



**ADEM**

**Alabama Clean Water State Revolving Fund  
Fiscal Year 2019 Annual Report**

**As of September 30, 2019**

**PLEASE NOTE** that this report does not constitute nor is it suitable for use as an official financial statement. This report is not prepared by an independent auditor or accountant, and is provided for informational purposes only.

# Alabama Clean Water SRF Annual Report – FY 2019

## Table of Contents

- I. **Introduction**
  
- II. **Executive Summary**
  
- III. **Goals and Accomplishments**
  - A. Short Term Goals and Accomplishments
  - B. Long Term Goals and Accomplishments
  
- IV. **Details of Accomplishments**
  - A. Fund Financial Status
  - B. Provisions of the Operating Agreement/Grant Conditions
  
- V. **Program Changes**
  - A. Comparison with the Intended Use Plan

### **Exhibits:**

- Exhibit 1: Binding Commitments
- Exhibit 2: CWSRF Loan Summary
- Exhibit 3: Cash Draws from CWSRF Capitalization Grants
- Exhibit 4: Assistance by EPA Need Category
- Exhibit 5: Long Term Cash Flow Projections
- Exhibit 6: CWSRF Intended Use Plan
- Exhibit 7: Draft Financial Statements

## **I. Introduction:**

The State of Alabama herewith submits its Clean Water State Revolving Fund (CWSRF) Annual Report for fiscal year 2019 (October 1, 2018 through September 30, 2019). This Report describes accomplishments of the State of Alabama as related to the goals and objectives of its Clean Water State Revolving loan program for fiscal year 2019 as identified in the final Intended Use Plan (IUP).

## **II. Executive Summary:**

Fiscal year 2019 was the thirtieth year of operation for the Alabama Water Pollution Control Authority and the Clean Water State Revolving Fund (CWSRF) Loan Program. The FY 1989-FY 2018 programs were detailed in previous Annual Reports.

Alabama received its FY 2019 EPA Title VI Capitalization Grant on September 5, 2019 in the amount of \$17,767,000. No state match funds were appropriated (cash match) for this grant. The state match requirement \$3,553,400 was satisfied by carryover match from prior years' programs. ADEM will utilize 1/5 percent of the total new position, \$989,066 for administrative costs and the remaining net to fund direct loans.

### **Loan Agreements**

During FY 2019 loan agreements (binding commitments) with eight (8) borrowers totaling \$58,690,000 were executed. These loans are enumerated in Exhibit 1. Execution of the binding commitments with borrowers is scheduled to ensure that CWSRF funds are available as needed for construction. A detailed breakdown of the components of each of loan is provided in Exhibit 2.

### **Disbursements**

CWSRF loan assistance totaling \$29,507,618.65 was dispersed to CWSRF recipients during the fiscal year.

All projects receiving financial assistance from the FY 2019 Alabama CWSRF program meet the definition of eligible projects as defined in Section 603(c) of the Clean Water Act.

## **III. Goals and Accomplishments:**

### **A. Short Term Goals and Accomplishments**

In its Intended Use Plan, the State of Alabama described short term goals to be implemented during the fiscal year. The State has made significant progress toward the successful completion of these goals:

1. To provide CWSRF assistance to the extent there are sufficient eligible project applications, not less than 10% of the CWSRF Capitalization Grant for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. These four categories of projects are the components of the Green Project Reserve.

*The Department actively solicited for green infrastructure projects for 2019. This solicitation included a notice posted on the ADEM website as well as notices sent to approximately 1,000 addresses on the departments e-mail and direct mail list. The Department identified projects on the 2019 IUP that meet these criteria and anticipate funding green projects for approximately \$25,270,000.*

2. To provide CWSRF loans with additional subsidization in the form of principal forgiveness for not less than 10% of the CWSRF Capitalization Grant. (\$1,776,700)

*The Department is in the process of meeting this goal by allocating a total of \$1,776,700 in principal forgiveness to be distributed amongst eight different borrowers during FY2019.*

3. To implement the State's CWSRF in compliance with Title VI of the Clean Water Act and to ensure conformance with Federal crosscutting issues as required by the 1987 Clean Water Act amendments.

*All Alabama CWSRF projects are required to complete the State Environmental Review Process (SERP) prior to the disbursement of CWSRF funds. This process includes a federal crosscutting review. All CWSRF funded projects have either successfully completed the required environmental reviews or are currently under review.*

4. To ensure compliance with the "first use" requirements which require that CWSRF assistance be available to projects which are members of the National Municipal Policy (NMP) universe; projects which have legally enforceable compliance schedules.

*During the fiscal year, the Authority and ADEM continued fulfillment of the "first use" requirements of Title VI of the Clean Water Act. All Alabama projects on the National Municipal Policy List have completed construction of improvements designed to ensure that water quality standards are met.*

5. To achieve statewide compliance with Federal and State water quality standards, particularly with the NMP as rapidly as possible.

*Projects which are noncompliant with NPDES effluent limits are given funding preference and are encouraged by both the availability of financial assistance and the possibility of administrative orders and sanctions to achieve compliance as rapidly as possible.*

6. To protect the public health and the environment and promote the completion of cost effective wastewater treatment facilities.

*The method used in drafting the project priority list and the state review of planning documents submitted with CWSRF loan applications and pre-applications promotes the protection of the public health and the environment with the funding of cost-effective POTWs.*

## **B. Long Term Goals and Accomplishments**

In its Intended Use Plan, the State of Alabama described six long-term goals to be implemented during FY 2019. The State continues to make progress toward the successful completion of these goals:

1. To maintain the CWSRF program and the fiscal integrity of the fund.

*In its administration of the CWSRF program, the State of Alabama has considered the long-term fiscal health of the CWSRF. The CWSRF working group includes, as integral members, persons who have extensive experience in the issuance of tax-free bonds, are knowledgeable of the cash flow requirements of such issues, have technical expertise related to the planning and design reviews required by the State and EPA prior to CWSRF funding and are capable of providing assistance in the disbursements of CWSRF funds to the loan recipients.*

*The Authority continues to set a loan interest rate approximately 1-1.5% less than the most advantageous rate commonly available to municipalities: 2.2% for the FY 2019 project priority list.*

*The Department's experience with the program indicates that this is a sufficient incentive to seek CWSRF financing for eligible treatment and transport works.*

2. To provide a self-perpetuating source of low interest loans for the construction of public wastewater treatment and transport facilities needed to meet water quality standards and provide capacity for future growth.

*Alabama's CWSRF is designed to be a perpetual source of low cost financial assistance for the construction of public wastewater treatment and transport facilities needed to meet water quality standards and provide capacity for future growth. Once ultimate capitalization has been achieved, the program may utilize the direct loan repayments and assets of the Master State Revolving Account as the source funds to support bond issues and/or to fund direct loans. Exhibit 5 details the latest projections of the CWSRF's future cash flows. These cash flows incorporate the loans already made by the Authority and those projected to be offered and show how the CWSRF Master Fund revolves perpetually. As of September 30, 2019, the Master State Revolving Fund (MSRF) had a balance of approximately \$245,950,543*

3. To assure that all Municipal NMP facilities achieve compliance as soon as possible.

*All of Alabama's NMP facilities are either in compliance or are on an enforceable compliance schedule with construction underway.*

4. To assure that all municipal facilities achieve compliance with final effluent limits as soon as possible.

*The Alabama CWSRF is funding eight projects during FY2019 to address treatment compliance.*

5. To assist in the maintenance of water quality standards wherever such standards are adversely affected by municipal wastewater point sources.

*All projects including wastewater treatment facilities are intended to achieve and maintain water quality standards in the receiving waters. Improvements in water quality are expected from both upgrades in the treatment level of wastewater treatment facilities and the elimination of sewer bypasses related to inadequate hydraulic capacity in treatment and transport systems.*

6. To meet public health and environmental needs of those communities with malfunctioning on-site treatment systems that are either identified as a health hazard by the State Health Department or adversely affect water quality.

*Both the method used in drafting the project priority list and the state review of CWSRF loan applications promote protection of the public health and the environment by first providing financial assistance to projects that address the most critical needs.*

#### **IV. Details of Accomplishments**

##### **A. Fund Financial Status**

###### **1. Binding Commitments**

Since the inception of the Alabama Clean Water State Revolving Fund in 1989, 277 binding agreements had been executed for a total amount of \$1,359,231,390 at the close of FY 2019. Exhibit 1 details the binding commitment dates and amounts for each loan closed this fiscal year.

2. Sources of Funds

The sources of funds used to provide loans during FY 2019 were the EPA Capitalization Grant, loan repayments, and interest earnings.

Exhibit 2 provides a loan summary including the funding source and funding breakdown for loans executed during the year.

CWSRF loan repayments of \$59,638,566.24 were received in the fiscal year.

A FY 2019 EPA Title VI Capitalization Grant of \$17,767,000 was awarded to the Department. No state match funds were appropriated (cash match) for this year’s grant. The State of Alabama will utilize previously issued state match revenue bonds in order to provide the 20 percent match requirement \$3,553,400

Exhibit 4 shows the assistance amount provided by EPA Needs Survey category.

No grant funds were reserved for transfer from either the DWSRF or the CWSRF program for FY 2019.

3. Disbursements and Guarantees

As detailed by Exhibit 3, construction draws totaled \$17,266,686.10.

The table below details ADEM’s CWSRF Administrative costs that was obligated from the 1/5% administrative set-aside from the federal capitalization grants.

**CWSRF Administrative Costs: 1/5 % Set-Aside**

	<b>CWSRF Grant</b>
Salaries	\$221,596.06
Fringe	\$82,513.86
Travel	\$1,961.67
Professional Services	\$1,833.14
Supplies/Equipment	\$3,276.80
<b>Total Direct Costs</b>	<b>\$311,181.53</b>
Indirect Costs	\$96,513.15
<b>Total</b>	<b>\$407,694.68</b>

The FY 2019 administrative fee collected from loan recipients of the outstanding loan principal was \$2,778,332.81. This administrative fee is used first to pay the trustee expenses associated with administering the CWSRF, build state match funds for future capitalization grants, and support water quality based activities such as NPDES permitting/enforcement and water quality studies.

This fee is received by ADEM when semi-annual loan payments become due (February 15 and August 15). All fees collected as a result of open grants are held separately and used only for the administration of the CWSRF.

The table below shows the expenses charged to the fee account during FY 2019.

<b>FY 2019 CWSRF Admin Expenses from Loan Fee</b>	
Salaries:	\$1,238,031.68
Fringes:	\$486,539.90
Travel:	\$11,598.46
Professional Services:	\$61,376.03
Supplies, Misc.:	\$10,457.83
Equipment:	\$6,782.64
Total Direct Costs:	\$1,814,786.54
Indirect Costs	\$1,124,834.94
<b>Total</b>	<b>\$2,939,621.48</b>

4. Financial Statements

The most recent audit of Alabama's CWSRF (through FY 2019) revealed no material weaknesses in the program. A copy of this audit was submitted to EPA. EPA will receive a copy of the FY 2019 audit when it is available. A draft copy of the financial statements are available in Exhibit 7.

5. Credit Risk of the SRF

The financial status and credit quality of the loan recipients are reviewed both internally and by the CWSRF Financial Advisor. The credit risk assessment and rating process is crucial in determining the financial capability of the potential borrowers. Assistance is provided only to communities that pass this analysis and, if necessary, agree to additional credit security pledges, including the full faith and credit of the community or specific revenue pledges. This is necessary in order to maintain the fiscal integrity of the CWSRF and therefore the authority cannot loan funds to municipalities that do not have the means to repay their loan.

The basic procedures involved in the determination of the credit quality of the loan recipients are:

- reviewing the applicant's existing bond rating
- determination of outstanding debt
- verification of the presence and sufficiency of a dedicated source of revenue for repayment of the loan
- demographics of the recipients' service area

B. Provisions of the Operating Agreement and Grant Conditions

The State of Alabama agreed to a number of conditions in the Operating Agreement and Grant Agreement. These conditions have been met and are more fully described below. The following conditions have been met as described in the operating and grant agreements and need no further description:

- Agreement to Accept Payments
- State Laws and Procedures
- State Accounting and Audit Procedures
- Use of the Federal Capitalization Grant funds
- Repayments
- Annual Audit
- Annual Report
- Annual Review

The following conditions have been met and are described more fully in detail below:

#### 1. Provide a State Match

A total of \$3,553,400 in State Match funding is required to meet the 20% state match requirement associated with the FY 2019 capitalization grant. The Alabama Legislature did not appropriate funds for CWSRF State Match from the General Fund. The state match requirement will be satisfied by previously by the issued state revenue bonds. These funds will be expended for eligible project costs submitted by members of the FY 2019 project list.

#### 2. Binding Commitments Within One Year

The State of Alabama entered into binding commitments to provide assistance from the CWSRF in amounts equal to or greater than 120 percent of each quarterly grant payment.

#### 3. Expeditious and Timely Expenditure

The Alabama CWSRF disbursed \$29,507,618.65 in payments to loan recipients through the end of the fiscal year. CWSRF projects have progressed in an expeditious and timely manner to start construction. The Alabama Department of Environmental Management is also monitoring the projects to ensure timely initiation of operations in accordance with the established schedules. ADEM and the Trustee are disbursing loan funds in a timely manner when presented with valid pay requests.

In order to ensure that the loan repayment stream necessary to meet the financial obligations of the bond issue is met, the Special Conditions Loan Agreement, the legal document which commits CWSRF funds to a particular project, explicitly specifies the date on which loan repayments are to commence, regardless of the status of construction completion. For this reason the State has a vital interest in providing for the timely expenditure of CWSRF funds.

#### 4. First Use of Funds for Enforceable Requirements

The State of Alabama has met the first use requirement by providing funding to all NMP projects which applied for CWSRF assistance. All NMP projects that did not receive SRF assistance were funded by other means (EPA, CDBG, FmHA/RDA, EDA grants or local funds).

#### 5. Eligible Activities of the SRF

Amendments to the IUP list of projects to be funded are included in Section V.

#### 6. Minority Business Enterprise (MBE)/Women's Business Enterprise (WBE) Requirements

All CWSRF borrowers are required to comply with the Civil Rights Act of 1964 and 1990, Executive Order 11246 (Equal Employment Opportunity), and Executive Orders 11625 and 12138 (MBE/WBE). Each borrower must implement the six affirmative steps to attain "fair share" goals and ensure that its prime contractors also comply. "Fair share goals" for the state were renegotiated with EPA and new attainable goals went into effect October 1, 2014. The DWSRF capitalization grant specifies that the State require loan recipients to make a good faith effort to achieve 2.5% MBE and 3.0% WBE participation for construction contracts.

The State of Alabama has submitted Standard Form 5700-20A to EPA Region IV for their review on a quarterly basis to document efforts toward achieving MBE/WBE objectives and will continue to do so.



MBE contracts for CWSRF Projects awarded totaled **\$60,000 (0.12%)**, while WBE participation totaled **\$4,098,431 (7.9%)**. Total DBE total Participation was **\$4,098,431 (7.9%)**. The Department continues to ensure the loan applicants and contractors and suppliers make and document a good faith effort to meet the goals.

#### 7. Other Federal Authorities

The State of Alabama and all recipients of CWSRF funds made directly available by the capitalization grant have complied with applicable federal authorities (federal crosscutters). Recipients of CWSRF assistance agreed to do this in the loan agreement between the recipient and the Authority. Additionally, projects required to complete the State Environmental Review Process (SERP) have done so in a manner consistent with the crosscutting requirements.

#### 8. State Environmental Review Process

The Department conducts environmental reviews on all funded CWSRF projects in accordance with the State Environmental Review Process (SERP). Environmental Assessments (EA) have been prepared and a Finding of No Significant Impact (FNSI) or Categorical Exclusion (CE) issued for each project.

### **V. Program Changes:**

#### A. Comparison with the Intended Use Plan

The FY 2018 Intended Use Plan included a Fundable Project Priority List of projects totaling \$83,776,000. The City of Winfield opted out of using their pre-approved SRF loan, choosing to use a local bank to fund their project. We expect closure of the remaining projects within a year.

Exhibit 1 - Binding Commitments

Project Name	Project #	Bind Date	Completion		Loan Amount	Repay Date	C%	Funds	
			Date					Source	IUP FY
Ashford Downtown Sewer Rehabilitation	CS010824-02	7/1/2019	12/1/2019		\$860,000.00	2/15/2020	2.2%	DL:EPA	2016
Evergreen Wastewater Treatment Plant Upgrade	CS010335-05	11/1/2018	8/1/2020		\$3,945,000.00	8/15/2020	2.2%	DL:EPA	2018
Mobile Upgrades and Various Sewer Rehabilitation	CS010281-17	11/1/2018	11/30/2019		\$32,010,000.00	2/15/2019	2.2%	DL:EPA	2017
Prattville 10th Street Drainage Canal Restoration	CS010254-10	11/1/2018	7/1/2019		\$465,000.00	8/15/2019	2.2%	DL:EPA	2017
Arab Wastewater System Improvements	CS010873-01	12/1/2018	2/1/2021		\$8,890,000.00	2/15/2021	2.2%	DL:EPA	2018
Russellville WWTP UV Disinfection Upgrade	CS010876-01	12/15/2018	3/31/2020		\$670,000.00	8/15/2020	2.2%	DL:EPA	2018
Tuscaloosa 2018 CWSRF Projects	CS010290-21	2/1/2019	12/1/2020		\$8,870,000.00	2/15/2021	2.2%	DL:EPA	2018
Tallassee WWTP & Collection System Improvements	CS010359-04	9/15/2019	12/3/2020		\$2,980,000.00	2/15/2021	2.2%	DL:EPA	2018
<b>8 Loans</b>					<b>Total Loan Amount: \$58,690,000.00</b>				

Note: "Funds Source" designates the source of loan funding, e.g.:

DL:EPA = Direct Loan funded by the Master State Revolving and the EPA Grant

Exhibit 2 - CWSRF Loan Summary

<b>Project Name</b>	<b>Funds Source</b>	<b>Project Amount</b>	<b>GPR Amount</b>	<b>Principal Forgiveness</b>	<b>Finance Expense</b>	<b>Capital Interest</b>	<b>Loan Amount</b>
Ashford Downtown Sewer Rehabilitation	DL:EPA	\$842,116.67	\$0.00	\$0.00	\$10,000.00	\$7,883.33	\$860,000.00
Evergreen Wastewater Treatment Plant Upgrade	DL:EPA	\$3,802,367.50	\$0.00	\$500,000.00	\$10,000.00	\$132,632.50	\$3,945,000.00
Mobile Upgrades and Various Sewer Rehabilitation	DL:EPA	\$32,000,000.00	\$0.00	\$500,000.00	\$10,000.00	\$0.00	\$32,010,000.00
Prattville 10th Street Drainage Canal Restoration	DL:EPA	\$451,955.00	\$0.00	\$150,000.00	\$10,000.00	\$3,045.00	\$465,000.00
Arab Wastewater System Improvements	DL:EPA	\$8,456,243.33	\$0.00	\$0.00	\$10,000.00	\$423,756.67	\$8,890,000.00
Russellville WWTP UV Disinfection Upgrade	DL:EPA	\$650,175.17	\$0.00	\$325,000.00	\$10,000.00	\$9,824.83	\$670,000.00
Tuscaloosa 2018 CWSRF Projects	DL:EPA	\$8,502,243.33	\$0.00	\$0.00	\$10,000.00	\$357,756.67	\$8,870,000.00
Tallassee WWTP & Collection System Improvements	DL:EPA	\$2,900,000.00	\$0.00	\$500,000.00	\$10,000.00	\$66,381.33	\$2,980,000.00
<b>8 Loans</b>		<b>\$57,605,101.00</b>	<b>\$0.00</b>	<b>\$1,975,000.00</b>	<b>\$80,000.00</b>	<b>\$1,001,280.33</b>	<b>\$58,690,000.00</b>

Note: "Funds Source" designates the source of loan funding, e.g.:

DL:EPA = Direct Loan funded by the Master State Revolving and the EPA Grant

GPR Amount: Water and Energy Efficiency, Green infrastructure and Environmentally Inovative Projects

### Exhibit 3 - CWSRF Captilization Grant Draws for Construction

Draw #	Project Name	Draw Date	Draw Amount
548	Rogersville Sewer System Improvements	10/2/2018	\$65,555.13
548	Rogersville Sewer System Improvements	10/2/2018	\$2,903.54
548	Rogersville Sewer System Improvements	10/2/2018	\$6,156.25
548	Rogersville Sewer System Improvements	10/2/2018	\$11,318.75
548	Rogersville Sewer System Improvements	10/2/2018	\$7,077.40
548	Anniston Choccolocco Creek WWTP Improvements	10/2/2018	\$241,957.76
548	Anniston Choccolocco Creek WWTP Improvements	10/2/2018	\$146,175.47
548	Anniston Choccolocco Creek WWTP Improvements	10/2/2018	\$93,942.62
548	Anniston Choccolocco Creek WWTP Improvements	10/2/2018	\$700,926.02
548	Jemison Municipal Water Works WWTP Filter Project	10/2/2018	\$57,124.88
548	Jemison Municipal Water Works WWTP Filter Project	10/2/2018	\$19,000.02
548	Jemison Municipal Water Works WWTP Filter Project	10/2/2018	\$254,544.89
548	Tuscaloosa Sanitary Sewer Improvements	10/2/2018	\$224,762.71
548	Tuscaloosa Sanitary Sewer Improvements	10/2/2018	\$1,295,188.12
548	Tuscaloosa Sanitary Sewer Improvements	10/2/2018	\$276,768.03
548	Tuscaloosa Sanitary Sewer Improvements	10/2/2018	\$196,996.90
548	Grand Bay Sewer Improvements	10/2/2018	\$399,133.02
549	Dadeville Water, Sewer, and Gas Board WWTP Headworks	10/4/2018	\$1.02
549	Jemison Municipal Water Works WWTP Filter Project	10/4/2018	\$74,150.00
549	Guntersville Eastlake WWTP Improvements	10/4/2018	\$22,230.64
549	Madison WWTP Headworks & Secondary Treatment Improvements	10/4/2018	\$16,876.80
549	Madison WWTP Headworks & Secondary Treatment Improvements	10/4/2018	\$5,110.15
549	Andalusia Sanitary Sewer Improvements	10/4/2018	\$6,322.49
549	St. Elmo - Irvington Sewer Improvements	10/4/2018	\$3,115.00
551	Cullman WWTP Upgrade & Cracker Barrel Lift Station Replacement	11/26/2018	\$888,782.70
551	Cullman WWTP Upgrade & Cracker Barrel Lift Station Replacement	11/26/2018	\$448,611.60
551	Cullman WWTP Upgrade & Cracker Barrel Lift Station Replacement	11/26/2018	\$232,033.08
551	Jacksonville WRRF and Collection System Improvements	11/26/2018	\$590,857.00
551	Tuscaloosa Sanitary Sewer Improvements	11/26/2018	\$1,320,506.57
551	Tuscaloosa Sanitary Sewer Improvements	11/26/2018	\$719,209.05
553	Andalusia Sewer System Improvements	1/22/2019	\$346,670.00
553	Gurley WWTP Improvements	1/22/2019	\$116,903.85
553	Dadeville Water, Sewer, and Gas Board WWTP Headworks	1/22/2019	\$98,297.50
553	Jacksonville WRRF and Collection System Improvements	1/22/2019	\$346,102.75
553	Mobile's C.C. Williams WWTF Improvements	1/22/2019	\$6,591,091.33
553	Cullman WWTP Upgrade & Cracker Barrel Lift Station Replacement	1/22/2019	\$149,841.60
553	Cullman WWTP Upgrade & Cracker Barrel Lift Station Replacement	1/22/2019	\$91,850.40
553	Cullman WWTP Upgrade & Cracker Barrel Lift Station Replacement	1/22/2019	\$96,000.00
553	Hanceville WWTP Solar Energy System	1/22/2019	\$70,739.85
553	Hanceville WWTP Solar Energy System	1/22/2019	\$220,186.99
553	Prattville North Silver Hills Drainage Canal Restoration	1/22/2019	\$8,982.03
553	Prattville North Silver Hills Drainage Canal Restoration	1/22/2019	\$120,547.80
553	Prattville Woodvale Drainage Canal Restoration	1/22/2019	\$62,563.45
553	Fort Payne WWTP Upgrades	1/22/2019	\$260,856.60
553	Fort Payne WWTP Upgrades	1/22/2019	\$118,562.73
553	Guntersville Eastlake WWTP Improvements	1/22/2019	\$239,603.12
556	Jemison Municipal Water Works WWTP Filter Project	4/1/2019	\$548.49
			<b>\$17,266,686.10</b>

Exhibit 4 - Assistance by EPA Needs Category (Closed Loans)

FY	Project	I	II	IIIA	IIIB	IVA	IVB	VII-D
	2016 Ashford Downtown Sewer Rehabilitation	\$0	\$0	\$860,000	\$0	\$0	\$0	\$0
	2018 Evergreen Wastewater Treatment Plant Upgrade	\$0	\$0	\$0	\$ 3,945,000.00	\$0	\$0	\$0
	2017 Mobile Upgrades and Various Sewer Rehabilitation	\$0	\$0	\$ 2,135,066.89	\$0	\$0	\$ 29,874,933.59	\$0
	2017 Prattville 10th Street Drainage Canal Restoration	\$0	\$0	\$0	\$0	\$0	\$0	\$465,000.00
	2018 Arab Wastewater System Improvements	\$0	\$ 2,924,809.97	\$0	\$ 5,965,190.03	\$0	\$0	\$0
	2018 Russellville WWTP UV Disinfection Upgrade	\$ 670,000.00	\$0	\$0	\$0	\$0	\$0	\$0
	2018 Tuscaloosa 2018 CWSRF Projects	\$0	\$0	\$0	\$ 8,870,000.00	\$0	\$0	\$0
	2018 Tallassee WWTP & Collection System Improvements	\$ 745,000.00	\$0	\$0	\$0	\$ 2,235,000.00	\$0	\$0
<b>8 Loans</b>	<b>Totals</b>	<b>\$1,415,000</b>	<b>\$ 2,924,809.97</b>	<b>\$ 2,995,066.89</b>	<b>\$ 18,780,190.03</b>	<b>\$ 2,235,000.00</b>	<b>\$29,874,934</b>	<b>\$465,000</b>

**Total**                      **\$58,690,000**

**Secondary Treatment (Category I):**

The minimum level of treatment which must be maintained by all treatment facilities, except those facilities granted waivers under Section 301(h) of the Clean Water Act. Treatment levels are specified in terms of the concentration of conventional pollutants in the wastewater being discharged from a facility. Secondary treatment requires an 85 percent reduction in conventional pollutant concentration in the wastewater treated by a facility. Needs reported in this category are necessary to attain secondary treatment. Needs to attain incremental reductions in conventional pollutant concentrations beyond secondary treatment requirements are included in Category II.

**Advanced Treatment (Category II):**

A level of treatment more stringent than secondary treatment. Advanced treatment requires greater than 85 percent reduction in conventional pollutants, or a significant reduction in non-conventional pollutants present in the wastewater treated by a facility. Needs reported in this category are necessary to attain incremental reductions in pollutant concentrations beyond basic secondary treatment.

**Infiltration/Inflow Correction (Category IIIA):**

The penetration into a sewer system of water other than wastewater from the ground through such means as defective pipes or manholes (infiltration) or from sources such as drains, storm sewers, and other improper entries into the system (inflow). Included in this category are costs for correction of sewer system infiltration/inflow problems. Costs also are reported for preliminary sewer system analysis and for detailed sewer system evaluation surveys.

**Replacement/Rehabilitation of Sewers (Major Rehab) (Category IIIB):**

Reinforcement or reconstruction of structurally deteriorating sewers. This category includes cost estimates for rehabilitation of existing sewer systems beyond those for normal maintenance. Costs are reported if the corrective actions are necessary to maintain the structural integrity of the system.

**Collector Sewers (Category IVA):**

Pipes used to collect and carry wastewater from an individual source to an interceptor sewer that will convey the wastewater to a treatment facility. This category includes the costs of constructing new collector sewer systems and appurtenances.

**Interceptor Sewers (Category IVB):**

Major sewer lines receiving wastewater flows from collector sewers. The interceptor sewer carries wastewater directly to the treatment plant or to another interceptor. This category includes costs for constructing new interceptor sewers and pumping stations necessary for conveying wastewater from collector sewer systems to treatment facilities or to another interceptor.

**General Stormwater Management (Category VI-D)**

This category includes the needs and costs to address the stormwater management program activities associated with the planning, design, and construction of treating stormwater with wet ponds, dry ponds, manufactured devices, and other similar means. This category includes the needs and costs to address the activities associated with implementing a stormwater management program, such as geographic information systems and tracking systems, equipment (e.g., street sweepers, vacuum trucks), stormwater education program startup costs (e.g., setting up a stormwater public education center, building a traveling stormwater education display), and stormwater management plan development.

Exhibit 5- Long Term Cash Flow Projections  
**CWSRF Perpetuity of the Fund Measure**

FY	Contributed Capital Total Grant	Net Grant (96%)	*ARRA 20% Match	Transfer to DWSRF	Total Contributed Capital
1989	\$10,546,965.00	\$ 10,125,086.00	\$2,109,393	\$0	\$12,234,479
1990	\$10,909,503.00	\$ 10,473,123.00	\$2,181,901	\$0	\$12,655,024
1991	\$22,948,299.00	\$ 22,030,367.00	\$4,589,660	\$0	\$26,620,027
1992	\$21,726,342.00	\$ 20,857,288.00	\$4,345,268	\$0	\$25,202,556
1993	\$21,492,207.00	\$ 20,632,519.00	\$4,298,441	\$0	\$24,930,960
1994	\$13,335,597.00	\$ 12,802,173.00	\$2,667,119	\$0	\$15,469,292
1995	\$13,772,781.00	\$ 13,221,870.00	\$2,754,556	\$0	\$15,976,426
1996	\$22,560,417.00	\$ 21,658,000.00	\$4,512,083	\$0	\$26,170,083
1997	\$7,070,048.00	\$ 6,787,246.00	\$1,414,010	(\$4,144,404)	\$4,056,852
1998	\$15,076,774.00	\$ 14,473,703.00	\$3,015,355	(\$2,793,648)	\$14,695,410
1999	\$15,149,120.00	\$ 14,543,155.00	\$3,029,824	(\$2,928,024)	\$14,644,955
2000	\$15,007,311.00	\$ 14,407,019.00	\$3,001,462	(\$3,043,062)	\$14,365,419
2001	\$14,873,958.00	\$ 14,279,000.00	\$2,974,792	(\$3,055,635)	\$14,198,157
2002	\$14,907,024.00	\$ 14,310,743.00	\$2,981,405	(\$2,657,325)	\$14,634,823
2003	\$14,810,202.00	\$ 14,217,794.00	\$2,962,040	(\$2,641,353)	\$14,538,481
2004	\$14,819,112.00	\$ 14,226,348.00	\$2,963,822	(\$2,740,023)	\$14,450,147
2005	\$12,049,290.00	\$ 11,567,318.00	\$2,409,858	(\$2,969,208)	\$11,007,968
2006	\$9,790,700.00	\$ 9,399,072.00	\$1,958,140	\$0	\$11,357,212
2007	\$11,967,813.00	\$ 11,450,964.00	\$2,393,563	\$0	\$13,844,527
2008	\$7,585,900.00	\$ 7,282,464.00	\$1,517,180	\$0	\$8,799,644
2009	\$7,585,900.00	\$ 7,282,464.00	\$1,517,180	\$0	\$8,799,644
*2009	\$43,821,600.00	\$42,068,736.00	\$0	\$0	\$42,068,736
2010	\$22,783,000.00	\$21,871,680.00	\$4,556,600	\$0	\$26,428,280
2011	\$16,511,000.00	\$15,850,560.00	\$3,302,200	\$0	\$19,152,760
2012	\$15,803,000.00	\$15,170,880.00	\$3,160,600	\$0	\$18,331,480
2013	\$14,929,000.00	\$14,331,840.00	\$2,985,800	\$0	\$17,317,640
2014	\$15,678,000.00	\$15,050,880.00	\$3,135,600	\$0	\$18,186,480
2015	\$15,597,000.00	\$14,973,120.00	\$3,119,400	\$0	\$18,092,520
2016	\$14,940,000.00	\$14,342,400.00	\$2,988,000	\$0	\$17,330,400
2017	\$14,825,000.00	\$14,232,000.00	\$2,965,000	\$0	\$17,197,000
2018	\$17,948,000.00	\$17,230,000.00	\$3,589,600	\$0	\$20,819,600
2019	\$17,767,000.00	\$17,056,320.00	\$3,553,400	\$0	\$20,609,720
					\$554,186,702

Net Assets of Program (as of 9/30/19)	
Direct Loan Principal Outstanding:	\$343,825,000
Available Cash and Investments:	\$245,950,543
Amount Due to Borrowers:	(\$88,125,632)
Federal Letter of Credit Outstanding:	\$17,056,320
<b>Total Net Assets:</b>	<b>\$518,706,231</b>

# EXHIBIT 6

## FY 2019 Intended Use Plan



**State of Alabama**  
**Alabama Department of Environmental Management**  
**Clean Water State Revolving Fund Program**



SRF Section  
Permits and Services Division  
Alabama Department of Environmental Management  
Post Office Box 301463  
Montgomery, Alabama 36130-1463

(334) 271-7913

---

## CWSRF Intended Use Plan



**Fiscal Year 2019**

**TABLE OF CONTENTS**

**I. INTRODUCTION:..... 3**

**II. PROGRAM GOALS:..... 3**

**A. SHORT TERM GOALS: ..... 3**

**B. LONG TERM GOALS: ..... 3**

**III. SOURCES AND USE OF THE FUNDS: ..... 4**

**IV. WATER RESOURCES REFORM AND DEVELOPMENT ACT ..... 4**

**A. FISCAL SUSTAINABILITY PLANS: ..... 4**

**B. ARCHITECTURAL AND ENGINEERING (A/E) SERVICES PROCUREMENT: ..... 5**

**C. COST AND EFFECTIVENESS CERTIFICATION: ..... 5**

**D. ADDITIONAL SUBSIDY AND AFFORDABILITY: ..... 5**

**E. EXTENDED TERM FINANCING: ..... 5**

**V. PROJECT SELECTION AND METHODS OF DISTRIBUTION OF FUNDS ..... 5**

**A. PRIORITY LIST: ..... 5**

**B. ADDITIONAL SUBSIDIZATION: ..... 5**

**C. GREEN PROJECT RESERVE:..... 6**

**D. PREVAILING WAGES: ..... 6**

**E. INADEQUATE ALLOCATIONS: ..... 6**

**F. UNANTICIPATED AND UNCOMMITTED FUNDS: ..... 6**

**G. PROJECT BYPASS REALLOTMENT: ..... 7**

**VI. CERTIFICATIONS:..... 7**

**VII. PROGRAM INCOME: ..... 8**

**VIII. ESTIMATED CWSRF CAPITALIZATION GRANT SCHEDULES: ..... 8**

**A. ESTIMATED GRANT DRAW SCHEDULE: ..... 8**

**B. ESTIMATED GRANT DISBURSAL SCHEDULE: ..... 8**

**C. CAPITALIZATION GRANT BUDGET PERIODS: ..... 8**

**ATTACHMENT 1 – PROJECT PRIORITY LIST**

**ATTACHMENT 2 – PROJECT DESCRIPTIONS**

**ATTACHMENT 3 – ALABAMA CWSRF A/E PROCUREMENT REQUIREMENTS**

**ATTACHMENT 4 – ADDITIONAL SUBSIDIZATION AND AFFORDABILITY CRITERIA**

**ATTACHMENT 5 – ALABAMA CWSRF PRE-APPLICATION FORM**

## **I. Introduction:**

As required by Title VI of the Clean Water Act, each year the Department must prepare an Intended Use Plan (IUP) identifying the projected uses of funds available in its Clean Water State Revolving Fund (CWSRF). This Intended Use Plan (IUP) serves as a basis for the development of the capitalization grant payment schedule.

The State of Alabama will receive an EPA Capitalization Grant of \$17,767,000 from EPA that will be used to provide low interest financial assistance for the CWSRF program. The 20% State matching fund requirement for the capitalization grant is \$3,553,400 and will be fulfilled by an overmatch of State Match Bonds issued in previous years' and a contribution from ADEM State Enforcement Action (see Projected Sources). The capitalization grant funds for the CWSRF and the 20% State matching funds will be distributed as outlined by this plan.

In accordance with the Clean Water Act (CWA) Amendments of 1987, the Department proposes the following plan for the intended use of the CWSRF funds for FY 2019 as required by Section 606(c) of the CWA.

## **II. Program Goals:**

### **A. Short Term Goals:**

1. To provide CWSRF assistance to the extent there are sufficient eligible project applications, not less than 10% of the CWSRF Capitalization Grant for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. These four categories of projects are the components of the Green Project Reserve.
2. To provide CWSRF loans with additional subsidization in the form of principal forgiveness for not less than 10% of the CWSRF Capitalization Grant.
3. To implement the State's CWSRF in compliance with Title VI of the Clean Water Act and to ensure conformance with Federal crosscutting issues as required by the 1987 Clean Water Act amendments.
4. To ensure compliance with the "first use" requirements which require that CWSRF assistance be available to projects which are members of the National Municipal Policy (NMP) universe; projects which have legally enforceable compliance schedules.
5. To achieve statewide compliance with Federal and State water quality standards, particularly with the NMP as rapidly as possible.
6. To protect the public health and the environment and promote the completion of cost-effective wastewater treatment facilities.

### **B. Long Term Goals:**

1. To maintain the CWSRF program and the fiscal integrity of the fund.
2. To provide a self-perpetuating source of financial assistance for the construction of public wastewater treatment and transport facilities needed to meet water quality standards and provide capacity for future growth.
3. To assure that all Municipal NMP facilities achieve compliance as soon as possible.
4. To assure that all municipal facilities achieve compliance with final effluent limits as soon as possible.

5. To assist in the maintenance of water quality standards wherever such standards are adversely affected by municipal wastewater point sources.
6. To meet public health and environmental needs of those communities with malfunctioning on-site treatment systems that are either identified as a health hazard by the State Health Department or that adversely affect water quality.

**III. Sources and Use of the Funds:**

The Department is expected to fund FY 2019 projects using a combination of interest earnings on the Fund, repayments from direct loans and the EPA Capitalization Grant. Match for the EPA Grant will be fulfilled by overmatch of State Match Bonds issued in previous years' and a contribution from ADEM State Enforcement Action. The estimated sources and uses of funds in the FY 2019 CWSRF program are as follows:

Sources:

2019 EPA CWSRF Cap Grant:	\$17,767,000
Direct Loan Repayments, Interest Earnings and Unobligated Funds:	\$66,998,066
State Match Cash Appropriation (projected):	\$0
	Total: 84,765,066

Uses:

Project Assistance:	\$83,776,000
Additional Subsidization:	(\$1,776,700)
4 % Administrative Costs (projected):	\$989,066
	Total: 84,765,066

Projects on the CWSRF Project List are ranked by their respective priority point rating and may be funded according to availability of funds. Projects that are not funded from the Project List may be funded in subsequent years.

The amount reserved for administrative costs is equal to 1/5 percent per year or the Total New Position (\$494,533,119 as of the most recent audited financial statements).

The rate of cash draws from the federal capitalization grant will be based on dollar-for-dollar draws of direct loan projects. Consistent with EPA policy, draws from the federal grant for these direct loan projects are required to be proportional to the disbursement of state match funds to borrowers for eligible project costs. The State intends to manage its disbursements to borrowers to insure that State funds are spent first in order to ensure that the proportionality requirement is met expeditiously. This technique is necessary to ensure that direct loan borrowers funded from federal capitalization grants are able to receive requisitioned funds in a timely manner. It should be noted that overmatch from previous years' programs will be used to match the grant in addition to the appropriation provided by the State Legislature.

**IV. Water Resources Reform and Development Act**

The Water Resources Reform and Development Act (WRRDA) was enacted on June 10, 2014 and brought several changes to the CWSRF program.

**A. Fiscal Sustainability Plans**

The Federal Water Pollution Control Act (FWPCA) Section 603(d)(1)(E) requires a recipient of a loan for a project that involves the repair, replacement, or expansion of a publically owned treatment works to develop and implement a Fiscal Sustainability Plan (FSP) or certify that it has developed and

implemented an FSP. This provision applies to all loans for which the loan recipient submitted an application on or after October 1, 2014.

The Alabama CWSRF program provides all assistance by purchasing outstanding debt obligations (bonds) from the borrower, thus this requirement does not apply. The Alabama CWSRF program commonly refers to these bond purchase agreements as “loans”, though they are not loans as defined by EPA.

## **B. Architectural and Engineering (A/E) Services Procurement**

For any capitalization grant awarded after October 1, 2014, the State must ensure that all A/E contracts for projects identified as using funds directly from each year’s capitalization grant (i.e. equivalency projects) comply with the elements of the procurement processes for A/E services as identified in 40 U.S.C. 1101 et seq., or an equivalent State requirement. The Alabama CWSRF requires its recipients to comply with the *September 30, 2014 Alabama CWSRF A/E Procurement Requirements* (See Attachment 3).

## **C. Cost and Effectiveness Certification**

Section 602(b)(13) requires that CWSRF recipients certify that the recipient has studied the cost and effectiveness of the project and selected the project that maximizes the potential for efficient water use, reuse, recapture and conservation, and energy conservation. The Alabama CWSRF program is requiring each recipient of CWSRF funding to provide a certification in compliance with 602(b)(13). This certification can be found on page 14 of the CWSRF Loan Application (Form 339 M-2).

## **D. Additional Subsidy and Affordability**

Additional subsidy in the form of principal forgiveness shall be made available in total of the required amount for the States 2019 Capitalization Grant Appropriation or the cap set at 603(i)(3) of the Federal Water Pollution Control Act, whichever is less. Additional subsidy would first be provided to eligible Section 319 projects that include green infrastructure intended to mitigate or prevent storm water pollution. Additional subsidy will also be provided in rank order to projects as determined by the Affordability Measure for Alabama. Each project may receive up to a maximum of 50% of the allowable cost in principal forgiveness or a maximum of \$500,000 until the amount has been allocated. The Affordability Measure Guidelines for Alabama can be found on Attachment 4.

## **E. Extended Term Financing**

Section 603(d)(1)(A) authorizes CWSRF loans to be made for a term not exceeding the lesser of 30 years or the useful life of the project. At this time, Code of Alabama 22-34-11(c) prohibits the Alabama CWSRF from providing any loan that exceeds 20 years in repayment length.

## **V. Project Selection and Methods of Distribution of Funds**

### **A. Priority List**

In order to be considered for CWSRF assistance, projects must be on or added to the Priority List and have a proposed project schedule that coincides with the availability of CWSRF funds. The CWSRF project list was developed by identifying the priority point rating for each proposed project. (See Attachment 5) The funding of such projects is also subject to the availability of funds.

### **B. Additional Subsidization:**

Additional subsidy in the form of principal forgiveness shall be made available in total of the required amount of the 2019 Capitalization Grant Appropriation or the cap set at 603(i)(3) of the Federal Water Pollution Control Act, whichever is less. The attached project list attachment includes projects that may receive principal forgiveness based the subsidy criteria. The Department has authority to provide additional subsidization by the Code of Alabama Section 22-34-3(a).

### **C. Green Project Reserve:**

The EPA capitalization grant requires that, to the extent there are sufficient eligible project applications, not less than 10% of funds provided by the 2019 Capitalization Grant for projects must be used for projects that address green infrastructure, water or energy efficiency, or other environmentally innovative activities. These four categories of projects are the components of the Green Project Reserve (GPR). The Department actively solicited for green infrastructure projects for 2019. This solicitation included a notice posted on the ADEM website as well as a notice sent to approximately 1,000 addresses on the Department's contact list including all incorporated towns and all county governments. **The project fundable list identifies eight projects that have a component for GPR totaling \$25,270,000 (see Attachment 1).**

### **D. Prevailing Wages**

Davis-Bacon wage requirements apply for fiscal year 2019 and each fiscal year thereafter and the requirements of section 513 of the Federal Water Pollution Control Act (33 U.S.C. 1372) shall apply to the construction of treatment works carried out in whole or in part with assistance made available by the CWSRF as authorized by title VI of that Act (33 U.S.C. 1381 et seq.). The Department will include in all loan agreements and procurement contracts terms and conditions requiring compliance with this requirement.

### **E. Inadequate Allocations:**

If the actual federal CWSRF allocations are less than anticipated by the Department in the development of the CWSRF priority list, the Department may find it necessary to reduce their commitments to projects on the priority list. The Department may take formal action to reduce the number of commitments in accordance with subparagraph 3) of this paragraph.

- 1). The Department may redistribute the CWSRF funds allocated to each project.
- 2). The Department may redistribute funds from lower priority projects to higher priority projects.
- 3). The Department may bypass projects on the priority list in accordance with Section H, below.

### **F. Unanticipated and Uncommitted Funds:**

If unanticipated or uncommitted funds become available, the Department may take action to distribute them in accordance with subparagraphs 1-2 of this paragraph:

- 1). The Department may use the unanticipated or uncommitted funds to fund the highest priority project(s) from the priority list.
- 2). The Department may use the unanticipated or uncommitted funds to increase the amount of funds allocated to CWSRF fundable projects or to provide increased assistance to projects which have already received CWSRF assistance.

Additionally, supplemental loans may be made to previous recipients as needed to complete segmented projects or to cover unanticipated cost overruns.

### **G. Project Bypass/Reallotment:**

The Department may bypass any project on the CWSRF priority list that is not, in the Department's opinion, making satisfactory progress in satisfying requirements for CWSRF assistance. Bypassed projects will be removed from the priority list. In determining whether or not a project is making satisfactory progress in satisfying the requirements for CWSRF assistance, the Department shall use

the criteria contained in subparagraphs 1-6 of this paragraph. Funds released through project bypass will be considered as uncommitted and available for redistribution in accordance with this section.

- 1). Any project on the CWSRF Priority List may be bypassed if the applicant fails to submit a complete CWSRF application.
- 2). The Department may use individual project schedules developed by the Department to determine whether or not the project is making satisfactory progress during the fiscal year.
- 3). In order to comply with EPA certification restrictions related to equivalency requirements, it may be necessary to bypass projects which have not complied with Title II requirements and other federal authorities.
- 4). Any project on the CWSRF Priority List may be bypassed if the applicant fails to demonstrate the ability to repay the loan.
- 5). To maintain the fiscal integrity of a leveraged loan program or provide funds for new construction, the Department may choose to bypass projects which involve refinancing of existing debt.
- 6): Projects may be removed from the priority list at the request of the applicant or if the Department finds that the project is ineligible for CWSRF assistance.

#### **VI. Certifications:**

1. The Department certifies that this IUP will be subject to public review and comment with a public notice period of 30 days.
2. The Department certifies that all wastewater facility projects in this IUP are on the CWSRF Priority List.
3. The Department certifies that it will enter into binding commitments for 120% of each payment under the CWSRF capitalization grant within one (1) year after receipt of each payment.
4. The Department certifies that it will expend all funds in the CWSRF in an expeditious and timely manner.
5. The Department certifies that all wastewater facilities in the state are in compliance with enforceable requirements or are making progress toward meeting those requirements except as specifically noted in the IUP.
6. The Department certifies that all facilities funded by the CWSRF shall complete a NEPA-like environmental review process.
7. The Department certifies that it will comply with all requirements of the 1997 Operating Agreement with EPA.
8. The Department certifies that it will complete a Benefits Assessment worksheet for each loan agreement executed in order to comply with EPA environmental results reporting requirements.

#### **VII. Program Income:**

The Alabama Water Pollution Control Authority, with ADEM as its agent, assesses an annual fee based on outstanding loan principal. These fees vary based on the fiscal year to which the loan agreement was secured and are collected twice a year when the recipient initiates repayment of the loan. In accordance with *Guidance on Fees Charged by States to Recipients of Clean Water State Revolving Fund Program Assistance*, published October 20, 2005, fees collected from loans sourced from outstanding grants will be used for administration of the SRF fund only. All other fees will be used to provide fee income for the Department's CWSRF Direct Loan Fund and assist in the implementation of

the Department's Water and Field Operations Divisions. The Department expects to receive fees during FY 2019 as follows:

Total Program Income	Program Income Collected During Grant Period	Program Income Collected After Grant Period
\$2,680,762.24	\$0.00	\$2,680,762.24

**VIII. Estimated CWSRF Capitalization Grant Schedules:**

**A. Estimated Grant Draw Schedule**

**B. Estimated Grant Disbursal Schedule**

Fiscal Year	Month	Draw
2020	October-19	\$1,480,583
2020	November-19	\$1,480,583
2020	December-19	\$1,480,583
2020	January-20	\$1,480,583
2020	February-20	\$1,480,583
2020	March-20	\$1,480,583
2020	April-20	\$1,480,583
2020	May-20	\$1,480,583
2020	June-20	\$1,480,583
2020	July-20	\$1,480,583
2020	August-20	\$1,480,583
2020	September-20	\$1,480,583
Total		\$17,767,000

Fiscal Year	Month	Payment
2020	October-19	\$1,480,583
2020	November-19	\$1,480,583
2020	December-19	\$1,480,583
2020	January-20	\$1,480,583
2020	February-20	\$1,480,583
2020	March-20	\$1,480,583
2020	April-20	\$1,480,583
2020	May-20	\$1,480,583
2020	June-20	\$1,480,583
2020	July-20	\$1,480,583
2020	August-20	\$1,480,583
2020	September-20	\$1,480,583
Total		\$17,767,000

Payments are defined as increases to the amount of funds available from the federal SRF capitalization grant. This draft payment schedule is based on the State's projection of binding commitments and disbursements from the SRF to the members of the SRF project list. The disbursement schedule will essentially coincide with the grant payment schedule as ACH draw requests will be processed only upon submittal of payment requests from loan recipients for actual costs incurred. Funds from the ACH will be disbursed to the recipient immediately. The disbursement of funds will be in proportion to the amount of state and federal funds provided by the grant and state match. This will be ensured by disbursing all state match funds prior to drawing capitalization grant funds for project disbursements.

**C. Capitalization Grant Budget Periods:**

2019 EPA CWSRF Capitalization Grant

October 1, 2019 through September 30, 2023



# **Attachment 1**

**Attachment 1 - Project Priority List**

County Served	Applicant Name	NPDES Permit Number(s)	Priority Point Rank	Assistance Amount	Subsidization Amount (Principal Forgiveness)	GPR Component Costs	GPR Type	GPR Categorical Project	Estimated Construction Start Date	**Fundable
Randolph	Wedowee, The Town of	AL0024171	195	\$2,000,000		\$560,000	Water Efficiency	Y	4/1/2020	Y
Cherokee	Leesburg, The Town of	AL0057592	165	\$260,000		\$260,000	Water Efficiency	Y	8/15/2019	Y
Mobile	Mobile, The Board of Water & Sewer Commissioners of the City of	AL0023094 AL0023086 ALSI9949612	165	\$10,000,000		\$3,333,000	Water Efficiency	Y	6/1/2019	Y
Marion	Winfield, The Water Works and Sewer Board of the City of	AL0023400	165	\$630,000					1/3/2019	Y
Mobile	Mobile, The Board of Water & Sewer Commissioners of the City of	AL0023094 AL0023086 ALSI9949612	165	\$26,250,000		\$11,025,000	Water Efficiency	Y	9/1/19	Y
Cullman	Cullman, City of	AL0050423	140	\$7,100,000		\$7,100,000	Water Efficiency	Y	6/1/2020	Y
Tallapoosa	Dadeville, The Waterworks and Sewage Board of the City of	AL0063797	140	\$1,055,000	\$500,000				3/1/2020	Y
Winston	Haleyville Water Works and Sewer Board	AL00559455	135	\$1,597,000					3/23/2020	Y
Dallas	Selma, The City of	N/A	135	\$350,000	\$175,000	\$350,000	Green Infrastructure	Y	9/1/2019	Y
Houston	Taylor, The Town of	N/A	130	\$3,025,000					10/1/2017	Y
Dallas	Selma, Water Works & Sewer Board of the City of	AL0022578	125	\$994,000	\$497,000				10/1/2013	Y
Houston	Cowarts, The Town of	N/A	120	\$1,522,000		\$1,522,000	Water Efficiency	Y	6/1/2020	Y
Talladega	Childersburg, The City of	N/A	115	\$243,000	\$104,700				3/1/2020	Y
Houston	Kinsey, The Town of	N/A	110	\$1,120,000		\$1,120,000	Water Efficiency	Y	1/1/2020	Y
Shelby	Calera, The City of	AL0050938	105	\$19,000,000					12/1/2019	Y
Mobile	South Alabama Utilities	N/A	90	\$2,500,000					12/1/2019	Y
Mobile	Grand Bay Waterworks Board, Inc.	AL0083275	80	\$1,250,000					12/1/2019	Y
Cullman	Holly Pond, The Town of	AL0050768	50	\$680,000					1/1/2020	Y
Madison	New Hope, The City of	AL0023761	50	\$3,000,000					7/19/2019	Y
Russell	Phenix City, The Department of Public Utilities of the City of	AL0022209	0	\$1,200,000	\$500,000				7/1/2019	Y
Shelby	Calera, The City of	AL0050938	0 - DP	\$10,000,000					12/1/2019	N
<b>Fundable:</b>				<b>\$83,776,000</b>	<b>\$1,776,700</b>	<b>\$25,270,000</b>				
<b>Total:</b>				<b>\$93,776,000</b>						

DP - Debt Purchase

<sup>1</sup> Green Project Reserve (GPR) - green infrastructure, water or energy efficiency, or environmentally innovative activities.

<sup>2</sup> Fundability based on availability of funds

## **Attachment 2**

## **Attachment 2 - Project Descriptions**

**Grand Bay Treatment Plant Addition:** The Grand Bay Water Works Board proposes construction of a 60,000 gpd additional new wastewater treatment unit with recirculating textile trickling filters at the existing Hall Road Wastewater Treatment Facility. The new treatment plant addition will serve existing homes and businesses within the surrounding area that currently rely on failing septic tank systems.

**Mobile Wastewater Treatment System Improvements:** The Mobile Board of Water & Sewer Commissioners proposes improvements to existing wastewater treatment facilities along with rehabilitation and or replacement of interceptor and collection sewers throughout their service area. Improvements include the Cured-In-Place-Pipe (CIPP) rehabilitation of approximately 19,000 LF of lines greater than 15 inches; the CIPP rehabilitation of lines less than 15 inches with protective liner coating of associated manholes; total replacement of sewer lines within the Briley and Collins Street areas; replacement of existing grinder screen at Eslava Creek Lift Station; replacement of digester cover and design of new headworks at Smith WWTP; replacement of drainage system at Copeland Island Decentralized Treatment Facility; and design of new dewatering facility at Williams WWTP. Proposed improvements will ensure continued and effective wastewater collection and treatment throughout the service area.

**Mobile Wastewater Capital Improvement Master Plan:** The Mobile Board of Water and Sewer Commissioners proposes implementation of Mobile's CWSRF Master Plan Phase I (Years 2019-2023) to include: replacement of dewatering system and construction of new chlorine building at Williams WWTP; addition to Eslava Creek Severe Weather Attenuation Tank (SWAT) storage and conveyance; installation of Williams WWTP to Eslava Creek parallel sewer main; slip-lining of Pre-stressed Concrete Cylinder Pipe (PCCP) Halls Mill Connection to South Broad Street and from South Broad Street to Williams WWTP; refurbishment of existing Three-Mile Creek SWAT Tank; replacement of Headworks, renovations to Maintenance Building, replacement of Digester Dome, and additional access driveway at Smith WWTP; and Lift Station SCADA Programming. Proposed improvements will insure continued compliance with existing regulations and demands and provide increased efficiency and dependability to the Board's overall wastewater collection and treatment system.

**Selma Barrett Road Canal Restoration:** The City of Selma proposes reclamation and restoration of the Barrett Road Drainage Canal to its originally intended form and purpose. Barrett Road Drainage Canal, located within the west central portion of the city, has, overtime, experienced significant bank and slope erosion resulting in ineffective storm water drainage and channel flow, stream stagnation, and significant sediment deposition to Beaver Creek and ultimately to the Alabama River. Proposed reshaping and revegetation efforts along with the creation of two (2) associated bio-retention areas will reverse and eliminate such undesirable conditions and thereby greatly improve area stream water quality.

**Selma Wastewater Collection Improvements:** The Waterworks and Sewer Board of the City of Selma proposes complete replacement of the Helen Street and Franklin Street Pump Stations along with the replacement of trickling filter float valves, the walls of ten (10) sludge drying beds, and replacement of the headworks pump station at Valley Creek WWTP. Proposed improvements will ensure continued and effective wastewater collection and treatment service.

**South Alabama Utilities Wastewater System Improvements:** South Alabama Utilities proposes construction of two 60,000 gpd decentralized wastewater treatment plants with recirculating textile trickling filters at McLeod Road and Jack Hamilton Road; installation of

interceptor tanks with effluent pumps and filters at existing residences; collection foremain to both new WWTPs; new combined effluent forcemain from McLeod Road and Hamilton Road WWTPs for surface discharge of treated effluent to Miller Creek; and new effluent forcemain from existing Johnson Road WWTP for discharge of treated effluent to Big Creek. Proposed improvements will ensure continued and effective wastewater collection and treatment service.

**Calera Wastewater Treatment System Improvements:** The City of Calera proposes improvements to the existing wastewater system which will include investigation and rehabilitation of the wastewater collection system to correct Inflow and Infiltration problems, upgrades to multiple pumping stations, and upgrades to the two Calera Wastewater Treatment Plants to meet new effluent limits and capacity requirements. Proposed improvements will insure continued compliance with existing regulations and demands and provide increased efficiency and dependability to Calera's overall wastewater collection and treatment system.

**Cowarts Wastewater Collection System Improvements:** The Town of Cowarts proposes to rehabilitate the wastewater collection system which consists of approximately 30,315 linear feet of eight-inch PVC and vitrified clay collection lines along with approximately 124 manholes. Proposed work includes video inspection of the collection lines and investigations to address the integrity of the manholes. Rehabilitation and replacement of the collection system will be determined based on the Inflow and infiltration (I/I) studies and cost efficiency of rehabilitation compared to replacement. Proposed improvements will decrease the volume of wastewater to be treated and thus improve efficiency and energy cost for wastewater pumping and treatment. Additionally, demands on treatment capacity will be reduced.

**Holly Pond Sanitary Sewer Collection System and WWTP Upgrades:** The Town of Holly Pond proposes sanitary sewer collection system and wastewater treatment plant upgrades to include identification of I/I problems and rehabilitation of the collection system to correct the I/I problems. The sanitary sewer pump stations will be upgraded to ensure they operate reliably and efficiently, and the wastewater treatment plant will be upgraded to meet the regulatory requirements. .

**Kinsey Sanitary Sewer Collection System Improvements:** The Town of Kinsey proposes a project to rehabilitate of the wastewater collection system to correct I/I problems in the collection system. Much of the sanitary sewer collection infrastructure was constructed in the 1970's and shows signs of degradation including I/I and sanitary sewer overflows (SSO). Due to the soils in the area, the degraded collection system has the potential to exfiltrate raw sewage into the ground during dry periods. The existing collection system consists of approximately 22,000 linear feet of twelve-inch and eight-inch PVC and vitrified clay collection lines along with approximately 80 manholes. Proposed improvements will insure continued compliance with existing regulations and demands and provide increased efficiency and dependability to the Town's overall wastewater collection and treatment system. Proposed improvements will identify the in-situ infrastructure conditions and define the feasibility of rehabilitation or replacement. Proposed improvements will decrease the volume of wastewater to be treated and thus improve efficiency and energy cost for wastewater pumping and treatment.

**Leesburg Wastewater Collection System Rehabilitation:** The Town of Leesburg proposes a project to rehabilitate its sanitary wastewater collection system. The proposed improvements will consist of system-wide TVI (television video inspection) of gravity sewer pipes and manholes with cleaning and point repairs performed as necessary. Completion of these improvements will allow The Town to maintain regulatory compliance by significantly reducing SSOs (sanitary sewer overflows) due to high volumes of I/I (Inflow/Infiltration) with heavy rainfall events.

**City of Cullman Capital Improvement Plan:** The City of Cullman proposes a project to improve and rehabilitate several mini basins that have been identified to be major contributors of rain-dependent inflow and infiltration. The project is part of a four-year capital improvement plan that will include replacement of 18-inch Derby Creek vitrified clay trunk sewer, rehabilitation of remaining aerial sewers, manhole replacement and rehabilitation, lateral service connections and lining and point repairs. Completion of these improvements will allow The City of Cullman to maintain regulatory compliance by significantly reducing sanitary sewer overflows (SSO) due to high volumes of inflow/infiltration (I/I) with heavy rainfall events.

**Dadeville Lift Station Improvements:** The City of Dadeville proposes a project to upgrade sewage lift stations. The proposed improvements for Lift Station #1 and Lift Station #2 will consist of demolition of existing building, replacement of existing pipes, valves and control panel, upgrades existing electrical system, install new submersible pumps, rehabilitation of existing wet wells, installation of SCADA and installation of emergency generator at Lift Station #2. Completion of these improvements will allow the City of Dadeville to maintain regulatory compliance by significantly reducing sanitary sewer overflows (SSO), increase efficiency and decrease the overall operational and maintenance cost.

**Haleyville Sewer System Upgrade:** The Haleyville Water Works & Sewer Board proposes a project to improve and upgrade its sewer system. The proposed improvements will consist of replacement of Lift Station #5, replacement of suction piping and electrical panel at Lift Station #10, rehabilitation of Lift Station #11 and #12, replacement of Mill Village and Newburg Road gravity sewer, rehabilitation of the grit and grease removal system at the Haleyville Wastewater Treatment Plant, installation of sludge drying bed at the Haleyville South Wastewater Treatment Plant, the purchase of a diesel driven Dry Prime Pump and all related appurtenances. Completion of the proposed improvements will reduce the number of sanitary sewer overflows (SSO), decrease overall operational and maintenance cost and maintain current and future regulatory compliance.

**Holly Pond WWTP and Collection System Upgrades:** The Town of Holly Pond proposes a project to provide upgrades to its collection system and wastewater treatment plant. The proposed improvements will consist of the installation of 3-phase power and upgrades to all electrical components at Holly Pond Pump Station #3, upgrades to all electrical components and installation of new access hatch at Holly Pond Pump Station #4, installation of two new waste pumps, piping, control panel and access hatch at the Holly Pond Wastewater Treatment Plant, upgrade drying beds by the replacement of sand and filter media and installation of an aerobic digester. In addition, rehabilitation of any structural damage, screens, bearings and installation of drain pit and pumps in the Rotor Area. Completion of the proposed improvements will decrease overall operational and maintenance cost, meet sanitary sewer service demands as well as maintain current and future regulatory compliance.

**Winfield Lagoon System Upgrade:** The City of Winfield proposes a project to provide upgrades to its lagoon system. The proposed improvements will include removal of existing aerators, bio-bloks, compressor units and old control panel. In addition, upgrades to the primary power supply, installation of new aerators and two baffle curtains. Completion of the proposed improvements will help ensure ammonia levels are meet and BOD removal and nitrification requirements are in compliance with current and future regulations.

**Childersburg Sewer System Improvements:** The City of Childersburg proposes a project to improve the existing stormwater drainage system in the city. Proposed improvements (primarily in the southwestern portion of the city) will consist of construction of a stormwater retention pond

and installation of larger stormwater drainage piping with related appurtenances. Completion of these improvements will significantly reduce residential flooding due to the increased pipe size. Moreover, residential properties, creeks and the Coosa River will experience reduced silt and chemical accumulations from reduced stormwater overflows and runoff.

**Fort Payne WWTP and Collection System Upgrades:** The City of Fort Payne proposes a project to provide upgrades to the Fort Payne Wastewater Treatment Plant (WWTP) and wastewater collection system. The proposed upgrades to the treatment facility include the installation of a liquid chlorination/dechlorination system, including a housing facility with storage tanks and dosing pumps. The City's gravity collection system will be extended to replace existing pump stations and force mains, including the elimination of the Plasman Pump Station with a sewer force main extension to the Airport Road Pump Station. Completion of the proposed improvements will provide for a more efficient, reliable wastewater treatment system for the City. Moreover, this project assists in maintaining the wastewater system's permitting compliance with The Department by preventing discharges to streams due to force main breaks.

**New Hope 2019 WWTP Upgrade:** The City of New Hope proposes a project to provide upgrades to its wastewater treatment system. Proposed improvements will consist of the construction of a new wastewater treatment plant (WWTP) adjacent to the existing lagoon wastewater treatment facility. The new WWTP will increase the system's wastewater treatment capacity from 0.25 MGD (Million Gallons per Day) to 0.99 MGD. The City successfully completed wastewater system improvements in response to an enforcement action issued by The Department. Subsequently, a comprehensive wastewater collection and treatment system rehabilitation plan was initiated more than six years ago. Completion of the proposed improvements will culminate The City's proactive, system-wide rehabilitation efforts, which has it positioned to meet current and future wastewater flow demands as well as future regulatory compliance requirements.

**Wedowee Sewer System Improvements:** The Town of Wedowee proposes a project to provide improvements to its sanitary sewer system. Proposed improvements will include sludge removal, replacement of effluent pumps, headworks improvements with the installation of mechanical bar screens and the addition of new aeration equipment at the Wedowee Lagoon. Additionally, system-wide CCTV (closed-circuit television) inspection and smoke testing will be conducted throughout the sewer collection system with point repairs performed as necessary. Completion of the proposed improvements represent corrective action responses to a recent enforcement action (issued by The Department) for multiple permit violations. Moreover, these improvements will provide increased treatment reliability and effluent flow quality to local surface waters, resulting in The Town meeting current and future wastewater flow demands as well as regulatory compliance requirements.

**Phenix City Summerville Road Sanitary Sewer Project:** The Phenix City Utilities Department proposes a project to install a new sanitary sewage pumping station and force main to connect the existing Glenwood School to the Phenix City sewage collection system. The onsite sewage treatment and disposal system for Glenwood School has exceeded its useful life. The Glenwood School has approximately 700 students and is currently undergoing a building expansion project for which the on-site sewer system is inadequate to accommodate. The proposed project will provide safe reliable treatment of the schools sanitary wastewaters.

## **Attachment 3**



## Alabama CWSRF A/E Procurement Requirements

*Effective September 30, 2014 for all assistance agreements directly made available from the FY 15 (and later) capitalization grant.*

It is the intent of the Alabama Clean Water SRF program that all assistance recipients select architectural & engineering services based on qualifications of the selected firm, not price. This reinforces Canon IV of the Board of Engineers and Land Surveyors' Code of Ethics, contained in the Board's regulations at 330-X-14-.05 (f):

*The engineer or land surveyor shall not participate in or implement procurement practices (bid submittals) which do not first determine the qualifications of the engineer or land surveyor prior to entering into fee negotiations for services being sought. An engineer or land surveyor having submitted a statement of qualification and performance data, and having first been judged as the qualified individual or firm to provide the services required for the proposed project, may proceed to negotiate a contract with a client and establish compensation or fees for the required services.*

*Should the engineer or land surveyor be unable to negotiate a satisfactory contract with the client for any reason, the engineer or land surveyor shall withdraw from further consideration for the engineering or land surveying services. Another engineer or land surveyor may then be selected for negotiations of a contract for the services on the stated project.*

*Examples include but are not limited to, simultaneous negotiations or solicitation of fee proposals by the client from two or more engineers or land surveyors constitutes "bidding" and participation by a licensee is prohibited.*

Use of a qualifications-based selection is also required by the Alabama Board for Registration of Architects, at 100-X-5-.10:

*Architects are encouraged to seek professional employment on the basis of qualifications and competence for proper accomplishment of the work. This procedure restricts the architect from submitting a price for services until the prospective client has selected, on the basis of qualifications and competence, one architect or firm for negotiations.*

CWSRF assistance applicants are required to certify the following:

1. That the applicant sought the most-qualified firm for professional services, by issuing a Request for Proposals (RFP) or a Request for Qualifications (RFQ).
2. That the applicant made a good faith effort to seek proposals or qualifications from at least 3 firms, as evidenced by a public notice, advertisement, or other appropriate means.
3. That the applicant evaluated the proposals or qualifications and selected a firm based on professional competency, past performance, specialized experience, and other factors deemed critical for success of the project.

4. That only upon making a selection based on qualifications did the applicant negotiate a contract and determine compensation. (If the applicant was unable to negotiate a contract with the most qualified firm, the applicant may then negotiate with the next-most-qualified firm)

## **Attachment 4**

Alabama Clean Water State Revolving Fund  
Additional Subsidization and Affordability Criteria

Effective September 30, 2015

**Purpose:**

This document establishes the additional subsidization and affordability criteria for the Alabama Clean Water State Revolving Fund. The criteria is effective September 30, 2015, and may be modified from time-to-time upon notice.

**Background:**

Section 603(i) of the Federal Water Pollution Control Act states the following:

*Additional Subsidization-*

*(1) IN GENERAL- In any case in which a State provides assistance to a municipality or intermunicipal, interstate, or State agency under subsection (d), the State may provide additional subsidization, including forgiveness of principal and negative interest loans--*

*(A) to benefit a municipality that--*

*(i) meets the affordability criteria of the State established under paragraph (2);  
or*

*(ii) does not meet the affordability criteria of the State if the recipient--*

*(I) seeks additional subsidization to benefit individual ratepayers in the residential user rate class;*

*(II) demonstrates to the State that such ratepayers will experience a significant hardship from the increase in rates necessary to finance the project or activity for which assistance is sought; and*

*(III) ensures, as part of an assistance agreement between the State and the recipient, that the additional subsidization provided under this paragraph is directed through a user charge rate system (or other appropriate method) to such ratepayers; or*

*(B) to implement a process, material, technique, or technology--*

*(i) to address water-efficiency goals;*

*(ii) to address energy-efficiency goals;*

*(iii) to mitigate stormwater runoff; or*

*(iv) to encourage sustainable project planning, design, and construction.*

**(2) AFFORDABILITY CRITERIA-**

**(A) ESTABLISHMENT-**

*(i) IN GENERAL- Not later than September 30, 2015, and after providing notice and an opportunity for public comment, a State shall establish affordability criteria to assist in identifying municipalities that would experience a significant hardship raising the revenue necessary to finance a project or activity eligible for assistance under subsection (c)(1) if additional subsidization is not provided.*

*(ii) CONTENTS- The criteria under clause (i) shall be based on income and unemployment data, population trends, and other data determined relevant by the State, including whether the project or activity is to be carried out in an economically distressed area, as described in section 301 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161).*

**(B) EXISTING CRITERIA-** *If a State has previously established, after providing notice and an opportunity for public comment, affordability criteria that meet the requirements of subparagraph (A)--*

*(i) the State may use the criteria for the purposes of this subsection; and*

*(ii) those criteria shall be treated as affordability criteria established under this paragraph.*

**(C) INFORMATION TO ASSIST STATES-** *The Administrator may publish information to assist States in establishing affordability criteria under subparagraph (A).*

**(3) LIMITATIONS-**

**(A) IN GENERAL-** *A State may provide additional subsidization in a fiscal year under this subsection only if the total amount appropriated for making capitalization grants to all States under this title for the fiscal year exceeds \$1,000,000,000.*

**(B) ADDITIONAL LIMITATION-**

*(i) GENERAL RULE- Subject to clause (ii), a State may use not more than 30 percent of the total amount received by the State in capitalization grants under this title for a fiscal year for providing additional subsidization under this subsection.*

*(ii) EXCEPTION- If, in a fiscal year, the amount appropriated for making capitalization grants to all States under this title exceeds \$1,000,000,000 by a percentage that is less than 30 percent, clause (i) shall be applied by substituting that percentage for 30 percent.*

**(C) APPLICABILITY-** *The authority of a State to provide additional subsidization under this subsection shall apply to amounts received by the State in capitalization grants under this title for fiscal years beginning after September 30, 2014.*

*(D) CONSIDERATION- If the State provides additional subsidization to a municipality or intermunicipal, interstate, or State agency under this subsection that meets the criteria under paragraph (1)(A), the State shall take the criteria set forth in section 602(b)(5) into consideration.*

**Discussion:**

On June 10, 2014, the Water Resources Reform and Development Act of 2014 was signed into law. Among the provisions of the Act is the new Section 603(i), which details how a state Clean Water State Revolving Fund (CWSRF) program may provide additional subsidization. It also requires that each program establish an affordability requirement that can be a consideration in granting additional subsidization.

The American Recovery and Reinvestment Act of 2009 was the first time that Congress applied the principle of principal forgiveness to the CWSRF. In response, the Alabama CWSRF program utilized additional subsidization in the form of principal forgiveness as way to construct green infrastructure.

In Alabama, green infrastructure (stormwater) projects are constructed very infrequently, even though stormwater runoff is a major source of pollutants. Many local communities lack a dedicated revenue stream to pay for stormwater projects; thus, the CWSRF program has applied principal forgiveness to these projects in order for them to be economically viable. It is hoped that in time, the success of these projects will encourage the construction of more improvements without the need for additional subsidy. The Alabama CWSRF intends to continue this practice to ensure nonpoint source projects are constructed along with the traditional point source projects.

In previous years, the amount of additional subsidization was set by Congress through the annual appropriations process. The amount available varied from year to year and may have been subject to a minimum or maximum. Under the new 603(i)(3), a state may provide up to a maximum of 30% of its capitalization grant, if the total appropriations equal or exceed \$1.3 billion. The Alabama program elects to provide a maximum of \$1 million per year in principal forgiveness, subject to the 603(i)(3) maximum.

Individual assistance agreements will be subject to a project maximum of 50% principal forgiveness. The project priority list will be used to determine which projects are provided principal forgiveness, starting with the highest-ranked green infrastructure (stormwater) project.

603(i)(2) also requires state CWSRF programs to establish affordability criteria. The criteria *“shall be based on income and unemployment data, population trends, and other data determined relevant by the State”*. Traditionally, affordability has been determined by the CWSRF through a comparison of median household income and annual sewer use charges. The new requirements take a broader approach, focusing more on income and employment of the affected population. In response, the Alabama CWSRF program will utilize the county poverty rate (a measure that compares household income to the number of persons in the household), county unemployment rate, and statewide population trend to determine if a project is affordable. Although this measure will not be used for additional subsidy, it will be tracked and it is hoped that as green infrastructure projects build momentum it may be possible to transition to applying subsidy to projects deemed unaffordable.

**Final Criteria for Additional Subsidy and Affordability:**

Additional subsidy in the form of principal forgiveness shall be made available in a total amount per year not to exceed \$1 million, or the cap set at 603(i)(3), whichever is less. To be eligible for additional

subsidy, the primary purpose of the project must be to construct green infrastructure intended to mitigate or prevent stormwater pollution. Each project may receive a maximum of 50% of the allowable cost in principal forgiveness. Funding will be provided in rank order on the project priority list, until the maximum amount has been allocated.

The Affordability Measure for Alabama will be calculated as the sum of the following:

1. Poverty Rate Value: The poverty rate of the county served by the project minus the statewide poverty rate;
2. Unemployment Rate Value: The unemployment rate of the county minus the statewide unemployment rate; and
3. If the statewide population has increased over the two most recent 10-year census estimates, the population trend value shall be 1; if it has decreased the population trend value shall be 2.

Projects with an Affordability Measure of more than 10.0 are considered unaffordable according to the criteria.

## **Attachment 5**





# Form 340: Clean Water State Revolving Fund Preapplication

The purpose of this preapplication is to gather information concerning potential projects eligible for funding from the Clean Water State Revolving Fund (CWSRF). The CWSRF was established through amendments to the Clean Water Act (CWA) to provide low-interest rate financing for construction of publicly owned treatment works (as defined in Section 212 of the Clean Water Act) or other projects that are designed to improve water quality. This information will be used to develop a priority list of projects that will be eligible for assistance from the CWSRF. This form may be submitted at any time, but for the highest probability of funding it is recommended that it be submitted as early as possible after the start of the fiscal year (October 1). Please review the instructions, sign and date the preapplication and submit two complete copies with attachments to:

SRF Section  
 Alabama Department of Environmental Management  
 Post Office Box 301463  
 Montgomery, Alabama 36130-1463

If by overnight mail:  
 1400 Coliseum Boulevard  
 Montgomery, Alabama 36110-2400  
 (334) 271-7913



Clean Water  
 State Revolving Fund

Project Name		Assistance Amount Requested
		\$
Applicant	County	DUNS Number
Name and Title of Contact Person	Telephone	FAX
Street Address or Post Office Box	City, State, and ZIP	Email Address
Consulting Engineer	Telephone	FAX
Firm	Email	
Street Address or Post Office Box	City, State, and Zip	
Population Served by the Project	AL House District(s)	AL Senate District(s)
Names and 12-digit HUC Codes of Watersheds Impacted	NPDES Permit Number of Facility (if applicable)	

For the following questions, please attach additional pages if adequate space is not provided on this form:

1. Give a brief description of the proposed project and attach a copy of the preliminary engineering report or environmental information document.
  
2. Give an estimated cost outline for the entire project. If available, give line item breakdowns.
  
3. List all other funding sources to be utilized to complete this project.

Other Funding Source(s)	Amount(s)	Commitment Date

4. Provide a proposed project schedule.

Activity	Date
Complete Project Planning	
Initiate Project Design	
Plans & Specifications Submitted to ADEM	
Bid Opening	
Notice to Award	
Notice to Proceed	
Start Construction	
Complete Construction	

5. Provide demographic information about the affected community.

Median Household Income	Source/Date
Unemployment Rate	Source/Date
Population Trend Over 10 Years ( $\pm\%$ )	Source/Dates

## Priority Ranking System

The following factors are used to rank the proposed project, and will ultimately determine if it falls in the fundable portion of the priority list. The applicant must provide documentation where required in order to receive credit. Any ranking criteria that cannot be verified by the Department will be awarded zero points.

### A. Enforcement and Compliance Rating Criteria (Maximum: 50 points)

Ranking Criteria	Point Value
1 Facility is under formal enforcement action by ADEM and is currently in significant non-compliance. The project will bring the facility into compliance. (A copy of the enforcement order must be attached)	50
2 Project is a voluntary effort to resolve violations and will mitigate the issuance of a formal enforcement action. *	40
3 The facility is currently in compliance with permit limits, but will fall out of compliance without the proposed project.*	25
Circle the point value that applies to the project and enter the total points claimed here. If none of the above criteria apply, enter zero. Note that credit can be claimed for only one of the above criteria.	

\*Applicant must provide supporting documentation to receive credit.

### B. Water Quality Improvement Criteria (Maximum: 135 points)

Ranking Criteria	Point Value
1 Project will significantly address water quality standards in a water body that*:	
a) Has an approved TMDL	25
b) Is subject to a draft TMDL, dated 0-2 years from present	15
c) Is subject to a draft TMDL, dated 3-5 years from present	10
d) Is subject to a draft TMDL, dated 6-10 years from present	5
2 Project will implement TMDL(s) for*:	
a) Pathogens (i.e., fecal coliform/E. coli)	5
b) Mercury	15
c) Nutrients (i.e., phosphorous, nitrogen)	10
d) Organic Enrichment/Dissolved Oxygen	5
e) Ammonia (toxicity)	5
f) Siltation (sediment)	15
3	
a) Project will benefit a Category 5 or Category 4 listed water body.	5
b) Project takes place in an EPA-identified priority watershed and reduces/eliminates one or more sources of impairments (point and nonpoint source).*	5
c) Project will improve water quality in an Outstanding Alabama Water (OAW)*.	5
d) Project will improve water quality in an Outstanding National Resource Water (ONRW)*.	5

4	Project will upgrade or replace existing failing or inadequate decentralized wastewater treatment systems, or construct septage treatment facilities that are crucial to the proper operation of decentralized wastewater treatment systems.*	10
5	Project will protect a public drinking water source from contamination that will negatively impact public health.*	15
6	Project will implement a National Estuary Program Comprehensive Conservation Management Plan*	10
Circle the point value(s) that apply to the project and enter the total points claimed here. If none of the above criteria apply, enter zero.		<input type="text"/>

\*Applicant must provide supporting documentation to receive credit.

**C. Water/Energy Efficiency Rating (Maximum: 65 points)**

	Ranking Criteria	Point Value
1	Project incorporates energy efficient design considerations with established objectives and targets for energy reduction opportunities, performed energy audits or developed energy conservation plans.*	5
2	Project uses renewable energy such as wind, solar, geothermal, hydroelectric, micro-hydroelectric, biogas combined heat and power (CHP) systems, or biofuels production to provide power to a POTW.	10
3	Project implements upgrades to pumps and treatment processes which result in: <ul style="list-style-type: none"> <li>a) 20 percent or greater reduction in energy consumption at a POTW.*</li> <li>b) less than a 20 percent reduction in energy consumption at a POTW.*</li> </ul>	10 5
4	Infiltration/Inflow correction projects that save energy from pumping and result in reduced treatment costs, and I/I projects in cases where excessive groundwater infiltration is contaminating the influent. Applicant must attach a detailed analysis that outlines the costs versus savings to reduce Infiltration/Inflow within the collection system to receive credit.	10
5	Projects that incorporate recycling and/or reuse of gray water or wastewater.	20
6	Production of treated effluent for groundwater recharge, industrial operations, or agricultural purposes.	5
Circle the point value(s) that apply to the project and enter the total points claimed here. If none of the above criteria apply, enter zero.		<input type="text"/>

\*Applicant must provide supporting documentation to receive credit.

**D. Stormwater Management Criteria (Maximum: 50 points)**

	<b>Ranking Criteria</b>	<b>Point Value</b>
1	Project will implement stormwater harvesting and reuse.	10
2	Project incorporates wet weather management systems including: permeable pavement, bioretention, tree plantings, green roofs, rain gardens and other practices that can be designed to mimic natural hydrology and reduce effective imperviousness.	10
3	Project will create riparian buffers, floodplains, vegetated buffers and additional streambank restoration methods.	10
4	Project supports wetland protection or restoration, including constructed wetlands.	10
5	Downspout disconnection to remove stormwater from sanitary sewers and manage runoff onsite.	5
6	Project incorporates green streets for new development, redevelopment or retrofits.	5
Circle the point value(s) that apply to the project and enter the total points claimed here. If none of the above criteria apply, enter zero.		

**E. Agricultural and Nonpoint Source Pollution Criteria (Maximum: 35 points)**

	<b>Ranking Criteria</b>	<b>Point Value</b>
1	Project addresses water quality impacts associated with farming operations by: <ul style="list-style-type: none"> <li>a) Implementing water-saving irrigation systems in farms currently using inefficient watering systems.</li> <li>b) Implementing methods to reduce soil and stream bank erosion.</li> <li>c) Utilizing BMPs including no-till farming practices, rotational grazing, cropland conversion and winter cover crops.</li> <li>d) Utilizing alternative watering sources including effluent or grey water reuse.</li> </ul>	5 10 10 10
2	Project addresses water quality impacts associated with animal feeding operations by: <ul style="list-style-type: none"> <li>a) Developing a Nutrient Management Plan.</li> <li>b) Establishing heavy-use protection areas.</li> <li>c) Implementing onsite waste management systems for manure and poultry litter; including recycling, spreading, and storage systems, and digester gas technologies.</li> <li>d) Utilizing dead bird composters and/or incinerators.</li> <li>e) Implementing BMPs (including exclusion fencing and stream crossings).</li> </ul>	10 5 10 5 5
Circle the point value(s) that apply to the project and enter the total points claimed here (maximum credit 35 points). If none of the above criteria apply, enter zero.		

**F. Sustainability Criteria (90 possible bonus points)**

	<b>Ranking Criteria</b>	<b>Point Value</b>
1	Project incorporates one or more of the following planning methodologies:	
	a) Comprehensive Land Use Plan (must designate areas where public infrastructure will and will not be supported)	5
	b) Asset Management Plan	10
	c) Watershed Management Plan	5
	d) Nutrient Management Plan	5
	e) Nutrient Trading	5
	f) Open Space Preservation	5
	g) Integrated Water Resource Plan that stresses water efficiency, reuse and conservation	5
2	Project includes one or several of the following design considerations:	
	a) Site fingerprinting for minimized landscape disturbance and sustainable landscape design.	5
	b) LEED certified or other ADEM-approved green building techniques for POTWs.	5
	c) Minimizes the environmental and water quality impact of construction through the use of clean fuel construction vehicles, construction waste reduction and other innovative methodologies.	5
	d) Project envelope is located in a previously developed area.	5
	e) Use of environmentally friendly post-consumer recycled or reclaimed materials.	5
3	Project implements at least one of the following construction methods:	
	<ul style="list-style-type: none"> <li>• Innovative erosion control practices;</li> <li>• Protection of onsite trees, vegetation, native habitats and urban forests; or</li> <li>• Replanting of disturbed areas with native plant species.</li> </ul>	5
4	Project will utilize one or more of the following water conservation strategies:	
	a) Development of a water conservation program.	5
	b) Incorporates sustainable water pricing practices and rate structures.	10
	c) Completion of EPA's Water Quality Scorecard (see <a href="http://www.epa.gov/smartgrowth/water_scorecard.htm">http://www.epa.gov/smartgrowth/water_scorecard.htm</a> ).	5
	Circle the point value(s) that apply to the project and enter the total points claimed here (maximum bonus credit 100 points). If none of the above criteria apply, enter zero.	

**G. Growth Criteria (50 possible bonus points)**

	<b>Ranking Criteria</b>	<b>Point Value</b>
1	Project includes a significant growth component. (See instructions)	0
2	Project does not include a significant growth component. (See instructions)	50
	Circle the point value that applies to the project and enter the total points claimed here.	

Sum the points from each category below.

Part A: Enforcement and Compliance (50 points maximum)	
Part B: Water Quality (135 points maximum)	
Part C: Water/Energy Efficiency (65 points maximum)	
Part D: Stormwater Management (50 points maximum)	
Part E: Agricultural/Non-Point Source (35 points maximum)	
Part F: Sustainability (90 bonus points maximum)	
Part G: Growth (50 bonus points maximum)	
TOTAL POINTS CLAIMED:	

This form should be signed by the official who is authorized to execute contracts on behalf of the applicant jurisdiction. **TWO SIGNED COPIES (including attachments)** should be mailed to the address shown on Page 1 of this form.

The following attachments must be included with this form:

1. Preliminary Engineering Report/Environmental Information Document – Required for all infrastructure projects
2. Detailed project narrative with schedules, cost breakdowns, etc – May be substituted for engineering report for all non-infrastructure projects
3. Copies of last three (3) audited financial statements
4. Project maps, including all affected water bodies.
5. Supporting documentation for priority points claimed, as required above. Any points claimed that cannot be readily substantiated from the information submitted will not be counted. The Department reserves the right to make the final determination of all points awarded.

The undersigned representative of the applicant certifies that the information in the application and in the attached statements and exhibits is true, correct and complete to the best of the applicant's knowledge, information and belief.

Signature of Authorized Representative	Print or Type Name
Title	Date

# Instructions

Do not use this form for Drinking Water State Revolving Fund projects. Use Form 370.

The Clean Water State Revolving Fund is only open to public bodies. This includes any county, state agency, incorporated city or town, or their instrumentality created by or pursuant to state law and having jurisdiction over the disposal of sewage, industrial wastes, or other wastes. It also includes a combination of two or more of the foregoing having such jurisdiction.

Unrelated projects should be submitted on separate preapplications, and will be scored independently.

Preapplications may be submitted at any time, but it is recommended that they be submitted as soon as possible after the start of the fiscal year (October 1) for maximum available funding.

## PAGE 1

**Project Name:** Enter a short descriptive title for the project. Example: Shades Creek Streambank Restoration Project.

**Assistance Amount Requested:** Enter the total amount of CWSRF assistance sought.

**Applicant:** Enter the name of the public body that will be the recipient of CWSRF assistance.

**County:** Enter the county where the work will occur. If the project spans 2 or more counties, enter the names of all counties impacted.

**DUNS Number:** Enter the Data Universal Numbering System number for the applicant, provided by Dun & Bradstreet.

**Contact Person:** Enter contact information for the employee or official who is most familiar with the project. This is the person the Department should contact if there are any questions or additional information required.

**Consulting Engineer:** Enter the contact information for the consulting engineer, if any.

**Population:** Enter the population served by the applicant. If the project does not benefit the entire service area, also enter the actual population served by the project.

**Alabama Legislative Districts:** Enter the district numbers for all districts impacted by the project.

**HUC Codes:** Enter the 12-digit HUC codes for all water bodies impacted by the project. For information on where to find HUC codes, please visit [adem.alabama.gov/programs/water/srf.cnt](http://adem.alabama.gov/programs/water/srf.cnt).

**NPDES Permit Number:** If the project involves an NPDES-permitted facility, enter the permit number. This would include improvements to collection systems that feed wastewater treatment plants.

## PAGE 2

- 1. Project Description:** Provide a brief description of the proposed project (one paragraph or less). For infrastructure projects including POTW's, a copy of the preliminary engineering report or EID must be attached. All other projects must include either a preliminary engineering report or other report that includes information on the project scope, need for the project, any alternatives considered, cost/scheduling information, and project maps.
- 2. Cost Outline:** Provide estimated costs for all project components. Give as much detail as possible.
- 3. Other Funding:** If funding sources other than the CWSRF will be used to finance any portion of the project costs, provide the name(s), amount(s), and any available commitment dates.



4. **Project Schedule:** Provide an estimated project schedule (for planning purposes, you may assume that the CWSRF funding agreement will be closed in August of the following year). Note that all work must be underway within one year of the funding agreement date, and completed within 3 years.
5. **Demographic Information:** Provide median household income, unemployment rate, and population trend for the affected community, including the source used (typically, the most recent census). This information will be used as a tie-breaker should one or more projects have identical scores, and also to determine project affordability.

PAGE 3

- A. **Enforcement and Compliance Rating Criteria:** To qualify for credit, the project must improve or replace an ADEM-permitted facility. For the maximum point value of 50, the project must be in significant noncompliance with effluent limitations and under a formal enforcement action including a notice of violation, consent order, administrative order, or litigation. For 40 points credit, the applicant must demonstrate that the proposed project will result in compliance and, therefore, avoid formal enforcement by the Department. For 25 points credit, the applicant must demonstrate that the project is necessary to keep the permitted facility within its permit limits. All other projects will be awarded zero points.
- B. **Water Quality Improvement Criteria**
  1. For projects to receive credit for this criterion, the primary purpose of the project must be to improve water quality in a receiving stream that is subject to an approved TMDL, or is subject to a draft TMDL as listed. See [adem.alabama.gov/programs/water/srf.cnt](http://adem.alabama.gov/programs/water/srf.cnt) for more information.
  2. To receive credit, the project must implement a TMDL as listed. Attach documentation that shows the project will significantly reduce pollutants for one or more of the pollutants shown.
  3. See [adem.alabama.gov/programs/water/srf.cnt](http://adem.alabama.gov/programs/water/srf.cnt) for information on listed water bodies.

PAGE 4

4. To receive credit, the applicant must provide documentation showing the condition of decentralized systems to be upgraded or replaced. To receive credit for septage facilities, the primary purpose of the project must be to address the proper operation of decentralized facilities by constructing septage treatment plants. The upgrade or construction of wastewater treatment plants for reasons not directly linked to the proper operation of decentralized facilities will receive no credit for this criterion.
5. To receive credit for this criterion, the applicant must provide documentation that the project will remove a significant risk of contamination to a public drinking water source that will negatively impact public health.
6. The applicant must provide a letter of support/concurrence for the project from the Mobile National Estuary Program or other documentation from the Mobile NEP that clearly shows the project will implement a National Estuary Program CCMP.
- C. **Water/Energy Efficiency Rating**
  1. Be sure to include a copy of the audit or plan for credit.
  2. The renewable energy project must be owned by the Publicly-Owned Treatment Works.
  3. Energy savings must be at a POTW only. Provide supporting documentation (manufacturer's literature, energy audits, etc.) in order to receive credit. Simply replacing equipment that is at the end of its useful life, with new equipment of average efficiency, does not qualify.
  4. For I/I projects to receive credit, there must be a cost-effectiveness analysis attached that shows the reduced energy costs over the design life equal or exceed the total cost of the project.
  5. Water recycling or reuse must be a primary objective of the overall project to receive credit.
  6. To receive credit, the applicant must have applicable commitments and approvals necessary to use the treated effluent for groundwater recharge, industrial operations, or agricultural purposes. Merely providing sufficient treatment for the speculative use of effluent will not receive credit.

PAGE 5

- D. **Stormwater Management Criteria:** The practices listed must be a primary purpose of the project to receive credit. Incidental use of the practices will not receive credit.
- E. **Agricultural and Nonpoint Source Pollution Criteria:** The practices listed must be a primary purpose of the project to receive credit. Incidental use of the practices will not receive credit.

PAGE 6

- F. **Sustainability Criteria:** Use of the techniques and design considerations listed can result in significant bonus points for the project ranking. Note: Credit for completing the EPA Water Quality Scorecard will only be awarded once per community. Subsequent years' applications will receive credit only if the applicant demonstrates improvement in their score.
- G. **Growth Criteria:** If the project includes any of the following components, enter a point value of 0:
- New (not a replacement) wastewater treatment plant (excluding decentralized systems).
  - Upgraded/expanded/replacement wastewater treatment plant where the purpose of the project is to increase the design flow or projects where the design flow of the facility incidentally increases by more than 20%.
  - Collection system improvements that increase design flow (excluding rehabilitation projects where the original design flow is restored).
  - New or expanded collection systems.
  - Any POTW project that serves future growth.

If none of the criteria above apply, the project will be awarded points as shown.

PAGE 7

Enter the points claimed from A. through G. Be sure to note the limits on points from each category. Sum the points and enter the total as shown.

Note: The final point determination is made by the Alabama Department of Environmental Management. Any points claimed that cannot be satisfactorily justified will be deducted from the total.

Be sure to submit two (2) complete, signed copies with all attachments.

This form must be signed by an official of the public body that is authorized to sign funding applications.

# EXHIBIT 7

## Draft Financial Statements

# *FY19 Balance Sheet*

## *Alabama Water Pollution Control Authority*

---

### **Current Assets**

<i>Cash and Cash Equivalents</i>	16,732,245.04
<i>Accrued Interest Receivable on Investments</i>	449,020.31
<i>Accrued Interest Receivable on Loans</i>	1,040,778.22
<i>Principal Forgiveness EPA</i>	3,312,396.00
<i>Due from (Various detailed seperately)</i>	4,650.00
<i>TVA Grant</i>	1,030,639.05

**Current Assets** 22,569,728.62

### **Other Assets**

<i>U S Treasury Strips</i>	1,629,855.96
<i>U S Treasury Slugs</i>	10,589,505.00
<i>U S Treasury Bonds</i>	245,461,124.10
<i>Loans Receivable</i>	364,850,000.00
<i>Unamortized Loan Premium</i>	-2,804,345.51
<i>Unamortized Deferred Refunding Cost</i>	532,128.19

**Other Assets** 620,258,267.74

### **Current Liability**

<i>Accrued bond interest payable</i>	-156,862.50
<i>Bonds Payable current</i>	-14,435,000.00
<i>Escheat Property</i>	-55,000.00
<i>Due to (Various Detailed seperately)</i>	-38,847.85

**Current Liability** -14,685,710.35

### **Long Term Liabilities**

<i>Payable to Borrowers</i>	-88,125,632.10
<i>Unamortized premium on bonds payable</i>	-242,549.82
<i>Bonds Payable</i>	-19,965,000.00
<i>TVA due to Grant Recipients</i>	-1,030,639.60

**Long Term Liabilities** -109,363,821.52

### **Net Assets**

518,778,464.49

# ***FY19 Income Statement***

## ***Alabama WaterPollution Control Authority***

	<i>Investment Earnings</i>	-4,299,121.73
	<i>Market Value adjustment</i>	-3,038,404.16
	<i>Loan Premium accretion</i>	-970,544.78
	<i>Loan Interest income</i>	-9,343,566.25
	<i>Accrued Loan Interest Income</i>	-1,040,778.22
	<i>Accrued Prior Interest receivable investme</i>	437,379.69
	<i>Accrued Prior interest receivable loans</i>	1,092,121.51
	<i>Accrued Investment Income</i>	-449,020.31
	<i>Bond premium accretion</i>	-138,893.15
<b>Operating Revenue</b>		-17,750,827.40
	<i>Bond Interest expense</i>	1,756,450.00
	<i>Accrued Bond Interest expense</i>	156,862.50
	<i>Bond Issue Cost amortization</i>	212,347.90
	<i>Administrative expense</i>	259,717.96
	<i>Accrued Prior Year Bond Interest expense</i>	-219,556.25
	<i>TVA Grant Expense</i>	31,520.35
<b>Operating Expense</b>		2,197,342.46
	<i>Grant Revenue</i>	-17,357,886.17
<b>Non Operating Revenue</b>		-17,357,886.17
	<i>Transfer to Master (Treasurer)</i>	0.00
	<i>Transfer to (from) other account</i>	0.00
	<i>Transfer Admin Fee</i>	2,685,308.16
<b>Transfers</b>		2,685,308.16
	<i>Beginning Net Assets</i>	-488,552,401.54
<b>Net Assets</b>		-488,552,401.54
<b>Ending Net Assets</b>		-518,778,464.49