

Kansas Water Pollution Control Revolving Fund (KWPCRF) FFY 2011/SFY 2012 Nonpoint Source Projects Call for Proposals

Webinar

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Agenda

- KWPCRF NPS/GPR Program Overview
- Eligible Projects and Priorities
- Eligible Loan Applicants
- Eligible Loan Costs and Loan Terms
- Proposal Guidelines
- Review Process & Timeline
- Loan Application Process
- Loan Administration Duties
- Past Projects
- Questions???



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KWPCRF NPS Program Staff

- ❖ Jaime Gaggero, Interim Chief, Watershed Management Section
- ❖ Cara Hendricks, P.E., KWPCRF NPS Program Coordinator



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What is the KWPCRF?

Until 2009, the KWPCRF...

- Has operated as a low interest loan program utilized to finance “traditional” infrastructure projects (i.e. wastewater treatment projects)
- Statutes and regulations primarily aimed at municipalities and entities with taxing authority
- Nonpoint Source Pollution Control Projects not pursued

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KWPCRF & ARRA



In 2009...

➤ The American Recovery and Reinvestment Act (ARRA)

❖ Green Project Reserve

- emphasized sustainable infrastructure within an urban environment
- provided opportunities for more rural / ag-based projects

❖ Subsidization

- able to incentivize sustainable stormwater management practices and nonpoint source pollution abatement projects
- dedicated source of revenue through taxing authority no longer necessary = non-traditional KWPCRF loan recipients

❖ Requirements

- Buy American, Davis-Bacon, Jobs Created/Retained

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KWPCRF

After ARRA...

- In 2010, 20% of the KWPCRF was allocated to NPS/GPR projects – no ARRA requirements
- FFY 2011 appropriations of the Clean Water State Revolving Fund provide approximately \$13.3 million for water quality projects through the Kansas Water Pollution Control Revolving Fund (KWPCRF).
- 20% of funding, approx. \$2.6 million, available for nonpoint source pollution control projects “green innovative” projects to meet the EPA Green Project Reserve requirement.

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NPS Projects

- Implemented under 319 authority
- Designed to prevent or remediate pollution from a nonpoint source (refer to the pollutant source categories of the *Kansas NPS Management Plan*, 2010 update at http://www.kdheks.gov/nps/Planning_Management.htm)
- Cannot serve to fulfill requirements of National Pollutant Discharge Elimination System (NPDES) Phase I or Phase II General Stormwater Permits (final or draft)

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Eligible Projects

- Categorically eligible Green Infrastructure and Environmentally Innovative projects and practices as outlined in the **Guidance for Determining Project Eligibility** (Refer to Attachment 1 in the Call for Proposals).
- Projects that meet the definition of Green Infrastructure or Environmentally Innovative but are not categorically listed can be considered if a business case as described in the guidance is submitted with the proposal

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SRF GPR Technical Guidance

➤ Green Infrastructure – Definition

- ❖ Green stormwater infrastructure that manages wet weather and maintains and restore natural hydrology by infiltrating, evapotranspiring and harvesting and using stormwater
- ❖ Regional scale - Preservation and restoration of natural landscape features (i.e. forests, floodplains, wetlands) while reducing overall imperviousness in a watershed
- ❖ Local scale - Site and neighborhood-specific practices

➤ Environmentally Innovative - Definition

- Projects that demonstrate new and/or innovative approaches to delivering services of managing water resources in a more sustainable way
- Decentralized wastewater treatment solutions to existing deficient or failing onsite wastewater systems (individual onsite and/or cluster systems)

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Eligible Project Areas

- All nonpoint source pollution control practices *must* be applicable to the implementation of a qualifying nonpoint source pollution management plan.

- Qualifying plans include:
 - ❖ Local Nonpoint Source Management Plans
 - ❖ Watershed Restoration & Protection Strategy (WRAPS) Plans
 - ❖ Local Environmental Protection Plans
 - ❖ Source Water Protection Plans

- Contact KDHE for questions regarding qualifying plans.

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Applicants

➤ Traditional Borrowers

- ❖ Public entities with general taxing authorities (i.e. municipalities)
- ❖ Public entities with revenue bond authority

➤ Non-traditional KWPCRF Borrowers

- ❖ Other state or local agencies (i.e. county agencies, universities, colleges, etc. with the authority to incur indebtedness)
- ❖ Non-Profit Organizations (i.e. 501(c)3s or other non-lobbying NPOs with the authority to incur indebtedness)

Priority Project Areas

- High Priority Total Maximum Daily Load (TMDL) Watersheds
- Public Water Supply Watersheds
- Watersheds with draft or final Nine Element WRAPS Plans
- Source water protection areas
- Water bodies designated for special aquatic life uses, exceptional state waters, or outstanding national resources waters
- Proximity to water body

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Priority Project Types

- Restoration of floodplains to more natural hydrologic conditions
- Retrofit traditional stormwater control practices with sustainable stormwater management practices
- Utilize multiple best management practices (BMPs), or a treatment train approach
- All nonpoint source pollution control projects must comply with all applicable requirements of the KWPCRF as determined by KDHE.

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Example Project BMPs

- ✧ Green roofs
- ✧ Infiltration planters
- ✧ Vegetated swales/bio-swales
- ✧ Vegetated filter strips
- ✧ Wetland detention basins
- ✧ Wetland/prairie restoration
- ✧ Onsite Waste Water Repair
- ✧ Trees and tree boxes
- ✧ Rain gardens
- ✧ Stormwater wetlands
- ✧ Porous/permeable pavements
- ✧ Detention basin retrofits
- ✧ Infiltration basins
- ✧ Floodplain restoration
- ✧ Riparian restoration
- ✧ Rain barrels
- ✧ Bio-retention swales
- ✧ Streambank Stabilization

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Agricultural BMPs

potentially categorically eligible

- ✧ Constructed Wetland (#656) - Environmentally Innovative Project (wetland restoration & constructed wetlands)
- ✧ Riparian Forest Buffer (#391) - Green Infrastructure
- ✧ Streambank and Shoreline Protection (#580) - Green Infrastructure
- ✧ Wetland Creation (#658) - Green Infrastructure
- ✧ Wetland Enhancement (#659) - Green Infrastructure
- ✧ Wetland Restoration (#657) - Green Infrastructure & Environmentally Innovative Projects
- ✧ Roof Runoff Structure (#558) - Green Infrastructure (manage & treat storm water)
- ✧ Barnyard Runoff Control (#357) - Green Infrastructure (manage & treat storm water)
- ✧ Diversion (#362) - Green Infrastructure (manage & treat storm water)
- ✧ Grassed Waterway (#412) - Green Infrastructure (manage & treat storm water)
- ✧ Terrace (#600) - Green Infrastructure (manage & treat storm water)

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Eligible Loan Costs

- Selected projects will be awarded a low interest loan at a fixed interest rate with principal forgiveness

- Eligible Loan Costs
 - ❖ Contracted design and engineering costs (including inspections and certifications)
 - ❖ Contracted project and loan administration costs (admin costs are subject to a set maximum)
 - ❖ Construction costs

- Ineligible Loan Costs
 - ❖ Land or easement purchases
 - ❖ NPDES Stormwater Runoff from Construction Activities General Permit application fees

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Loan Terms

➤ Traditional KWPCRF Borrowers

- ❖ May receive a loan for 100% of eligible project costs with up to 75% principal forgiveness. In-kind contributions (force account) are not allowable project costs.
- ❖ Length of loan corresponds with useful life of installed practices (no more than 20 years)

➤ Non-traditional KWPCRF Borrowers

- ❖ May receive up to 75% of eligible project costs with 100% principal forgiveness. In-kind contributions are allowable for the remaining 25% of eligible project costs.
- ❖ Interest due within 1 year of project completion

Submission Requirements

- **Proposals must be submitted to KDHE no later than 5:00 PM on January 20, 2012.**
- The applicant must ensure that all materials have been received by KDHE by the submission deadline.
- Any updates to the Call for Proposals will be posted at www.kdheks.gov/nps/.
- Questions related to project eligibility and proposal submission should be directed to Cara Hendricks at chendricks@kdheks.gov or 785-296-5558.

Proposal Guidelines

- Proposal (max 5 pages) must include the following information:
 - ❖ Project Sponsor
 - ❖ NPS Management Plan being implemented
 - Title, Sponsoring Organization, Date Adopted
 - ❖ Project Outline
 - Project Location
 - Description of Practice(s)
 - Population Benefited
 - ❖ Project Cost (Minimum \$50,000)
 - Total amount and summary of project costs (including 25% match for non-traditional borrowers)
 - Loan amount requested
 - ❖ Applicant qualifications
 - Applicable project experience
 - Capacity to ensure project completion and compliance

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Review Criteria

➤ Requisite Criteria

- ❖ Qualifying NPS Pollution Management Plan
- ❖ Categorically eligible NPS Green Project Reserve projects
- ❖ Project does not serve to meet NPDES permitting requirements
- ❖ Application received by January 20, 2012

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Review Criteria (cont.)

➤ Environmental Criteria

- ❖ Direct impact on significant water body
- ❖ Proximity to water body
- ❖ Total Maximum Daily Load Watershed

➤ Project Criteria

- ❖ Utilize Multiple BMPs / Treatment Train
- ❖ Urban stormwater retrofit
- ❖ Floodplain restoration
- ❖ NPS pollution abatement efficiency

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Timeline

January 20, 2012	Proposals Due
Late Jan./Early Feb 2012	Proposals Reviewed
February 17, 2012	Proposal Selection & Award Notification
April, 2012	Pre-Award Meetings with Loan Applicants
April – June, 2012	Pre-Application Environmental Clearance & Public Participation, Landowner Agreements, Easements, Etc.***
July, 2012	Completion of Loan Application Package
August, 2012	Executed Loan Agreement

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Loan Application Package

- Start Early!
- Preliminary Project Action Plan approved by KDHE prior to Environmental Review
 - ❖ Need to include detailed project costs, including O & M information, estimated schedule, permit requirements, etc.
- Public Participation
 - ❖ Requires Public Meeting & Hearing
 - ❖ 30-day Notice for Public Hearing
- Landowner Agreements, Easements, etc



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Loan Application

Other Items to Consider:

- Coordination with Other State/Federal Agencies (KDA, KWO, etc.)
- Contracts with Design Consultants
- Contracts for Construction & Oversight/Inspection Services
- Attorney Review
- Loan Administration

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Loan Administration

- \$20,000 cap for allowable administration costs – depends on size of project
- KDHE recommends that the loan applicant contract with an experienced loan project administrator
- Persons currently employed or contracted as full-time personnel by the loan applicant are not eligible

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Loan Recipient Duties

- Ensure completion of all loan application materials
- Coordinate with KDHE to ensure all requirements are met to execute loan agreement
- Ensure all necessary permits are obtained for the project
- Develop and administer applicable project contracts
 - ❖ Design consultant contract
 - ❖ Construction engineering and inspection/oversight services, if applicable

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Typical Project Management Duties

- Submittal of disbursement requests for loan funds (similar to Grant Affidavits)
- Submittal of MBE/WBE forms
- Coordination of project inspections
- Match Certification (non-traditional borrowers)
- Construction Completion Certificate
- Other Project Closeout items/procedures as required by KDHE

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Past SRF NPS/GPR Projects

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Past SRF NPS Projects

➤ University of Kansas, West Campus Urban Stormwater Management Project

Project Total: \$224,092.75

KWPCRF Loan Amount: \$178,941.00

Required Match: \$44,818.55



- ❖ The project converted lawn area to bio-swales and rain gardens planted with predominately native and naturalized vegetation to filter pollutants and promote infiltration of stormwater received from surrounding buildings, parking lots, sidewalks and existing lawns.
- ❖ Funded by ARRA through the KWPCRF

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Past Projects (Cont.)

➤ City of Mission, Urban Stormwater Management Practices

KWPCRF Loan Amount: \$406,272.10

Principal Forgiveness: \$304,704.08

25% Loan Principal: \$101,568.02

- ❖ Green infrastructure/non-point source pollution control practices in the City of Mission, consisting primarily of a vegetated swale, bioretention facilities and rainwater capture and reuse.
- ❖ Funded by ARRA through the KWPCRF



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Past Projects (Cont.)

➤ **Glacial Hills RC&D, Delaware River Streambank Restoration Project**

KWPCRF Loan Amount: \$268,063.00 (100% PF)

Required Match: \$53,612.60

- ❖ Green infrastructure/non-point source pollution control project in Atchison and Jackson counties consisting of streambank stabilization and riparian restoration projects along the Delaware River
- ❖ Funded by ARRA through the KWPCRF



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Past Projects (Cont.)

➤ Johnson County Community College, Southeast Campus Quadrant Urban Stormwater Management Project

KWPCRF Loan Amount: \$528,500 (100% PF)

Required Match: \$132,125

- ❖ The Southeast Campus Quadrant Urban Stormwater Management Project has been designed to mitigate runoff from approximately 11.5 acres of impervious parking surface by retrofitting a series of bioswales, bioretention cells, rain gardens, and a constructed wetland.
- ❖ Funded by ARRA through the KWPCRF



Photo by Jim Freed, JCCC

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Questions



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Thank You for participating!

If you have additional questions or need more information, please contact me.

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