically and with less repetitive entries to reduce errors.
  - Submit draw requests for payment on open loans.
  - Upload supporting documentation on projects.

- Receive reports on funding status in real-time.
- Technical assistance providers to:
  - Submit task orders for specific systems for easier tracking of assistance provided.
  - Submit invoices for payment.
  - Upload supporting materials for water systems that can be viewed by regulators.
  - Receive reports on contract funding status in real-time.
- NDEP staff to:
  - Manage program applications.
  - Rank projects on a priority list.
  - Manage documentation that supports and justifies project performance and compliance.
  - Manage all funds of the program, including grants, bonds, and repayments.
  - Manage technical assistance for water systems for easier reporting.
  - Perform cash flow modeling and forecasting.
  - Archive borrowers' draw requests and other documentation in an electronic format for easier access for auditors.

## Special Incentive interest rate for public entities

NDEP, with the express written consent of the State Treasurer's Office, is excited to announce a special incentive, limited-time, interest rate for public entities seeking a traditional loan. The loan incentive is meant to help stimulate interest in traditional loans that would distribute idle cash in the program and expedite infrastructure projects. The incentive is as follows:

- ◆ NDEP will offer up to \$100,000,000 of program funds to be loaned to eligible public entities at a rate of 1.00% interest for up to 30-years, or the life of the assets, whichever is shorter.

### **The following terms and conditions apply for this special incentive opportunity:**

- 1) The loan recipient must be a public entity capable of issuing a municipal bond to secure the debt of the loan.
  - a) A public entity must issue a governing board commitment to utilize the DWSRF program for their infrastructure project. The commitment must include:
    - i) The entity has identified the chosen project(s) as a current need of the entity.
    - ii) The commitment of the entity to utilize the DWSRF for the chosen project.
    - iii) The authorized representatives of the entity to negotiate with NDEP for funding.
    - iv) The amount requested from the DWSRF for the project(s).
  - b) The project must be for constructing or rehabilitating capital infrastructure. While project planning and design cost are eligible for inclusion in the loan, the loan incentive is mostly intended for a construction project.
    - i) The project cannot be to refinance any existing SRF debt or borrower issued debt.
  - c) The system commitment must be adopted by their governing board **no later than June 30, 2025.**
- 2) A project being considered for the special incentive interest rate must be ready to proceed.
 

*NOTE: This special incentive interest rate is intended to not only commit funding but spend down idle cash that will help demonstrate to Congress the need for more money for Nevada.*

  - a) The project must be ready to be presented to the Board for Financing Water projects shortly after review from NDEP.

- b) The project must be ready to proceed to a funding agreement as soon as possible after approval from the Board for Financing Water Projects.
  - c) The funds made available from this special incentive interest rate must be fully drawn within three years of loan execution, or the remaining funds are subject to de-obligation.
- 3) NDEP has up to \$100,000,000 it can offer for this program.
- a) Funds may be awarded to one or many different entities.
  - b) Funds are available on a first-come, first-served basis. NDEP must evaluate the project and entity for program eligibility before the project can be approved for the special incentive rate.
    - i) Should the project or projects presented to NDEP for consideration exceed \$100,000,000, NDEP has the right to allocate the funding under this program utilizing factors such as the priority list rank of the project, community size, matching funds, and readiness to proceed.
- 4) The interest rate shall be 1.00% for up to 30 years, or the life of the assets, whichever is shorter.
- 5) The project may be subject to all federal equivalency requirements, including, but not limited to:
- a) Environmental Reviews and federal crosscutters.
  - b) State Historic Preservation consultations and Tribal consultations.
  - c) Disadvantaged Business Enterprises procurement.
  - d) Contract procurement requirements.
  - e) Davis-Bacon Wage Act.
  - f) American Iron and Steel.
  - g) Build America, Buy America.
  - h) Project Signage.
- 6) The project will be subject to DWSRF loan origination fees and services fees as authorized by the Nevada Administrative Code:
- a) The loan origination fee is 0.50% of the original amount of the loan collected within 30 days of loan closing.
  - b) The loan service fee is 0.50% of the original amount of the loan, divided by the loan term and payable annually before January 1 of each year.

## **Public participation**

### **Priority List Process**

NDEP will conduct a public hearing on the draft priority list to encourage public participation and provide a time for public comment. NDEP will provide notice of the time and place set for the workshop no less than 15 days before the workshop, unless a longer period is required. NDEP may provide notice by mailing the notice to each person on its mailing list, posting on its public notice website, posting on the State's Public Notice website, sending an email through its maintained electronic mailing server, or any other means. The notice will include all the required elements of a public notice, as outlined in the regulations.

NDEP sent out solicitations in August 2023 for the Drinking Water Priority List. A publicly noticed workshop was held on January 10, 2024, at 1:00 pm. The Drinking Water Priority List—Effective January 2024 was then approved by the Board for Financing Water Projects on January 24, 2024, per NRS 445A.265(3)(b).

The priority list was re-opened February 2, 2024, to allow more projects to be added that qualify for special funding. The list will close in March, with a presentation for possible approval at the Board for Financing Water Projects meeting scheduled for May 2024.

### **DWSRF IUP**

To ensure that the public has an opportunity to review our proposed plans for the DWSRF, the 2024 draft IUP was posted on NDEP's website<sup>8</sup> for 30 days before it was finalized. Changes to the IUP for principal forgiveness funding as outlined in **Attachment B** were presented in a separate workshop on March 11, 2024. Additional notice of the Draft IUP was emailed to subscribers to NDEP's maintained email subscription service. Public comments were able to be submitted through the open comment period, as well as emailed to [ndep-ofa@ndep.nv.gov](mailto:ndep-ofa@ndep.nv.gov). Those comments included:

Comments Received: [PENDING FINALIZATION]

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<sup>8</sup> <https://ndep.nv.gov/posts>

## 5) Set-Aside Activities

The SDWA allows each state to set aside a portion of its federal capitalization grant to support various drinking water projects. This includes administration costs, technical assistance, state program management, and special activities. The funding request is based on the State’s biannual budget.

### Small system technical assistance

- This set-aside assists small systems serving less than 10,000 people via State personnel or agreements with third party assistance providers. Assistance includes, but is not limited to:
  - Compliance issues and sanitary survey deficiencies
  - Cross connection controls
  - Emergency assistance
  - Water and energy conservation
  - Hydraulic modeling
  - Operation and maintenance manuals
  - Digital mapping of system assets
  - Budgeting, rate setting, board training, general office, and business training
  - Non-routine sampling for emerging contaminants
  - Lead and copper inventory assistance

Small Systems Technical Assistance Set-Aside (2% of grant)				Banked Balance at end of SFY 2024
	Requested Amount	Maximum Amount (2%)	Change in Banked Balance	
2022 Base Appropriation Re-allotment	\$43,200	\$2,400	(\$40,800)	
2024 Base Appropriation*	\$104,720	\$104,720	\$0	
<b>Subtotal Base funding</b>	<b>\$147,920</b>	<b>\$107,120</b>	<b>(\$40,800)</b>	<b>\$919,888</b>
<b>2024 BIL Supplemental</b>	<b>\$476,620</b>	<b>\$476,620</b>	<b>\$0</b>	<b>\$0</b>
2022 BIL (EC) Re-allotment	\$0	\$1,180	\$1,180	
2023 BIL Emerging Contaminants (EC)	\$0	\$158,420	\$158,420	
2024 BIL Emerging Contaminants (EC)*	\$0	\$158,420	\$158,420	
<b>Subtotal BIL EC</b>	<b>\$0</b>	<b>\$318,020</b>	<b>\$318,020</b>	<b>\$811,200</b>
<b>2024 BIL Lead Service Lines (LSL)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Subtotal BIL Funding</b>	<b>\$624,540</b>	<b>\$901,760</b>	<b>\$277,220</b>	<b>\$1,731,088</b>

The changes in banked balances for Small Systems Technical Assistance will not have a negative impact on our future ability to meet the needs of Nevada Small Systems nor on our ability to qualify for future grant funding. See **Attachment F** for banked authority amounts.



## Administration

- This set-aside assists OFA administer the program and associated expenses allocated to the drinking water grants. Funds support site inspections, grant reporting, project compliance monitoring, project applications and draw processing.
  - Salaries and benefits
  - Travel and Training
  - Contracts and Subgrants
  - Equipment
  - Operations, rentals, and lease expenses

The changes to the SDWA from the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN Act) allows states to take up to 4% of the cumulative federal capitalization grant, 1/5 of the current valuation of the fund, or \$400,000 per year to support administration of the program. Nevada has historically requested less than what is authorized to allow more funding for projects.

<b>Administration Set-Aside (4% of grant)</b>				
	<b>Requested Amount</b>	<b>Maximum Amount (4%)</b>	<b>Change in Banked Balance</b>	<b>Banked Balance at end of SFY 2023</b>
2022 Base Appropriation Re-allotment	\$0	\$4,800	\$4,800	
2024 Base Appropriation*	\$209,440	\$209,440	\$0	
<b>Subtotal Base funding</b>	<b>\$209,440</b>	<b>\$214,240</b>	<b>\$4,800</b>	<b>\$2,614,286</b>
<b>2024 BIL Supplemental</b>	<b>\$953,240</b>	<b>\$953,240</b>	<b>\$0</b>	<b>\$0</b>
2022 BIL (EC) Re-allotment	\$0	\$2,360	\$2,360	
2023 BIL Emerging Contaminants (EC)	\$0	\$316,840	\$316,840	
2024 BIL Emerging Contaminants (EC)*	\$0	\$316,840	\$316,840	
<b>Subtotal BIL EC</b>	<b>\$0</b>	<b>\$636,040</b>	<b>\$636,040</b>	<b>\$1,622,400</b>
<b>2024 BIL Lead Service Lines (LSL)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,146,000</b>
<b>Subtotal BIL Funding</b>	<b>\$1,162,680</b>	<b>\$1,803,520</b>	<b>\$640,840</b>	<b>\$5,382,686</b>

The changes in banked balances for Administration will not have a negative impact on our future ability to meet the needs of Nevada water systems nor on our ability to qualify for future grant funding. See **Attachment F** for banked authority amounts.

## State program management

- This set-aside supports:
  - Public Water System Supervision:
    - The Bureau of Safe Drinking Water (BSDW) maintains the Safe Drinking Water Information System (SDWIS). SDWIS manages PWS data in Nevada and will integrate with other bureau workflow management tools and State databases.
    - BSDW continues to manage State and EPA compliance and enforcement priorities using Enforcement Targeting Tool information, the Strategic Performance Measure, pursuing enforcement when necessary, and tracking ongoing compliance with administrative orders.
    - BSDW maintains engineering design review activities.
  - Capacity Development Program
    - Develops and monitors the Capacity Development Strategy
    - BSDW staff support capacity development through routine communication, coordinating technical assistance, and providing support to public water systems.
    - OFA staff support capacity development through subgrant agreements, and the coordination, monitoring, and reporting of third-party vendors.
  - Operator Certification
    - NDEP conducts a water system operator certification program. To comply with SDWA requirements – and to provide the resources needed to certify operators of all community and non-transient non-community systems (including systems without treatment).
    - NDEP’s operator certification program meets the criteria presented by EPA in stakeholder meetings and guidance.

<b>State Program Management Set-Aside (10% of grant)</b>				
	<b>Requested Amount</b>	<b>Maximum Amount (10%)</b>	<b>Change in Banked Balance</b>	<b>Banked Balance at end of SFY 2023</b>
2022 Base Appropriation Re-allotment	\$0	\$12,000	\$12,000	
2024 Base Appropriation*	\$523,600	\$523,600	\$0	
<b>Subtotal Base funding</b>	<b>\$523,600</b>	<b>\$535,600</b>	<b>\$12,000</b>	<b>\$6,334,180</b>
<b>2024 BIL Supplemental</b>	<b>\$2,383,100</b>	<b>\$2,383,100</b>	<b>\$0</b>	<b>\$0</b>
2022 BIL (EC) Re-allotment	\$0	\$5,900	\$5,900	
2023 BIL Emerging Contaminants (EC)	\$0	\$792,100	\$792,100	
2024 BIL Emerging Contaminants (EC)*	\$0	\$792,100	\$792,100	
<b>Subtotal BIL EC</b>	<b>\$0</b>	<b>\$1,590,100</b>	<b>\$1,590,100</b>	<b>\$4,056,000</b>
<b>2024 BIL Lead Service Lines (LSL)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,865,000</b>
<b>Subtotal BIL Funding</b>	<b>\$2,906,700</b>	<b>\$4,508,800</b>	<b>\$1,602,100</b>	<b>\$13,255,180</b>

The change in banked balances for State Program Management will not have a negative impact on our future ability to meet the needs of Nevada water systems nor on our ability to qualify for future grant funding. See **Attachment F** for banked authority amounts.

## Local assistance and other state programs

This set-aside supports three main programs. Federal regulations state that no more than 10% of the federal capitalization grant can be allotted to any one of these activities.

- Source Water Protection

Source water protection is a cost-effective strategy that focuses on preventing contamination of drinking water supplies. Funding under this set-aside is used to:

- Revise and implement source water protection programs
- Develop and perform technical assistance outreach
- Deal with threats like pathogens, inorganics, nutrients, and emerging contaminants like per- and polyfluoroalkyl substances (PFAS)
- Provide direct loans to consolidate septic systems to protect water supplies

- Wellhead Protection

Support for the Source Water Protection Program provides outreach and assistance to communities. The program helps develop strategies to protect local water resources by:

- Preventing contamination of groundwater and surface water
- Identifying and reducing the risk posed by potential water pollution sources
- Coordinating water protection activities throughout the State
- Updating Source Water Assessments
- Purchase land or land easements to protect against contamination
- Decommissioning abandoned wells

- Capacity Development

Assistance to any size system via State personnel or agreements with third party assistance providers. Assistance may include, but is not limited to:

- Compliance issues and sanitary survey deficiencies
- Emergency assistance
- Asset Management Plans
- Operator certification training
- Board and management training
- DWSRF outreach and project support
- Budgeting and rate setting
- Non-routine sampling for emerging contaminants
- Lead and copper inventory assistance
- Direct programmatic assistance for compliance with Davis-Bacon, AIS, BABA, or procurement requirements.

- Area-Wide Optimization Program

The Area-Wide Optimization Program (AWOP) provides tools and approaches for drinking water systems to meet water quality optimization goals and provide an increased – and sustainable – level of public health protection to their consumers. AWOP is a voluntary program for which Nevada plans to initiate staff training in 2023. AWOP will provide additional tools allowing the State to provide compliance assistance through optimization, particularly for small- and medium-sized systems. The program teaches problem-solving skills designed to improve operations at drinking water systems without costly capital improvements. Nevada has an increasing number of water systems treating their drinking water, in particular for arsenic and surface water, and AWOP will provide an opportunity to partner with water systems to enhance efforts to maintain long-term compliance.

<b>Local Assistance Set-Aside (15% of grant)</b>				
	<b>Requested Amount</b>	<b>Maximum Amount (15%)</b>	<b>Change in Banked Balance</b>	<b>Banked Balance at end of SFY 2023</b>
2022 Base Appropriation Re-allotment	\$18,000	\$18,000		
2024 Base Appropriation*	\$785,400	\$785,400		
<b>Subtotal Base funding</b>	<b>\$803,400</b>	<b>\$803,400</b>		
<b>2024 BIL Supplemental</b>	<b>\$3,574,650</b>	<b>\$3,574,650</b>		
2022 BIL (EC) Re-allotment	\$0	\$8,850		
2023 BIL Emerging Contaminants (EC)	\$0	\$1,188,150		
2024 BIL Emerging Contaminants (EC)*	\$0	\$1,188,150		
<b>Subtotal BIL EC</b>	<b>\$0</b>	<b>\$2,385,150</b>		
<b>2024 BIL Lead Service Lines (LSL)</b>	<b>\$0</b>	<b>\$0</b>		
<b>Subtotal BIL Funding</b>	<b>\$4,378,050</b>	<b>\$6,763,200</b>		

In SFY 2024, NDEP will work to further integrate its statewide source water protection strategy with other federal, State, and local programs. This will improve protection and management of water resources. NDEP continues to encourage public support and responsibility for local water supplies by supporting citizen advisory committees. These committees help implement NDEP’s existing source water protection program.

## 6) Program Financial Management

### Grant match requirements

The SDWA requires states to provide a 20% match to the base program capitalization grant. The BIL requires states to provide a match to the supplemental grant. Nevada issues general obligation bonds – additionally secured by pledged revenues – to meet this match requirement. In SFY 2024, Nevada issued \$6,000,000, which satisfied the match requirement for the base and BIL grants through SFY 2024.

<b>DW SRF Current Match Coverage</b>	<b>Base Grant</b>	<b>BIL Supplemental</b>	<b>Total Grants</b>
Total Grants Received by July 1, 2023	275,995,500.00	20,857,000.00	296,852,500.00
Less ARRA Grant	(19,500,000.00)	0.00	(19,500,000.00)
Total thru July 1, 2023	256,495,500.00	20,857,000.00	277,352,500.00
FFY 2023 DWSRF Grants requiring match	5,236,000.00	21,830,000.00	27,066,000.00
FFY 2024 DWSRF Grants requiring match	5,356,000.00	23,831,000.00	29,187,000.00
Total Grants requiring match	267,087,500.00	66,518,000.00	333,605,500.00
Total Match-to-date	57,199,171.90	9,034,900.00	66,234,071.90
Total Match Needed	53,417,500.00	9,034,900.00	62,452,400.00
Overmatch / (undermatch)	3,781,671.90	0.00	3,781,671.90

## Loan Origination and Service Fees

NDEP charges a loan origination fee and a service fee. This fee went into effect on December 29, 2022, with the adoption of the regulation amendments by the State Environmental Commission<sup>9</sup>.

- For borrowers issuing a bond and receiving a long-term loan (public entities):
  - The loan origination fee is 0.50% of the loan amount and is collected within 30 days of loan closing.
  - The service fee is 0.50% of the loan amount, divided by the term of the loan, and is collected annually on October 1.

*EXAMPLE: a \$10,000,000, 30-year loan would pay a loan origination fee of \$50,000 within 30 days of closing and pay a service fee of \$1,666.67 each year prior to January 1.*

- For borrowers not issuing a bond and receiving a long-term loan (private entities):
  - The loan origination fee is 0.50% of the loan amount and is collected within 30 days of loan closing.
  - The service fee is 0.75% of the loan amount, divided by the term of the loan, and is collected annually on October 1.

*EXAMPLE: a \$10,000,000, 30-year loan would pay a loan origination fee of \$50,000 within 30 days of closing and pay a service fee of \$2,500.00 each year prior to January 1.*

- For borrowers receiving a principal forgiveness or short-term loan, \$1,000.
  - Short-term loans are reserved for planning and design only.
- For communities that are disadvantaged, no origination fee or service fee is collected.
  - The project must benefit the entire community for the origination fee and service fee to be waived.
  - For communities that have identified a project within their service area that meets Nevada's disadvantaged definition for funding, the service fee will be reduced for the percentage of the population of the total community that resides in the project area.

*EXAMPLE: A community that has a disadvantaged area that the project is benefiting from requests a \$2,000,000, 40-year loan. The population of the disadvantaged area is 500 and the total population of the community is 2000. The community would pay a reduced origination fee and service fee by 75%.*

## Use of all funds available

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

1. Bond proceeds (match and leverage, if available)
2. Capitalization grant funds
3. BIL Supplemental grant funds
4. Re-loan principal
5. Re-loan interest
6. Investment interest (Treasurer's Interest)

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<sup>9</sup> <https://www.leg.state.nv.us/Register/2022Register/R109-22AP.pdf>

All privately issued loans will be funded with capitalization grant funds or re-loan funds only.

Projects addressing emerging contaminants or lead service lines will first come from federal funds authorized for those projects.

### Program transfers

The Programs may transfer an amount equal to 33% of a fiscal year's DWSRF program grant to the CWSRF program or an equivalent amount from the CWSRF program to the DWSRF program<sup>10</sup>.

<b>Transfers (based on the DWSRF Grants)</b>					
	<b>Base Appropriations</b>	<b>BIL Supplemental</b>	<b>BIL EC</b>	<b>Lead Service</b>	<b>TOTAL</b>
Cumulative DWSRF Grants through FFY 2023	\$281,231,500.00	\$42,687,000.00	\$8,758,000.00	\$28,650,000.00	\$361,326,500.00
Additional grants	\$5,356,000.00	\$23,831,000.00	\$15,901,000.00	\$0.00	\$45,088,000.00
33% allowed for transfer	\$94,573,875.00	\$21,950,940.00	\$8,137,470.00	\$9,454,500.00	\$134,116,785.00
<b>Transferred prior to SFY 2023</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Transfers pending in SFY 2024	\$0.00	\$0.00	\$2,890,140.00	\$0.00	\$2,890,140.00
Requested in SFY 2024	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Remaining Authority to transfer	\$94,573,875.00	\$21,950,940.00	\$5,247,330.00	\$9,454,500.00	\$131,226,645.00
<b>Total transfers at the end of SFY 2024</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,890,140.00</b>	<b>\$0.00</b>	<b>\$2,890,140.00</b>
<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.</b>					

<sup>10</sup> 40 C.F.R. Sec. 35.3530(C)

## Sources and Uses of all DWSRF funds since inception

The following table illustrates the DWSRF program funds since inception.

<b>Estimated FY2024 and Cumulative Sources and Uses</b>			
	Cumulative through FY2023	FY 2024	Cumulative Total
<b>SOURCES</b>			
Federal Grants (Base Program)	261,731,500	5,356,000	267,087,500
Federal Grants (BIL Funding)	80,095,000	39,732,000	119,827,000
Federal Grants (ARRA)	19,500,000	0	19,500,000
State Match Bonds	61,630,631	0	61,630,631
State Leverage Bonds	0	0	0
Principal Repayments	145,219,576	13,814,708	159,034,284
Interest Repayments	59,677,971	3,630,209	63,308,180
Investments Earnings	9,784,143	3,833,341	13,617,484
Funds Transferred to (from) DWSRF	0	(2,890,140)	(2,890,140)
<b>TOTAL SOURCES</b>	<b>637,638,821</b>	<b>63,476,118</b>	<b>701,114,939</b>
<b>USES</b>			
Final Loan Agreements (Base Program)	360,879,948		360,879,948
Final Loan Agreements (BIL Funding)	0		0
Fundable list of projects	80,095,000	44,596,068	124,691,068
Final Loan Agreements (ARRA)	19,039,051	0	19,039,051
Match Bond Debt Service	53,222,302	4,276,900	57,499,202
Leverage Bond Debt Service	0	0	0
Set-Asides (Base Funding)	54,149,623	1,684,360	55,833,983
Set-Asides (BIL Funding)	18,131,865	7,387,610	25,519,475
Set-Asides (ARRA Funding)	460,949	0	460,949
Funds available for future loan commitments	45,644,295	5,531,180	51,175,475
Debt Service Reserves	6,015,788	0	6,015,788
<b>TOTAL USES</b>	<b>637,638,821</b>	<b>63,476,118</b>	<b>701,114,939</b>



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

Nevada uses a ranking system to prioritize the order in which eligible projects will be financed<sup>11</sup>. At least annually – following a statewide solicitation for projects – NDEP develops a statewide priority list of water projects. The priority list is a part of this IUP. Placement on the priority list does not guarantee that a project will be funded. However, only projects included on the priority list will be considered for possible funding. Any list, before it is adopted, must undergo the public review and comment process outlined in the regulations and must be approved by the Board for Financing Water Projects.

NDEP may revise the ranking of a project on an existing list at any time if new information affecting the ranking of the project becomes available. NDEP may revise a priority list to correct minor typographical or technical errors. NDEP does not need approval from BFWP or to hold a public participation workshop to make these corrections<sup>12</sup>.

NDEP may bypass a water project on the priority list if it determines that the water project is not ready to proceed or the applicant for the project withdraws the project or fails to file a letter of intent. NDEP will notify systems bypassed on the list and provide an opportunity to object to the determination<sup>13</sup>.

If the scores for two or more projects are tied, ranking will be based on population, with the higher population given the higher ranking. Systems or projects that meet the definition of disadvantaged will receive an additional 25 points to arrive at the final score for the project.

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

1. Acute health risks<sup>14</sup>
  - i) a concern regarding human health that occurs when exposure to a contaminant causes an immediate risk to human health and causes symptoms to occur quickly.
2. Chronic health risks<sup>15</sup>
  - i) a concern regarding human health that occurs when: (1) Short-term exposure to a contaminant does not cause an immediate risk to human health but may result in adverse, long-term health symptoms; or (2) Long-term exposure may cause adverse health symptoms to develop over a long period.
3. Infrastructure rehabilitation
  - i) obtaining and installation of any equipment, accessories or appurtenances during the life of a water project that are necessary to maintain the capacity and performance which the water project was designed to achieve, including major rehabilitation, repair or replacement of any capital or fixed assets of a water project.
4. Refinancing existing debt that qualifies under the DWSRF.

In each of the categories, projects are ranked by type of PWS, in the following order:

1. Community public water systems
2. Non-profit, non-transient, non-community water systems

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<sup>11</sup> NAC 445A.67569

<sup>12</sup> NAC 445A.6757

<sup>13</sup> NAC 445A.67573

<sup>14</sup> NAC 445A.67513

<sup>15</sup> NAC 445A.67521

3. Non-profit, transient, non-community water system

The priority list allows the intended use plan to outline additional projects within each class.<sup>16</sup> The following types of projects shall be added to each ranking class to the ranking criteria:

**Class I Acute:** Systems that have not received a written notice of violation for an acute contaminant exceedance but are actively addressing the increasing levels of an acute contaminant within their project to prevent a violation. **1 point.**

**Class II Chronic:** Systems that have not received a written notice of violation for a chronic contaminant exceedance but are actively addressing the increasing levels of a chronic contaminant within their project to prevent a violation. **1 point.**

**Class III Rehabilitation:** Projects that address the removal of lead transmission, distribution, or services lines, if it does not qualify for acute or chronic contamination. **1 Point.**

**Class III Rehabilitation:** Systems that are actively addressing climate change by introducing innovative technologies and systems that will reduce energy or water consumption, increase resiliency to natural or manmade disasters, reduce their dependency on fossil fuels, prevent erosion, increase reuse technology, or otherwise increase their reliability to sustain water distribution amid a changing climate. **1 point.**

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 be given an opportunity for any comments or objections. The Board for Financing Water Projects will add the project to the priority list at the same time it approves the loan commitment. The project must meet the definition of an emergency project<sup>17</sup>, the project must be ready to proceed faster than the normal process for funding, and the system must demonstrate a current response to the emergency.

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<sup>16</sup> NAC 445A. 67569

<sup>17</sup> NAC 445A.67527

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

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 or projects meeting the definition of disadvantaged will be prioritized over other projects when determining if available funds exist.

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

#### **Base grant appropriation mandate**

##### **Base Appropriation requirements in dollars<sup>1</sup>**

	<b>2022 Base</b>	<b>2024 Base</b>	<b>Total</b>
<b>Total Amount Provided as Subsidy</b>	<b>\$58,800</b>	<b>\$2,565,640</b>	<b>\$2,624,440</b>
Mandate to Disadvantaged Communities	\$42,000	\$1,832,600	\$1,874,600
Mandate to qualified entities	\$16,800	\$733,040	\$749,840

#### **To disadvantaged communities.**

- Systems or projects must qualify as disadvantaged to receive this 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.

<sup>1</sup>Estimated only. Final amounts are not yet available.

## BIL grants subsidy mandate

BIL funding requirements in dollars <sup>3</sup>					
	Supplemental	2022 EC	2023 EC	2024 EC	Total
<b>Total Amount Provided as Subsidy</b>	\$11,677,190	\$59,000	\$7,921,000	\$7,921,000	\$27,578,190
Mandate to Disadvantaged Communities	\$11,677,190	\$14,750	\$1,980,250	\$1,980,250	\$15,652,440
Mandate to qualified entities	\$0	\$44,250	\$5,940,750	\$5,940,750	\$11,925,750

### BIL supplemental mandate to disadvantaged communities

- Qualifications  
Systems or projects must qualify as disadvantaged.

### BIL emerging contaminants funding

- Qualifications  
Systems or projects must be addressing an emerging contaminant issue.

<sup>1</sup>Estimated only. Final amounts are not yet available.

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

#### **Test Wells and/or project exploration.**

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

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

- No limit

**System or project funding limitations from the base grants**

**Construction Projects for acute or chronic health issues**

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

**Construction Projects for rehabilitation**

**Limit \$1,500,000 per system<sup>2</sup>, or \$2,500,000 per system<sup>2</sup> if the system is:**

- 1) Fully funding depreciation, or
- 2) Physically or managerially consolidating a deficient system

**Short-term design and planning loans**

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

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

**Test Wells and/or project exploration.**

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

**Design that directly contributes to a capital project.**

Limited to project funding eligibility.

<sup>2</sup>See Requirements for additional funding beyond the limitations.

Requirements for additional funding beyond the limitations		
*NDEP has additional funds from the grants, AND		
Acute or Chronic Projects	Rehabilitation Projects	
To go over \$2,500,000 per project	To go over \$1,500,000 per system	To go over \$2,500,000 per system
<ul style="list-style-type: none"> <li>• Additional funding required to complete the project would raise the average rates by more than 10%, or</li> <li>• System is funding a portion of the project with a loan.</li> </ul>	<ul style="list-style-type: none"> <li>• System can demonstrate that adding in the full cost of depreciation into their rate structure would increase average rates by more than 30%, or</li> <li>• System is funding a portion of the project with a loan.</li> </ul>	<ul style="list-style-type: none"> <li>• Additional funding required to complete the project would raise the average rates by more than 10%, or</li> <li>• System is funding a portion of the project with a loan.</li> </ul>

## Disadvantaged qualifications

NAC 445A.675245 defines a disadvantaged community as an area in which, as compared to other communities in this State, residents disproportionately experience economic, environmental or health issues, including, without limitation, high rates of poverty or unemployment<sup>18</sup>.

NAC 445A.67575(8) further requires an intended use plan to be prepared by NDEP, which describes how all money deposited into the Account for the Revolving Fund and the Account for Set-Aside Programs will be used, including a description of any program for a disadvantaged community and the funds utilized for this type of assistance.

NDEP will utilize a point system to determine if a system or project qualifies as disadvantaged. The following will be used in the point system. A **minimum of 50 points** must be obtained to be defined as disadvantaged. Data is obtained from the American Community Survey 2021 5-year estimates date profiles.

Income Data	Possible Points
<b>Median Household Income (MHI) of project service area</b>	
<i>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.</i>	
Based upon the Current Priority List data	
*Below 80% of the State MHI	50
*Between 80% and 99% of State MHI	30
*Between 100% and 119% of State MHI	0
*Above 120% of State MHI	-10
<b>Percent of families and people whose income in the past 12 months is below the state poverty level</b>	
*Project service area is at or below the state percent	20
*Project service area is below the state percent	0
Population Trend	Possible Points
Based upon last three years of American Community Survey best available data	
*Decreasing and/or system serves less than 1000 residents	5
*Increasing	0
Workforce Indicators	Possible Points
<b>Percent of residential population of the service area not in the workforce</b>	
Based upon American Community Survey used 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>	
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

<sup>18</sup> <https://www.leg.state.nv.us/Register/2022Register/R109-22AP>

Affordability	Possible Points
<p>How will additional loan dollars impact water system residential rates</p> <p><i>*Rates must already be sufficient to cover current operations, maintenance, debt service and required reserves for the system.</i></p> <p><i>*Average user rate is based on the rate a residential customer would pay for the average usage of water consumed.</i></p>	
The system has not specifically allocated funds for the rehabilitation and replacement of aging and deteriorating infrastructure	-5
System has not reviewed rates in five years	-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
Residential base rate to Median Household Income:	
*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
Other Factors	Possible Points
Project is preparing a PER with an ER to plan for a project	10
Project is physically or managerially consolidating a system for capacity	10
Qualifies as an Acute or Chronic project on the current Priority List	10
Project is addressing an emerging contaminant or Lead Service Line	50
System at risk for emergencies or is facing a current emergency	10
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
2nd homes/vacation homes are greater than 30% of the service area	-10
<p><b>Maximum Points are 235</b></p> <p><b>Points needed to Qualify for Principal Forgiveness is 50</b></p>	
<p><b>Population Demographics</b></p> <p>Percent of the population experiencing one or more of the following will receive additional points</p> <ul style="list-style-type: none"> <li>*Temporary Assistance for Needy Families (TANF)</li> <li>*Medicaid benefits</li> <li>*Supplemental Nutrition Benefits</li> <li>*Low-income housing assistance</li> <li>*Utility assistance</li> <li>*Disabilities</li> <li>*Population not proficient in the English language</li> <li>*Population that is non-white/minority</li> <li>*No health insurance</li> <li>*Location is more than 50 miles from the nearest accessible Social Services (Medicaid, SNAP etc.)</li> </ul>	

## Special terms and conditions for principal forgiveness loans

<b>User Rates</b>
Evaluate user rates approved by the governing board at least once every five years to ensure they are sufficient to cover costs of: <ul style="list-style-type: none"><li>• Operating the current and funded system, and</li><li>• Maintaining the current and funded system, and</li><li>• Debt service of the current and funded system, and</li><li>• Reserve requirements of any funding authority, and</li><li>• Evaluate the impact to rates to fully fund depreciation.</li></ul>
<b>Technical assistance in developing sufficient rates can be provided to applicants free of charge.</b>
<b>Develop and maintain an Asset Management Plan</b>
An Asset Management Plan (AMP): <ul style="list-style-type: none"><li>• Evaluates the level of service required for the system, and</li><li>• Contains an inventory of all assets that are part of the system, and</li><li>• Contains an evaluation of the condition and performance of inventoried assets, and</li><li>• Lists the useful life of the assets, and</li><li>• Contains a plan for maintaining, repairing, and as necessary, replacing the assets, and</li><li>• Contains a plan for funding maintenance, repair, and replacement, and</li><li>• Evaluates and implements water and energy conservation efforts.</li></ul> <p>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.</p>
<b>Technical assistance in developing an AMP can be provided to applicants free of charge.</b>
<b>Develop and maintain an Capital Replacement Reserve Account</b>
Systems will need to establish and fund a short-lived capital replacement reserve account for the life of the project. <ul style="list-style-type: none"><li>• Must be funded at least yearly based upon the system’s short-lived assets<ul style="list-style-type: none"><li>○ (15 years or less), amortized on a straight-line basis.</li></ul></li><li>• Utilities may only use these reserve funds for capital improvements.</li><li>• Utilities cannot use these reserve funds for inventory, maintenance, or operation expenses.</li><li>• Utilities must clearly identify their annual contribution to this fund and the fund balance — in their financial statements</li><li>• NDEP may consider other cash the system has available for capital improvements to meet this requirement.</li><li>• NDEP may consider this requirement satisfied if the system is fully funding depreciation.</li></ul>
<b>Technical assistance in developing a reserve account can be provided to applicants free of charge.</b>



### 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 community must address.
- DWSRF 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.

# Attachment C: DWSRF 2024 Fundable List

PL Class <sup>A</sup>	PL Rank <sup>A</sup>	D <sup>B</sup>	E <sup>C</sup>	L <sup>D</sup>	Community Name/Project Sponsor	PWS ID	Population	Project Description	Total Assistance	Principal Forgiveness	Estimated Binding Commitment Date	Population less than 10,000
I	1	D			Humboldt County	NV0003079	1,300	Intertie for Nitrate Compliance	248,000	248,000	6/30/2024	248,000
II	6	D			Yerington, City of	NV0000255	4,912	Uranium Treatment	2,500,000	2,500,000	1/1/2025	2,500,000
II	7	D			Yerington, City of	NV0000255	4,912	Arsenic Treatment	1,500,000	1,500,000	1/1/2025	1,500,000
II	11	D			Storey County	NV0000240	1,110	Lead Transmission Line	1,150,000	1,150,000	6/30/2024	1,150,000
II	11	D			Storey County	NV0000240	1,110	Lead Transmission Line (ph 2)	1,350,000	1,350,000	6/30/2024	1,350,000
II	11	D			Storey County	NV0000240	1,110	Lead Transmission Line (ph 3)	2,500,000	2,500,000	1/1/2025	2,500,000
II	14	D			Silver Knolls Mutual Water Company	NV0004021	200	Arsenic Treatment	136,000	136,000	11/9/2023	136,000
II	17	D			Amargosa Elementary School	NV0002190	200	Arsenic Treatment	1,500,000	1,500,000	1/1/2025	1,100,000
III	23	D			Beatty Water & Sewer GID	NV0000009	908	system rehab	481,000	481,000	6/30/2024	481,000
III	28	D			Kingsbury GID	NV0001170	300	Consolidation of Ponderosa MHP	2,500,000	2,500,000	1/9/2024	2,500,000
III	29	D			Baker Water & Sewer GID - DW	NV0000863	72	Infrastructure Upgrades	160,000	160,000	6/30/2024	160,000
III	29	D			Baker Water & Sewer GID - DW	NV0000863	72	Infrastructure Upgrades (ph 2)	2,340,000	2,340,000	1/1/2025	2,340,000
III	30	D			Golconda GID	NV005029	114	Distribution and Meters	825,000	825,000	6/30/2024	825,000
III	31	D			Baker Water & Sewer GID - DW	NV0000863	72	Lehman Creek Water Project	2,500,000	2,500,000	1/1/2025	2,500,000
III	33	D			Shoshone Estates	NV0005028	240	PER / ER	100,000	100,000	6/30/2024	100,000
III	36	D			Walker Lake GID	NV0000268	450	Distribution and Meters	1,500,000	1,500,000	1/1/2025	1,500,000
III	43	D			Indian Springs Water Co	NV0000082	900	New secondary well	1,500,000	1,500,000	1/1/2025	1,500,000
III	44	D			Elko, City of	NV0000272	2,000	2 MG storage tank	4,500,000	1,500,000	6/30/2024	
III	46	D			Pershing County	NV0000226	200	system rehab	1,500,000	1,500,000	9/30/2024	1,500,000
III	47	D			Pershing County	NV0000226	200	system rehab	1,504,800	1,504,800	10/23/2023	1,504,800
III	49				Las Vegas Valley Water District	NV0000090	2,258,111	CIP List FY2024	30,000,000	350,000	1/1/2025	
III	57	D			Baker Water & Sewer GID - DW	NV0000863	72	Saddle Tap Rehab	332,200	332,000	8/24/2023	332,200
III	58	D			Gardnerville Ranchos GID	NV0000066	11,300	Booster Pump Replacement	2,084,800	2,084,800	6/30/2024	-
III	70	D		L	Elko, City of	NV	1,500	Lead Service Line Replacement	28,650,000	14,038,500	1/1/2025	28,650,000
III	76	D			Jackpot, town of	NV0000088	855	New storage tank	250,000	250,000	6/30/2024	250,000
III	82	D			Gardnerville Ranchos GID	NV0000066	11,300	Distribution ph 2	6,894,068	1,500,000	1/1/2025	-
III	83	D			Gardnerville Ranchos GID	NV0000066	11,300	Design for distribution	415,200	415,200	6/30/2024	-
III	100	D			Town of Tonopah	NV0000237	2,493	PER / ER	85,000	85,000	6/30/2024	85,000
III	119	D			Silver Springs Mutal Water Company	NV0000223	3,070	Hwy 50 Tran. Line Crossing	1,500,000	1,500,000	1/19/2024	28,650,000

PL Class <sup>A</sup>	PL Rank <sup>A</sup>	D <sup>B</sup>	E <sup>C</sup>	L <sup>D</sup>	Community Name/Project Sponsor	PWS ID	Population	Project Description	Total Assistance	Principal Forgiveness	Estimated Binding Commitment Date	Population less than 10,000
III	149	D			Silver Springs Mutal Water Company	NV0000223	3,070	Well Backup Supply	100,000	100,000	9/6/2023	28,650,000
III	169				Silver Knolls Mutual Water Company	NV0004021	200	PER / ER	100,000	100,000	9/25/2023	100,000
III	170	D			Gerlach GID	NV0000071	206	Rehabilitate transmission	110,000	110,000	9/18/2023	110,000
III	162		E		Las Vegas Valley Water District	NV0000090	2,258,111	EC-Legionella UV-LED Treatment	8,375,000	8,375,000	1/1/2025	
	Pending update		E		Canyon GID	NV0005056	1,250	EC-PFAS	10,500,000	10,500,000	1/1/2025	10,500,000
	Pending update		E		Hillcrest Manor Water Users Association	NV0000145	450	EC-PFAS	5,000,000	5,000,000	1/1/2025	5,000,000
									<b>\$ 124,691,068</b>	<b>\$ 72,035,300</b>		<b>\$ 127,722,000</b>

- A DWSRF Priority List--Effective Jan 2024
- B Disadvantaged System
- C Emerging Contaminants Project
- D Lead Service Line Project

# Attachment D: Drinking Water Priority List—Effective Jan 2024

### Class I Acute Health Risk

Priority Number	N <sup>1</sup>	D <sup>2</sup>	C <sup>3</sup>	Entity	Parent Entity	Project ID	Project Description	Estimated Loan Amount	Funded <sup>4</sup>
1		D	C	Humboldt County - DW		DW00544	New well and transmission pipe to address nitrate exceedance	\$1,850,000.00	Yes
2		D	C	Humboldt County - DW		DW00292	Septic conversion to decrease nitrogen load	\$27,395,592.00	
3			C	Truckee Meadows Water Authority - DW		DW00454	Construct nitrate treatment facilities	\$1,300,000.00	
<b>Total Class I projects</b>								<b>\$30,545,592.00</b>	

### Class II Chronic Health Risks

Priority Number	N <sup>1</sup>	D <sup>2</sup>	C <sup>3</sup>	Entity	Parent Entity	Project ID	Project Description	Estimated Loan Amount	Funded <sup>4</sup>
4		D	C	Truckee Meadows Water Authority - DW		DW00451	Longley Plant HV3 and HV4 Arsenic Treatment	\$1,500,000.00	
5		D	C	Gardnerville Ranchos GID - DW		DW00351	Well 5 Arsenic Treatment	\$6,181,130.00	
6	N	D	C	Yerington, City of - DW		DW01000	Uranium treatment project PER	\$105,000.00	
7	N	D	C	Yerington, City of - DW		DW01006	Uranium treatment project	\$6,001,000.00	
8		D	C	Alamo Sewer & Water GID - DW		DW00611	Well for Arsenic mitigation	\$1,000,000.00	Yes
9		D	C	Esmeralda County-Goldfield - DW	Esmeralda County - DW	DW00515	PER & Arsenic Treatment	\$475,393.04	Yes
10		D	C	Churchill County -DW		DW00379	Arsenic and Manganese treatment plant	\$11,574,360.00	
11		D	C	Storey County - DW		DW00344	Lead Transmission Replacement Project	\$11,447,000.00	
12		D	C	Shoshone Estates Water Co Inc - DW		DW00605	Well and arsenic mitigation	\$310,000.00	Yes
13		D	C	Douglas County - East Valley - DW	Douglas	DW00447	S. Airport Well Arsenic Treatment	\$8,691,750.00	
14		D	C	Silver Knolls Mutual Water Company - DW		DW00270	Arsenic mitigation	\$400,000.00	Yes
15		D	C	Mount Rose Bowl POWC - DW		DW00382	New tank with treatment upgrades to address lead and copper	\$1,000,000.00	Yes
16			C	Elk Point Country Club HOA		DW00962	New Treatment System- surface water	\$2,378,000.00	
17	N	D	NTNC	Amargosa Elementary School		DW00768	Construction project to address arsenic exceedance issue	\$1,010,212.50	
18	N	D	NTNC	Amargosa Elementary School		DW00952	PER/ER to evaluate alternatives for high arsenic	\$50,000.00	
19			NTNC	TRI General Improvement District - DW		DW00540	PER & Arsenic Treatment	\$977,500.00	Yes
<b>Total Class II Projects</b>								<b>\$53,101,345.54</b>	

### Class III Rehabilitation

Priority Number	N <sup>1</sup>	D <sup>2</sup>	C <sup>3</sup>	Entity	Parent Entity	Project ID	Project Description	Estimated Loan Amount	Funded <sup>4</sup>
20		D	C	Carson City - DW		DW00298	Quill WTP Upgrade	\$10,890,424.00	
21			C	Truckee Meadows Water Authority - DW		DW00356	APW Program at American Flat	\$117,000,000.00	
22		D	C	Gardnerville Ranchos GID - DW		DW00349	Consolidate GRGID water system to the Gardnerville Water	\$2,685,650.00	
23		D	C	Beatty Water & Sanitation District - DW	Beatty Water	DW00296	Source, storage, and transmission rehabilitation	\$2,629,000.00	Yes
24		D	C	Hawthorne Utilities - DW		DW00492	PER, new source, and new storage	\$85,000.00	Yes
25		D	C	Eureka County - Eureka Town Water - DW	Eureka County	DW00559	Consolidate Devils Gate GID with Eureka, new well, new	\$100,000.00	
26		D	C	North Las Vegas, City of - DW		DW00601	Construct transmission and distribution pipe to consolidate	\$14,893,421.00	
27		D	C	Hawthorne Utilities - DW		DW00493	Mina-Luning Water System Improvements	\$6,762,500.00	
28		D	C	Kingsbury GID - DW		DW00617	Consolidation of Ponderosa HOA	\$2,120,000.00	Yes
29		D	C	Baker Water & Sewer GID - DW		DW00483	Transmission and Distribution upgrades and relocation	\$2,677,534.00	
30		D	C	Golconda GID - DW		DW00730	New tank, replace distribution system, SCADA, meters	\$4,054,989.40	
31		D	C	Baker Water & Sewer GID - DW		DW00372	New system for Lehman Creek	\$3,304,207.00	Yes
32		D	C	Las Vegas Valley Water District-DW		DW00488	Construct structure and install upgraded chemical feed system	\$428,000.00	
33		D	C	Shoshone Estates Water Co Inc - DW		DW00584	New well & system upgrades	\$4,240,000.00	Yes
34		D	C	Hawthorne Utilities - DW		DW00593	Water System Improvements	\$23,885,000.00	
35		D	C	Walker Lake GID - DW		DW00525	PER, source, and distribution	\$100,000.00	Yes
36		D	C	Walker Lake GID - DW		DW00598	Distribution, water treatment, new well	\$16,269,000.00	
37	N	D	C	Spirit Mountain Utility - DW		DW01013	PER/ER and Well 2 Rehab and Arsenic Treatment System,	\$2,650,000.00	
38		D	C	Storey County - DW		DW00346	PER Virginia City Highlands	\$100,000.00	
39		D	C	Storey County - DW		DW00345	Water Treatment Upgrade	\$8,468,000.00	
40		D	C	Golconda GID - DW		DW00273	Spring rehabilitation & other system improvements	\$810,000.00	Yes
41		D	C	Hawthorne Utilities - DW		DW00490	PER, source, transmission, distribution	\$85,000.00	Yes
42		D	C	Gerlach GID - DW		DW00565	Rehabilitate spring	\$627,500.00	
43		D	C	Indian Springs Water Company		DW00673	New secondary well	\$1,500,000.00	
44		D	C	Las Vegas Valley Water District - Big Bend -	Las Vegas	DW00268	System improvements for reliability and redundancy	\$5,290,000.00	Yes
45	N	D	C	Elko, City of - DW		DW00834	2 million-gallon concrete tank and 5,429' of 18" main extension	\$4,500,000.00	
46		D	C	Pershing County - DW		DW00341	Construct water tank, install new SCADA, Drill New Well in	\$3,364,275.00	Yes
47		D	C	Pershing County - DW		DW00729	SCADA upgrade, meter replacement and other water system	\$1,500,000.00	
48		D	C	Big Five MHP - DW		DW00616	Replace failed storage tank upgrade pipes	\$34,300.00	
49	N	D	C	Las Vegas Valley Water District-DW		DW00948	LVVWD CIP List FY2024	\$30,000,000.00	
50		D	C	Truckee Meadows Water Authority - DW		DW00630	Well Head TTHM Mitigation	\$2,500,000.00	

**Class III Rehabilitation**

Priority Number	N <sup>1</sup>	D <sup>2</sup>	C <sup>3</sup>	Entity	Parent Entity	Project ID	Project Description	Estimated Loan Amount	Funded <sup>4</sup>
51		D	C	North Las Vegas, City of - DW		DW00600	Well Replacement: Robinson	\$4,028,800.00	Yes
52		D	C	Las Vegas Valley Water District - Big Bend -	Las Vegas	DW00511	Meters, HVAC, and controls	\$882,500.00	
53		D	C	Lovelock Meadows Water District - DW		DW00514	Construct new well with transmission pipe	\$4,761,700.00	
54		D	C	Lovelock Meadows Water District - DW		DW00520	PER to identify feasibility of new well and transmission pipes	\$80,500.00	
55		D	C	Orovada GID - DW		DW00427	Water System Improvements	\$1,980,000.00	
56		D	C	Rancho Vista Unit IV Water Association -		DW00609	New Storage Tank & Upgrades	\$1,965,000.00	Yes
57		D	C	Baker Water & Sewer GID - DW		DW00724	Replace failing saddle taps	\$270,528.00	Yes
58		D	C	Gardnerville Ranchos GID - DW		DW00340	Replace Booster Pump Station	\$1,587,000.00	
59		D	C	Moapa Valley Water District - DW		DW00303	Install Redundant Well	\$2,396,000.00	
60		D	C	Orovada GID - DW		DW00750	Orovada PER and ER	\$85,000.00	
61		D	C	Las Vegas Valley Water District-DW		DW00524	Construct three municipal production wells with treatment and	\$10,600,000.00	Yes
62		D	C	Silver Springs Mutual Water Company - DW		DW00449	Lake Well Rehabilitation	\$1,185,000.00	
63	N	D	C	Elko, City of - DW		DW00841	Booster station, new main and transmission lines	\$5,500,000.00	
64		D	C	Alamo Sewer & Water GID - DW		DW00614	Water PER test wells	\$300,000.00	
65		D	C	Walker Lake GID - DW		DW00745	New well and water treatment	\$1,501,485.00	
66		D	C	North Las Vegas, City of - DW		DW00500	Replace well showing moderate deterioration, only water	\$3,774,800.00	
67		D	C	Las Vegas Valley Water District - Searchlight	Las Vegas	DW00765	Develop redundant well	\$174,390.00	
68		D	C	Kingston Town Water Utilities - DW		DW00484	Alternate Water Source	\$1,650,000.00	
69		D	C	Nye County - Manhattan Water - DW	Nye County -	DW00574	Complete PER to identify additional water source	\$100,000.00	
70		D	C	Elko, City of - DW		DW00710	Lead Service Line Replacement	\$3,875,000.00	
71		D	C	Ely, City of - DW		DW00485	Water Main Upgrades to allow use of well	\$8,123,760.00	
72		D	C	Valny Station Mobile Home Park - DW		DW00625	Upgrade or replace water system	\$1,432,452.00	
73		D	C	Ely, City of - DW		DW00482	Distribution & Storage Upgrade	\$23,568,000.00	
74		D	C	Round Hill GID - DW		DW00458	Design and construction of redundant contact tank	\$900,000.00	
75		D	C	Steamboat Springs Water Works - DW		DW00575	Water Tank replacement, transmission pipes, SCADA	\$1,371,342.00	
76	N	D	C	Jackpot, Town of - DW	Elko County -	DW01011	New welded steel water storage tank and groundwater well.	\$188,500.00	
77		D	C	Las Vegas Valley Water District-DW		DW00591	Septic Conversion Program	\$9,000,000.00	
78		D	C	Elko, City of - DW		DW00530	Rehabilitate or replace well 24	\$1,572,100.00	
79	N	D	C	McGill Ruth Consolidated Sewer & Water		DW00794	Paint and restore two water storage tanks	\$1,500,000.00	
80			C	Trout Canyon Land & Water Users		DW00389	Trout Canyon PER/ER	\$55,000.00	
81			C	Trout Canyon Land & Water Users		DW00582	Drinking water system rehabilitation and upgrade	\$4,500,000.00	
82		D	C	Gardnerville Ranchos GID - DW		DW00352	Phase 2 Pipeline Replacement	\$6,894,068.00	Yes
83		D	C	Gardnerville Ranchos GID - DW		DW00354	Phase 3 Pipeline Replacement	\$8,146,748.00	
84		D	C	Pioche Public Utilities - DW		DW00705	PER to evaluate drinking water system needs	\$60,000.00	
85			C	Southern Nevada Water Authority - DW		DW00578	Basic Water System upgrade & improvements	\$246,218,900.00	
86		D	C	Elko, City of - DW		DW00752	Replace well with failing water quality	\$3,723,936.00	
87		D	C	Las Vegas Valley Water District - Big Bend -	Las Vegas	DW00583	Construct new water tank	\$24,375,000.00	
88		D	C	Alamo Sewer & Water GID - DW		DW00613	New water tank	\$2,340,000.00	
89		D	C	Reno Sparks Indian Colony - DW		DW00312	Hungry Valley Water Project	\$32,200,000.00	
90	N		C	Blue Diamond Water Cooperative - DW		DW00951	Replacement and relocation of 3 miles of water pipeline.	\$5,505,001.00	
91		D	C	Tonopah, Town of - DW		DW00586	Storage tank recoating	\$949,725.00	
92		D	C	Storey County - DW		DW00347	Union St. Distribution Pipe Replacement	\$926,000.00	
93		D	C	Indian Springs Water Company		DW00576	Water System Improvements	\$3,840,750.00	Yes
94		D	C	Topaz Ranch Estates GID - DW		DW00563	Replace water transmission pipes	\$6,396,939.00	
95		D	C	Elko County - Montello - DW	Elko County -	DW00405	PER/ER and new source	\$1,120,475.00	
96		D	C	Henderson, City of - DW		DW00589	Raw water interconnect	\$6,700,000.00	
97		D	C	Moapa Valley Water District - DW		DW00305	Construct New Narrows Water Tank	\$8,996,545.00	
98		D	C	West Wendover, City of - DW		DW00434	3 Mile Reservoir Rehabilitation	\$256,172.00	Yes
99		D	C	Silver Springs Mutual Water Company - DW		DW00399	Recoat water tank	\$1,006,330.00	Yes
100		D	C	Tonopah, Town of - DW		DW00738	PER and ER	\$85,000.00	
101	N		C	Tonopah, Town of - DW		DW00994	Increase storage volume	\$3,467,090.00	
102		D	C	Las Vegas Valley Water District - Big Bend -	Las Vegas	DW00288	Riverbank filtration well	\$1,308,317.00	
103		D	C	Storey County - DW		DW00723	Taylor Tank Replacement	\$1,186,927.00	
104		D	C	Moapa Valley Water District - DW		DW00304	Construct New Water Tank	\$3,363,400.00	
105		D	C	Esmeralda County-Goldfield - DW	Esmeralda	DW00466	Recoat water tanks	\$442,040.00	Yes
106		D	C	Weed Heights Development - DW		DW00275	Rehabilitate water tanks	\$1,052,600.00	
107		D	C	Esmeralda County-Silver Peak - DW	Esmeralda	DW00339	Storage Tank Rehabilitation	\$257,300.00	
108		D	C	Esmeralda County-Silver Peak - DW	Esmeralda	DW00480	Relocate PRV/Scada	\$423,312.50	
109			C	Bermuda Palms - DW		DW00623	Storage Tanks Replacement & Distribution Upgrades	\$1,910,000.00	Yes
110		D	C	Silver Springs Mutual Water Company - DW		DW00277	PER for redundant transmission pipe	\$150,000.00	
111		D	C	Storey County - DW		DW00348	Water distribution pipe replacement	\$1,522,000.00	

**Class III Rehabilitation**

Priority Number	N <sup>1</sup>	D <sup>2</sup>	C <sup>3</sup>	Entity	Parent Entity	Project ID	Project Description	Estimated Loan Amount	Funded <sup>4</sup>
112		D	C	Storey County - DW		DW00343	PER & Distribution Improvements	\$1,407,022.00	
113		D	C	Elko, City of - DW		DW00472	Replace galvanized pipe	\$1,203,350.00	
114		D	C	Tonopah, Town of - DW		DW00592	Uncased water crossing replacement	\$202,154.00	
115		D	C	Moapa Valley Water District - DW		DW00342	24 Transmission Replacement	\$3,423,300.00	
116		D	C	West Wendover, City of - DW		DW00522	PCCP Transmission Pipeline Replacement	\$3,802,694.00	
117		D	C	West Wendover, City of - DW		DW00523	Asbestos Line Replacement	\$984,869.42	
118	N	D	C	Elko, City of - DW		DW00853	Booster pump and connection of pressure zones	\$15,000,000.00	
119		D	C	Silver Springs Mutual Water Company - DW		DW00460	Construct redundant transmission line	\$493,069.00	
120		D	C	Lovelock Meadows Water District - DW		DW00497	10 mile transmission water line replacement in Oreana	\$15,192,379.00	
121	N	D	C	Elko, City of - DW		DW00856	9500' of 12" water main, concrete storage tank, and a booster	\$6,000,000.00	
122		D	C	Storey County - DW		DW00722	Replace transmission pipe	\$3,261,244.00	
123		D	C	Kings Row Trailer Park - DW		DW00622	Booster Pump/Meters/Upgrades	\$5,590,000.00	
124		D	C	Spirit Mountain Utility - DW		DW00581	Booster Pump & System Upgrades	\$5,890,000.00	
125		D	C	Esmeralda County-Goldfield - DW	Esmeralda	DW00468	Replace transmission line	\$1,280,173.00	Yes
126		D	C	Blue Diamond Water Cooperative - DW		DW00496	PER for water system upgrades and pipeline suspension	\$132,000.00	
127		D	C	West Wendover, City of - DW		DW00521	Pueblo Blvd Water Extension	\$1,299,293.80	
128		D	C	West Wendover, City of - DW		DW00529	3-Mile Water Loop connection	\$3,888,757.60	
129		D	C	West Wendover, City of - DW		DW00533	Water line extension-redundant loop	\$1,490,874.00	
130		D	C	West Wendover, City of - DW		DW00534	Redundancy distribution and service extension	\$1,127,294.00	
131		D	C	Walker River Paiute Tribe - DW		DW00636	WRPT Water Tank and Meters	\$3,075,343.14	Yes
132		D	C	Weed Heights Development - DW		DW00384	Water system PER	\$63,750.00	Yes
133		D	C	Tonopah, Town of - DW		DW00505	Replace Galvanized/AC in Rhines, Central & Magnolia	\$3,500,000.00	Yes
134	N	D	C	North Las Vegas, City of - DW		DW00970	SAR scans for Leak Detection	\$8,225,895.00	
135		D	C	Elko, City of - DW		DW00740	Recoat water tank	\$2,174,200.00	
136		D	C	Elko, City of - DW		DW00743	Replace water tank	\$2,162,000.00	
137	N	D	C	Tonopah, Town of - DW		DW00969	Installation of flow meters and generators	\$500,500.00	
138		D	C	Rosemount Water Co. - DW		DW00293	Recoat water tank	\$236,275.00	
139		D	C	Elko, City of - DW		DW00364	2nd Street Main Replacement	\$3,868,350.00	
140		D	C	North Las Vegas, City of - DW		DW00633	LCRR Compliance & Inventory	\$600,700.00	
141		D	C	Carson City - DW		DW00358	Lead and Copper Pipe Mapping	\$532,000.00	
142		D	C	Ely, City of - DW		DW00486	Replace water meters	\$18,659,700.00	
143		D	C	West Wendover, City of - DW		DW00528	Water meter replacement	\$2,617,580.00	Yes
144		D	C	Hillcrest Manor Water Users Association -		DW00629	New water tank	\$350,000.00	Yes
145		D	C	Esmeralda County-Goldfield - DW	Esmeralda	DW00328	Install Radio Read Meters in Goldfield	\$235,961.16	Yes
146		D	C	Esmeralda County-Silver Peak - DW	Esmeralda	DW00334	Install Radio Read Meters in Silver Peak	\$130,156.76	
147		D	C	Nye County - Manhattan Water - DW	Nye County -	DW00509	Install Radio Read Meters	\$1,201,250.00	
148		D	C	Big Five MHP - DW		DW00635	Replace well and water storage slab	\$14,900.00	Yes
149		D	C	Silver Springs Mutual Water Company - DW		DW00396	Back-up Power Supply for well operations	\$180,550.00	
150		D	C	Humboldt County - McDemmitt General Improvement District - DW	Humboldt County - DW	DW00657	Rehabilitate water tank and replace distribution pipes	\$12,865,600.00	Yes
151			C	McGill Ruth Consolidated Sewer & Water		DW00265	New Water source for Ruth (New Well)	\$1,624,000.00	
152		D	C	Las Vegas Valley Water District - Searchlight	Las Vegas	DW00467	Replace distribution pipes	\$771,000.00	
153	N	D	C	Kingston Town Water Utilities - DW		DW01007	Water valves, pressure reducing stations & pressure reducing	\$1,150,000.00	
154		D	C	Nye County-Gabbs - DW	Nye County -	DW00477	distribution pipe replacement	\$4,023,038.00	
155			C	South Crestview Homeowners Association -		DW00599	PER and ER to determine water system needs	\$353,500.00	
156			C	Femley, City of - DW		DW00618	Truckee Canal Surface Water source and clear well	\$4,000,000.00	
157			C	Truckee Meadows Water Authority - DW		DW00453	Construct lift station and consolidate with Ridgeview zone	\$6,660,000.00	
158			C	Douglas County - DW		DW00457	Consolidate Cave Rock and ZWUD water systems	\$3,185,000.00	
159		D	C	Henderson, City of - DW		DW00739	Update and modernize Customer Information Systems (CIS)	\$9,406,800.00	
160			C	Douglas County - Uppaway - DW	Douglas	DW00474	System Improvements	\$5,117,000.00	
161		D	C	Elko County - Tuscarora Water System - DW	Elko County -	DW00406	Distribution System Looping and upsize pipes	\$210,000.00	
162			C	Las Vegas Valley Water District-DW		DW00751	Emerging Contaminant-UV-LED Well Treatment	\$8,375,000.00	
163	N	D	C	Humboldt County - Gold Country - DW	Humboldt	DW00982	Upgraded meter system	\$256,508.79	
164		D	C	Steamboat Springs Water Works - DW		DW00564	Water Meter installation	\$662,550.00	
165		D	C	Escapes Co-Op of Nevada, Inc. - DW		DW00639	Water Storage Tank	\$55,700.00	
166			C	Truckee Meadows Water Authority - DW		DW00626	Construct new tank and transmission pipeline	\$3,600,000.00	Yes
167			C	Logan Creek Estates GID - DW		DW00291	New well construction	\$525,000.00	
168			C	Carlin, City of - DW		DW00518	Water System Improvements	\$28,866,667.00	Yes
169			C	Silver Knolls Mutual Water Company - DW		DW00535	Backup Well	\$1,231,750.00	Yes
170			C	Gerlach GID - DW		DW00222	Rehabilitate transmission line appurtenances between spring	\$143,000.00	
171			C	Truckee Meadows Water Authority - DW		DW00711	American Flat PFAS Treatment	\$2,000,000.00	

**Class III Rehabilitation**

Priority Number	N <sup>1</sup>	D <sup>2</sup>	C <sup>3</sup>	Entity	Parent Entity	Project ID	Project Description	Estimated Loan Amount	Funded <sup>4</sup>
172			C	Truckee Meadows Water Authority - DW		DW00748	American Flat A+ Biological Activated Carbon Filtration	\$4,000,000.00	
173		D	C	Cold Creek Canyon HOA - DW		DW00606	Recoating Storage Tank	\$235,000.00	Yes
174			C	Logan Creek Estates GID - DW		DW00413	Construct new water tank and well	\$1,200,000.00	
175			C	Canyon General Improvement District - DW		DW00717	Recoat tank, install meters, build equipment structure	\$1,675,500.00	
176			C	Truckee Meadows Water Authority - DW		DW00455	New well	\$1,970,000.00	
177			C	Kingsbury GID - DW		DW00585	Maryanne Watermain Replacement	\$6,219,547.00	
178			C	Mt. Charleston Water Company - DW		DW00607	Backup Well and Upgrades	\$1,365,000.00	
179	N	D	C	Humboldt County - Gold Country - DW	Humboldt	DW01001	New back up generator	\$125,854.00	
180			C	Kingsbury GID - DW		DW00590	Summit watermain pipe replacement	\$1,531,050.00	
181			C	Kingsbury GID - DW		DW00594	Squaw water pipe replacement	\$1,799,562.00	
182			C	Truckee Meadows Water Authority - DW		DW00465	New well	\$1,210,000.00	
183			C	Las Vegas Valley Water District-DW		DW00494	Drill and develop new well	\$3,324,000.00	
184	N	D	C	North Las Vegas, City of - DW		DW00971	NO-DES alternative flushing system	\$3,522,100.00	
185		D	C	Big Five MHP - DW		DW00638	Install Backflow Prevention	\$6,300.00	
186			C	Amargosa Estates Water Co. LLC - DW		DW00411	Booster Pump/Storage/Upgrades to distribution system	\$1,891,000.00	
187			C	Silver Knolls Mutual Water Company - DW		DW00602	Tank Relining	\$469,200.00	
188			C	Truckee Meadows Water Authority - DW		DW00627	New booster pump station	\$2,550,000.00	Yes
189			C	Logan Creek Estates GID - DW		DW00414	Replace water transmission and distribution pipes	\$1,745,000.00	
190			C	Las Vegas Valley Water District-DW		DW00554	Transmission pipe re-alignment	\$496,635.00	
191			C	Truckee Meadows Water Authority - DW		DW00450	Construct Emergency Operations Center	\$2,000,000.00	
192			C	Truckee Meadows Water Authority - DW		DW00452	Off River Supply Improvements	\$1,500,000.00	
193			C	Las Vegas Valley Water District-DW		DW00487	Install communication hardware to remotely control system	\$721,500.00	
194			C	Silver Knolls Mutual Water Company - DW		DW00536	Meter Replacement	\$225,473.00	
195			C	Verdi Meadows Utility Company, Inc. - DW		DW00557	Security & Telemetry Improvements	\$171,600.00	
196			C	Verdi Meadows Utility Company, Inc. - DW		DW00443	Water line replacement and realignment	\$3,721,830.88	
197			C	Verdi Meadows Utility Company, Inc. - DW		DW00444	Tank Replacement	\$1,163,152.00	
198			C	Fort Apache Ann NE Water Assoc. - DW		DW00628	Engineering & Permitting to meet BSDW regulations	\$50,000.00	
<b>Total Class III Projects</b>								<b>\$1,007,256,235.45</b>	

<b>Total Projects</b>	<b>\$1,090,903,172.99</b>
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C<sup>3</sup> Community Water Systems must be ranked above non-community water systems

Notes<sup>4</sup>: LEAD indicates the system has discovered lead or galvanized pipe in their transmission / distribution system.

Funded<sup>4</sup>: System as received partial or full funding from SRF, is not complete, and must stay on the list until project is complete.

## Attachment E: DWSRF 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 water 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 water 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 water project without affecting the reliability or efficiency of the water 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 on <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 DWSRF funds.
<b>Auditing</b>	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 DWSRF 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><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 40 CFR 35.3135(c)(2). Nevada defines a binding commitment when the Board for Financing Water Projects approves the resolution for funding the project.</p>
<p><b>Borrower Financial Review and Assurances</b>  (NAC 445A.67613)  (NAC 445A.676144)  (NAC 445A.676146)  (NAC 445A.67629)  (NAC 445A.6763)</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 produce the money required for the cost of operation, maintenance, and the replacement of treatment works. 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 a principal forgiveness loan must further prepare an asset management plan and 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 DWSRF 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.67619)</p>	<p>DWSRF applicants must certify that the proposed water project is feasible from an engineering and legal standpoint, is economically justified and is financially feasible.</p>
<p><b>Construction Commencement</b> (NAC 445A.67624)</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 water 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.67638) (NAC 445A.67639)</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 water 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.6764 to NAC 445A.67644)</p>	<p>Borrower shall submit to NDEP a draft operations and maintenance manual, one set of draws of the water system 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 water project to ensure that the facilities of the water 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 water 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 water 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.67635)</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>Disadvantaged Business Enterprise</b> (NAC 445A.67636)</p>	<p>A recipient shall comply with the requirements of federal law concerning the participation of disadvantaged businesses.</p>
<p><b>Emerging Contaminants</b></p>	<p>Funding provided to Nevada from the BIL 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.6758 to NAC 445A.67612)</p>	<p>Nevada will ensure an environmental review of each project receiving assistance is completed prior to awarding funds from the DWSRF. 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 equivalency 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>Lead Service Lines</b></p>	<p>Funding provided to Nevada from the BIL Lead Service Lines grants will be used in accordance with federal law and EPA guidance. Lead or galvanized services lines, pig tails, and goosenecks are eligible. The entire service line, including privately owned portions, will be replaced.</p>
<p><b>Leveraging the Program</b></p>	<p>The DWSRF program has not yet 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 DWSRF public applicants. Rather, the DWSRF applicant will be required to issue a bond, which the State Treasurer will purchase on behalf of the DWSRF 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 principal remains outstanding. Loan interest will be used by the program to repay outstanding debt issued to match the capitalization</p>

	<p>grant. The interest rate policy is established by the State Board of Finance and published in the State Debt Management Policy<sup>19</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 either a 30-year or 40-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. Traditional loans for disadvantaged communities may have a maximum term of 40 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>
<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 DWSRF borrower to pay off or restructure their outstanding DWSRF debt. Due to the impact this will have on the DWSRF 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 DWSRF 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 one time. If the loan was previously restructured, it cannot be paid early at a later date.</li> </ul>

<sup>19</sup> <https://www.nevadatreasurer.gov/Finances/Debt/Home/>

<b>Loan Origination Fees and Loan Service Fees</b>	<ul style="list-style-type: none"> <li>• Loan origination fees shall be payable within 30 days of loan closing.</li> <li>• Loan services fees will be payable on October 1 of each year.</li> </ul>
<b>Procurement of Contracts</b>	Borrowers shall comply with applicable Nevada laws for procuring engineering and construction contracts.
<b>Reporting</b>	Nevada will provide data or information on the DWSRF program to federal, state, or public inquiries in a manner as requested.
<b>Small System Funding</b>	Nevada will ensure at least 15% of the projected program funding amount will be for PWSs that regularly serve fewer than 10,000 people, as required by the SDWA (see <b>Attachment C</b> ).
<b>Telecommunications</b>	Borrowers must comply with 2 CFR 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).
<b>Value Engineering (NAC 445A.676142)</b>	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 water project is especially complex, the Division shall require the applicant to submit the project for peer review.

## Attachment F: DWSRF Banked Authority

DWSRF Banked Balances							
	Base	ARRA	Supplemental	EC	LSL	Total	
Cumulative DWSRF Grants awarded through Federal Grant 2023	\$261,731,500	\$19,500,000	\$42,687,000	\$8,758,000	\$28,650,000	\$361,326,500	
Federal Grants 2024	\$5,356,000	\$0	\$23,831,000	\$15,901,000	\$0	\$45,088,000	
Cumulative DWSRF Grants	\$267,087,500	\$19,500,000	\$66,518,000	\$24,659,000	\$28,650,000	\$406,414,500	
2% Set-Aside	Authorized	\$5,341,750	\$390,000	\$1,330,360	\$493,180	\$573,000	\$8,128,290
	Requested	\$4,771,062	\$0	\$1,330,360	\$0	\$573,000	\$6,674,422
	Banked	\$570,688	\$390,000	\$0	\$493,180	\$0	\$1,453,868
	Change in banked balance	(\$40,800)	\$0	\$0	\$318,020	\$0	\$277,220
	Ending Banked balance	\$919,888		\$0	\$811,200	\$0	\$1,731,088
4% Set-Aside	Authorized	\$10,683,500	\$780,000	\$2,660,720	\$986,360	\$1,146,000	\$16,256,580
	Requested	\$8,837,244	\$16,770	\$2,660,720	\$0	\$0	\$11,514,734
	Banked	\$1,846,256	\$763,230	\$0	\$986,360	\$1,146,000	\$4,741,846
	Change in banked balance	\$4,800	\$0	\$0	\$636,040	\$0	\$640,840
	Ending Banked balance	\$2,614,286		\$0	\$1,622,400	\$1,146,000	\$5,382,686
10% Set-Aside	Authorized	\$26,708,750	\$1,950,000	\$6,651,800	\$2,465,900	\$2,865,000	\$40,641,450
	Requested	\$21,892,391	\$444,179	\$6,851,900	\$0	\$0	\$29,188,470
	Banked	\$4,816,359	\$1,505,821	(\$200,100)	\$2,465,900	\$2,865,000	\$11,452,980
	Change in banked balance	\$12,000	\$0	\$0	\$1,590,100	\$0	\$1,602,100
	Ending Banked balance	\$6,334,180		(\$200,100)	\$4,056,000	\$2,865,000	\$13,055,080