Nonpoint Source Application Instructions

These are instructions for completing the Nonpoint Source Application to the Clean Water State Revolving Fund loan program. The completed application should provide DEQ staff with a comprehensive understanding of the project’s water quality benefits. The application contains nine sections:

1. Applicant Information
2. Project Description
3. Green Project
4. Waterbody
5. Water Quality/Public Health Benefits
6. Education and Involvement
7. Schedule and Budgeting
8. Supporting Documentation
9. Certification

The application form allows detailed responses to questions. If the applicant needs additional space to respond to a question, provide that information, well labeled, as a separate attachment. When required, DEQ recommends the applicant submit any additional documentation as a specific “attachment” to the application.

In addition to the application, applicants must submit all applicable exhibits required in the Checklist of Application Requirements found at http://www.deq.state.or.us/wq/loans/apps.htm under Nonpoint Source Application Process.

Applicants should work closely with their CWSRF Project Officer when completing the application. A listing of DEQ Project Officers is available on the CWSRF webpage at http://www.deq.state.or.us/wq/loans/contacts.htm.
Section 1: Applicant Information

1. **Public Agency/Legal Applicant.** Provide complete contact information for the organization requesting the loan. Include the zip code + 4 information; congressional district in which the organization is located; and the DUNS number of the organization.

2. **Project Contact.** Provide contact information for the person coordinating the project for the applicant.

3. **Water Quality Permit Information.** Enter the EPA NPDES permit number (this is the number that begins with “OR”) or the WPCF permit number, whichever applies.

4. **CWSRF Loan Request.** Enter the total amount requested. If the project does not require the full amount indicated here, DEQ will amend the loan amount at the completion of the project.

5. **Total Estimated Project Cost.** This figure represents the total estimated cost of the entire project.

Section 2: Project Description

6. **Project Type.** Check the appropriate box. Loans may be for design, design and construction, or construction only.

7. **Project Description.** Provide enough detail to ensure DEQ has a clear understanding of the need, intent and scope of the proposed project.

8. **Project addresses a water quality improvement or restoration need for a small community?** Identify whether the project is addressing a water quality improvement or restoration need for a community with a population of 10,000 or less OAR 340-54-0010(28)).

   If yes, provide current community population as listed in the most recent Certified Population Estimates, published by Portland State University’s Population Research Center [http://www.pdx.edu/prc/population-estimates-0](http://www.pdx.edu/prc/population-estimates-0).

9. **Project Categories.** Indicate the percentage of the CWSRF loan funds for each category (these are EPA defined categories and this information is for reporting purposes only).

10. **Project Location.** If the project location is different than that of the applicant organization, provide the address, congressional district and GPS location. If there is no address for the location, provide the location description (i.e., Hwy 19, 1 mile east of city limit)
Section 3: Green Project

The definitions of the types of projects that are categorically eligible, the types of projects that do not meet the definition of green projects and the criteria for projects applying via a business case are included within EPA’s “Guidance for Determining Eligibility” posted on the CWSRF website at: [http://www.deq.state.or.us/wq/loans/docs/GPRProjEligibility.pdf](http://www.deq.state.or.us/wq/loans/docs/GPRProjEligibility.pdf).

11. **Does project incorporate or expand green stormwater infrastructure?** As listed in the eligibility guidance under:
   - 1.2, as a categorical project? If yes, write the description here.
   - 1.5, as a project requiring a Business Case? If yes, submit a business case using 5.0 of the above referenced guidance document. The Business Case must be submitted with this application.
   Include the estimated cost of the green stormwater infrastructure proposed for funding by CWSRF.

12. **Does project incorporate or expand water efficiency?** As listed in the eligibility guidance under:
   - 2.2, as a categorical project? If yes, write the description here.
   - 2.5, as a project requiring a Business Case? If yes, submit a business case using 5.0 of the above referenced guidance document. The Business Case must be submitted with this application.
   Include the estimated cost of the water efficiency proposed for funding by CWSRF.

13. **Does project incorporate or expand energy efficiency?** As listed in the eligibility guidance under:
   - 3.2, as a categorical project? If yes, write the description here.
   - 3.5, as a project requiring a Business Case? If yes, submit a business case using 5.0 of the above referenced guidance document. The Business Case must be submitted with this application.
   Include the estimated cost of the energy efficiency improvement proposed for funding by CWSRF.

14. **Does project incorporate or expand environmentally innovative projects or practices?** As listed in the eligibility guidance under:
   - 4.2-5 and 4.2-6 as a categorical project? If yes, write the corresponding number and description here.
   - 4.5, as a project requiring a Business Case? If yes, submit a business case using 5.0 of the above referenced guidance document. The Business Case must be submitted with this application.
   Include the estimated cost of the environmentally innovative project proposed for funding by CWSRF.

15. **Does the project integrate or expand long term environmental or financial reliability and viability, or use an approach, not included in other green project categories above?** If yes submit a business case using 5.0 of the above referenced guidance document. The Business Case must be submitted with this application.

Include the estimated cost of the environmental or financial reliability and viability project proposed for funding by CWSRF.
Section 4: Waterbody

16. **Affected Waterbody.** Provide the name and hydrologic unit code for each water body affected by the project’s discharge; include the GPS location of the primary.

17. **Designated beneficial uses.** Identify the uses that the proposed project will protect or restore. If the project maintains or improves water quality, or if it increases effluent loadings but meets its permit, it contributes to protection of the uses you find when matching pollutants. If the project reduces loadings of a pollutant that is impairing a designated use (303(d) list), the project contributes to restoration of that use. Not all beneficial uses will apply to this project.

   **Primary and secondary uses:** The affected uses that comprise a large portion of project’s financing are considered primary. In most cases, one or two uses will qualify as primary. Specify secondary for other uses. If no use qualifies as primary, specify secondary for all applicable uses. Not all uses will apply.

   For more information on the beneficial uses of Oregon's waters: [http://www.deq.state.or.us/wq/standards/uses.htm](http://www.deq.state.or.us/wq/standards/uses.htm)

   To view Oregon’s Integrated Report and 303(d) listing select the most recent report at: [http://www.deq.state.or.us/wq/assessment/assessment.htm](http://www.deq.state.or.us/wq/assessment/assessment.htm)

18. **Other uses and outcomes.** Indicate additional project outcomes that may not affect pollutant discharge into a waterbody with designated uses. The “protection” and “restoration” labels may not apply as well to this category, so use your best judgment.

19. **Water quality improvements.** Indicate which water quality parameter, if any, this project will improve. Provide documentation supporting the expected water quality improvements for each identified parameter, if available. Documentation of the improvement to the water quality parameter should include supporting data, professional opinion or narrative of qualified person(s). Contact your project officer if you have any questions.

Section 5: Water Quality/Public Health Benefits

20. **Impact to water quality without this project.** If the water quality standard is likely to be exceeded if the project is not done, quantify the anticipated water quality standard impairment and explain how this measurement was determined. Reference supporting documentation to strengthen the rationalization.

   If a water quality standard is already being exceeded and likely to get worse if the project is not done, quantify the anticipated water quality standard impairment and explain how you arrived at the measurement. Reference supporting documentation to strengthen the rationalization.

21. **Aquatic habitat.** If the project will improve or sustain aquatic habitat that supports native species, state or federal threatened/endangered species, list which species. Describe in detail the aquatic habitat improvement and quantify the anticipated improvement; explain how you arrived at the calculation; and reference supporting documentation to strengthen your rationalization.
22. **Special Status waterbody.** Indicate if project will address water quality or public health issues in one of the following:

- **Federally Designated Wild and Scenic Rivers.** There are a number of Oregon Rivers or portions of rivers designated as Wild and Scenic. A description of those rivers and details of the specific, designated portions of those rivers is listed at: [http://www.rivers.gov/rivers/oregon.php](http://www.rivers.gov/rivers/oregon.php)

- **State Scenic Waterways.** The link below connects to Chapter 390 of the Oregon Revised Statutes and provides information related to Oregon’s scenic waterways. [http://www.leg.state.or.us/ors/390.html](http://www.leg.state.or.us/ors/390.html) Additional information on Oregon Parks and Recreation Department’s scenic waterways program can be located at [http://www.oregon.gov/OPRD/RULES/waterways.shtml](http://www.oregon.gov/OPRD/RULES/waterways.shtml)

- **Federally designated Sole Source Aquifers (Oregon Administrative Rule 340-071-0400(2))** Oregon has only one designated sole source aquifer—the [North Florence Dunal Aquifer](http://www.rivers.gov/rivers/oregon.php).

- **Lower Columbia River Estuary Partnership (National Estuary Program)** Additional information at the [Lower Columbia River Estuary Partnership website](http://www.deq.state.or.us/wq/loans/contacts.htm).

- **Tillamook Estuaries Partnership (National Estuary Program)** Additional information at the [Tillamook Bay National Estuaries Partnership website](http://www.deq.state.or.us/wq/loans/contacts.htm). To determine if a proposed project is located within, or will substantially affect the estuary, refer to this [GIS graphic](http://www.deq.state.or.us/wq/loans/contacts.htm).

- **The Three Basin Rule: Clackamas, McKenzie (above river mile 15) and the North Santiam river subbasins.** The Three Basin Rule can be reviewed at the Oregon State Archives website ([OAR 340-041-0350](http://www.deq.state.or.us/wq/loans/contacts.htm)).

- **Significant Wetlands and Riparian Areas identified and listed by local governments these include:**
  
  i. All significant wetlands adopted through a “Local Wetlands Inventory” and
  
  ii. Any significant riparian corridors designated for protection as defined within local comprehensive plans. For more information, see [OAR 660-023-0000 through 660-023-0100](http://www.deq.state.or.us/wq/loans/contacts.htm).

Attach a map with the location of the project and proximity to indicated waterbody(ies) clearly marked.

23. **TMDL or GWMA implementation.** If the project supports the implementation of a Total Maximum Daily Load allocation, department Water Quality Status and Action Plan or designated groundwater management area (ORS 468B.180) indicate here. Reference the specific [TMDL, GWMA, Water Quality Status and Action Plan](http://www.deq.state.or.us/wq/loans/contacts.htm), or other qualified plan and describe how this project will support the implementation of the plan. If using a plan in the “other qualified plan” category, please contact project officer [http://www.deq.state.or.us/wq/loans/contacts.htm](http://www.deq.state.or.us/wq/loans/contacts.htm).

24. **Performance based water quality.** If the project will provide performance based water quality improvements supported by monitoring, explain how the activities will provide reasonable assurance that the project will continue to function and how long.
Section 6: Education and Involvement

25. **Long term planning effort.** Explain long-term planning effort applicant is using to ensure the life and maintenance of the project. Describe what process improvement tools (asset management, etc.) are being used, how long they have been in use and how they will be used to inform the project.

26. **Education/outreach components of project.** Describe the project’s on-going education or outreach components. Include details on specific activities associated with education or outreach, the target audience(s), how long the effort will continue and what the intended outcome of the effort is.

27. **Other support or partnerships.** Describe any other project support or partnership(s) including, but not limited to:
   - In-kind support
   - Partnerships with organizations (governmental, tribal, non-governmental)
   - Sponsorship partners

Describe who is providing support; what the support entails (dollar amounts, volunteer labor, materials, marketing); and how long the support is expected to last.

Section 7: Schedule and Budgeting

28. **Project Schedule.**
   - Estimated Design Start Date (for design projects): Project the date engineer(s) will begin the design.
   - Estimated construction start date (for construction projects): Anticipate the date the contractor will receive notice to proceed.
   - Estimated project completion date (for construction projects): Expected date the essential portions of the project are to be complete.
   - Estimated Initiation of Operations date (for construction projects): The estimated date the facility will be operationally complete.

29. **Project Costs and Funding.**
   The total project budget in table A should equal the total funding amount in table B and equal the total estimated project cost in Question 12.

   - Table A. Project Budget. In the “Total Project Budget” column, list the budgeted amounts by category. In the “CWSRF Loan Funded Costs” column, identify the amount of each category covered by the CWSRF loan. This budget is a non-binding estimate. Funds will be available in whichever category needed, up to the full amount of the loan.
   - Table B. Funding Sources. List the anticipated amount for each source of funding. If funding is tentative, indicate that. The “Total Funding” in this list must be equal to the “Total Costs” in Table A.

30. **Existing System-Related Debt Service.** Provide details on all existing debt associated with previous projects or debt secured with sewer revenues.
31. **Loan Structure.** Check the box of the preferred loan structure.

**Revenue-Secured Loan.** Most CWSRF loans are direct loans secured with sewer revenues. Check the box next to “Revenue-Secured Loan” and indicate the Debt Service Coverage Factor and Loan Reserve Percentage.

Often loan recipients choose the 105% debt service coverage and the 100% loan reserve requirement. This pair requires the least increase in sewer rates but the largest amount to be set aside in a restricted loan reserve account. After reviewing the description below, if this is your choice fill in “105%” and “100%” in the blanks below the revenue-secured loan box in the application. Otherwise, select a pair appropriate to your situation. (For guidance with the structure of the loan for your project, call DEQ’s CWSRF loan specialist at (503) 229-6814).

<table>
<thead>
<tr>
<th>Debt Service Coverage Factor (Net Sewer revenue before Debt Service as a % of Annual Debt Service Payment)</th>
<th>Loan Reserve Percentage Requirement (Percent of 1/2 of average annual debt service)</th>
</tr>
</thead>
<tbody>
<tr>
<td>105%</td>
<td>100%</td>
</tr>
<tr>
<td>115%</td>
<td>75%</td>
</tr>
<tr>
<td>125%</td>
<td>50%</td>
</tr>
<tr>
<td>135%</td>
<td>25%</td>
</tr>
</tbody>
</table>

The Debt Service Coverage Factor - affects sewer system rates, since rates must generate sufficient revenue to ensure the following:

- pay for operation and maintenance of the system, debt service on prior loans and bonds, and reserves for replacement of the facilities being financed; and
- leave a balance at least equal to the coverage factor multiplied by the CWSRF loan repayment due that year.

**Example of 115% debt service coverage factor:**
If the project’s average annual debt service is $100,000, the rate structure must provide at least $115,000 in annual revenue (115% of the annual debt service).

The Loan Reserve Percentage Requirement - determines the amount the loan recipient must retain in a restricted reserve account. Funding of the reserve account must equal the loan reserve requirement multiplied by one-half the average annual CWSRF loan repayment.

**Example of 75% loan reserve:**
If the project’s average annual debt service is $100,000, the loan recipient must agree to set aside $37,500 (75% of 1/2 of the annual debt service) in a restricted reserve dedicated to repayment of the CWSRF loan.

The CWSRF loan proceeds may include the loan reserve amount if otherwise funding the reserve imposes an undue financial hardship on the loan recipient. DEQ adds the loan reserve amount to the loan project costs to determine the loan amount. Advise your CWSRF Project Officer if you would like to pursue this option.

If the loan recipient has or incurs other sewer system debt obligations which, in the judgment of DEQ, have inadequate reserves or may adversely affect the ability of
the loan recipient to repay as scheduled, DEQ may require the loan recipient to provide additional coverage and reserves on the non-CWSRF debt.

**Loan structures other than the revenue-secured direct loan.**

**General Obligation Bonds.** The loan recipient may sell general obligation bonds to DEQ. In this case, the loan recipient must have voter approval before DEQ can sign a loan agreement. Provide the date of voter approval or the date of the scheduled election. If voters have not approved the bond, discuss funding plans with DEQ’s project officer or DEQ headquarters staff.

**Rated Revenue Bonds.** The loan recipient may sell rated (investment grade) revenue bonds or other debt obligations to DEQ if the repayment stream is not subject to appropriation through the budget process.

**Alternative Loan.** If a general obligation bond, rated revenue bond, or revenue secured loan would be unduly burdensome, the loan recipient may propose an alternative financing plan which has a credit quality substantially equal to, or better than, the credit quality of a revenue-secured loan. A loan secured by sewer assessments is an example of this structure.

32. **Service Area Data.** Provide the public agency’s overall population and the number of equivalent dwelling units. Also, provide the population served by the current system and the proposed project.

33. **Systems Costs, Revenues, and Residential Rates.** Provide a comparison of the estimated financial impact of this project on sewer system rates.

   “Before Project Expense”
   System Expense - include all annual operations and maintenance expenses currently charged to the sewer system.

   System Revenues - if the total residential and non-residential sewer revenues do not exceed the sewer system expense, provide an explanation and identify what other revenue sources pay the difference.

   Projected After Project Completion Expense - includes all projected annual operations and maintenance of the improved system, debt service payments, and funding for a reserve for replacement of the newly constructed system

**Section 8: Supporting Documentation**

**Exhibits.** Submit the application with all applicable exhibits listed in the Checklist of Application Requirements. Discuss applicable exhibits with your DEQ Project Officer.

**Section 9: Certification**

**Authorization.** The person authorized to sign the application certifies the loan recipient's intended compliance with the stated requirements by signing and dating the application.

**Submitting the application and exhibits.** Submit both the application and all applicable exhibits directly to your CWSRF Project Officer.
Alternative formats
Alternative formats (Braille, large type) of this document may be available. Contact DEQ’s Office of Communications & Outreach, Portland, at (503) 229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696.