

State Water Resources Control Board

NOTICE OF OPPORTUNITY TO COMMENT ON THE PROPOSED AMENDMENT TO THE POLICY FOR IMPLEMENTING THE CLEAN WATER STATE REVOLVING FUND (CWSRF)

This announcement is to inform interested and affected parties of the State Water Resources Control Board's (State Water Board) plan to consider amending the *Policy for Implementing the Clean Water State Revolving Fund* (Policy) to do the following:

- 1) Update the Policy so that it is consistent with all current procedures used by the Division of Financial Assistance (Division) for CWSRF financing;
- 2) Consolidate the State Water Board's policies for expanded use projects and wastewater treatment facilities. The *Strategy for Implementing State Revolving Fund For Expanded Use Projects* (Strategy) will be discontinued with this Policy amendment and the Policy will cover financing for all projects eligible for the CWSRF program;
- 3) Revamp the CWSRF Priority List procedures to make them easier for applicants and make the List more useful for Division staff;
- 4) Reorganize and rewrite the "Environmental" section to provide greater clarity;
- 5) Incorporate design into the planning financing section and introduce a planning/design financing application;
- 6) Add and clarify CWSRF debt priority and reserve requirements;
- 7) Revise and reorganize the application into four packages, (a) general information, (b) technical, (c) environmental, and (d) financial security, to simplify the application process for applicants and increase the Division's application review efficiency; a new application form is introduced in Appendix G;
- 8) Remove the requirement for the "Facilities Plan Approval" or "FPA" and "Preliminary Funding Commitment" or "PFC" documents from the Policy; applications that are approved for financing will receive a financing agreement for signature by the applicant's authorized representative rather than the intermediary steps of FPA and PFC;
- 9) Allow contingencies as an eligible project cost in the project budget to cover change orders;
- 10) Rename the "Approval of Award" process to "Final Budget Approval" process and generalize the procedures for all types of CWSRF projects and project procurement;
- 11) Update the Policy so that it is consistent with public contracting code requirements;
- 12) Change the "Dedicated Source of Revenue" to "Pledged Revenues and Funds";
- 13) Replace the project "certification" requirements with a final reporting requirement;
- 14) Introduce "sustainability points" into the priority system to encourage sustainable practices;
- 15) Make necessary editorial and organizational changes to the Policy; and
- 16) Update all CWSRF Appendices to be consistent with the proposed amended Policy and current Division procedures.

The Division is seeking public comments on the proposed amendments to the Policy and the new application forms (Appendices E/G). All of the documents associated with the proposed amendment to the CWSRF Policy can be found at http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/announcements.shtml. The Policy amendment and the new forms will be considered for adoption by the State Water Board at the May 7, 2013 Board meeting.

Exhibit A is a clean version of the proposed amended Policy showing how the Policy would read if all of the Division's changes are accepted; it includes mockups of the proposed new application forms as Appendices E/G. Exhibit B is a strikeout/underline version showing the proposed changes relative to the existing Policy. It uses the following color-coding system (Microsoft Word's Track Changes tool) to indicate original text, deletions, and new text to the existing Policy:

Original Text (no change): Black;
Deleted Text: Red (with strikeout through text); and
New Text: Red w/underline

Exhibit C is a listing of the significant changes to the Policy, and is provided as an index for the proposed changes shown in Exhibit B.

BACKGROUND

The Division administers the CWSRF Program to provide low-cost financing for construction of wastewater treatment and water recycling facilities, implementation of Expanded Use projects, and development and execution of estuary comprehensive conservation and management plans.

The CWSRF Policy was originally adopted by the State Water Board on August 18, 1988. The last significant amendment was on March 17, 2009. Division staff has developed Exhibits A, B, and C for the proposed revisions of the CWSRF Policy. The State Water Board will consider amending the CWSRF Policy at the May 7, 2013, Board Meeting taking into account any comments received by April 24, 2013, from the public or stakeholders of the CWSRF Program.

WRITTEN/ORAL COMMENTS

The Division intends to present the proposed amendments to the State Water Board for consideration on May 7, 2013, at the regular Board Meeting. You may submit written comments and give oral statements regarding the proposed amendments to the CWSRF Policy. Written comments should be submitted as early as possible to allow for thorough staff analysis. **Please indicate in the subject line "Amendment to the Policy for Implementing the CWSRF."** All written comments are **due by 12:00 noon, PST, on April 24, 2013**. Written comments should be directed to:

Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 "I" Street, 24th Floor
Sacramento, CA 95814
FAX: (916) 341-5620
email: commentletters@waterboards.ca.gov

Oral comments may be directed to the State Water Board at its May 7, 2013, Board Meeting.

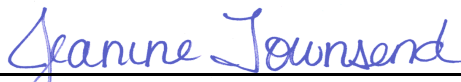
PARKING AND ACCESSIBILITY

All visitors are required to sign in and receive a badge prior to attending any meeting in the California Environmental Protection Agency (Cal/EPA) building. The Visitor and Environmental Services Center is located inside and to the left of the Cal/EPA Building's public entrance. Valid picture identification may be required due to the security level. Please allow up to 15 minutes for this process. Public parking is available in the City of Sacramento Garage on I Street between 10th and 11th Streets. Metered parking spaces are available on area streets. The Cal/EPA building is accessible by bus and light rail lines operated by Sacramento Regional Transit. The Cal/EPA building Hearing Rooms are accessible to persons with disabilities.

CONTACT PERSON

Any questions regarding this issue should be directed to Mr. Robert Been at (916) 341-5641 or by email at rbeen@waterboards.ca.gov. Individuals who require special accommodations are requested to contact the Office of Employee Assistance, at (916) 341-5881, prior to the meeting date. TTY users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

March 22, 2013
Date


Jeanine Townsend
Clerk to the Board