



UTAH DEPARTMENT *of*
**ENVIRONMENTAL
QUALITY**

Intended Use Plan FY21

Prepared by
The Division of Water Quality

March 2021

INTENDED USE PLAN FY21

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March 25, 2021

CONTENTS

CHAPTER 1. Introduction.....	4
CHAPTER 2. Program Operations	5
2.1 Transfer of Clean Water State Revolving Funds.....	5
2.2 Extended Financing Terms	6
2.3 Additional Subsidization	6
2.3 Green Project Reserve.....	6
2.4 Program Assurances	6
CHAPTER 3. CWSRF Project Funding	8
3.1 Long Term Goals.....	8
3.2 Short Term Goals.....	8
CHAPTER 4. Utah Wastewater Loan Program.....	10
CHAPTER 5. Hardship Grant Funds.....	11
CHAPTER 6. Payment Schedule.....	12
6.1 Cash Flow Projections – State Revolving Fund.....	12
6.2 Cash Flow Projections – Utah Wastewater Loan Fund.....	13
CHAPTER 7. Project Priority List (PPL)	15

CHAPTER 1. Introduction

The Intended Use Plan is used by the Department to apply for the EPA Capitalization Grant. The primary purpose of the Plan is to identify current and projected projects that may be awarded funding from federal grant awards. The federal award for FY21 is estimated to be \$8,357,000. See Table 2 for a list of State Revolving Fund projects. In addition, the Plan identifies current and projected projects that may be awarded from State monies, including the Utah Wastewater Loan Program and Hardship Grant Funds. See Table 3 and 4 for a list of these respective projects.

As required under Sections 606(c) and 610(b) of the Clean Water Act, the State of Utah has prepared an Intended Use Plan (IUP) for the Clean Water State Revolving Fund (CWSRF) program. The purpose of the IUP is to facilitate the negotiation process for the Fiscal Year 2021 CWSRF Capitalization Grant agreement. This IUP outlines the short-term and long-term goals of the program and proposes a schedule of payment between the Department of Environmental Quality – Division of Water Quality and the Environmental Protection Agency –

Region 8. This document also describes the intended uses for: The State Revolving Fund (SRF), the Utah Wastewater Loan Fund (UWLF), and the Hardship Grant Funds (HGFs). All data provided in the 2021 IUP are projections of funding for the listed projects. Ultimately, the Utah Water Quality Board will determine loan amounts and financing terms are projects are presented for authorization.

The CWSRF is a financial assistance program that provides low-cost financing for treatment works, sewerage systems, storm water projects, decentralized systems, and nonpoint source projects. The operation of Utah’s CWSRF program is coordinated between the Utah Water Quality Board (the Board) and the Department of Environmental Quality – Division of Water Quality. Projects financed through the State Revolving Fund may receive funding from the following sources: (a) SRF Capitalization Grants; (b) SRF loan repayments; and (c) State matching funds.

Occasionally, an SRF-eligible project will be financed through the Utah Wastewater Loan Program or Hardship Grant Funds.

The Division of Water Quality maintains the SRF Project Priority List comprised of projects for which funding applications have been submitted. The Project Priority List is a numeric calculation used to prioritize projects which will remedy the most severe water quality problems and provide funds for the most beneficial protection of public health and water quality improvement. Projects are listed on the Project Priority List prior to being presented to the Water Quality Board for authorization. Projects will be considered for funding according to their priority and readiness to proceed. If an SRF-eligible project does not proceed or is funded by SRF, UWLF, HGF, or another source, it will be removed from the Project Priority List. The Intended Use Plan includes projects listed on the most recent FY 2021 Project Priority List.

The Division of Water Quality conducts the Municipal Wastewater Planning Program (MWPP) survey to project the potential Utah Statewide funding needs for wastewater treatment and wastewater collections systems. Participation in the MWPP is required for all political subdivisions which have received funding from the SRF, UWLF, or HGF. In addition, all wastewater agencies Statewide are encouraged to voluntarily participate. In 2019, 168 responses were received to the MWPP survey which represents 77% of the distributed surveys. Results from the MWPP survey for projected wastewater capital improvement projects are listed below showing a projected 2040 year Statewide need of more than \$4.4 billion. It should be noted; agency estimation accuracy diminishes with greater timelines so the 2025 estimation is believed to be fairly accurate, while the 2040 need is probably greater than estimated.

2019 MWPP survey results – Statewide Wastewater Capital Improvement Projects			
2020-2025	2026-2030	2031-2035	2036-2040
\$2,226,897,735	\$866,816,182	\$595,764,499	\$725,204,242

CHAPTER 2. Program Operations

Since its inception in 1989, Utah’s CWSRF program has received appropriations from the federal government through capitalization grants. For FY21 Utah estimates its capitalization grant award will be approximately \$8,357,000.

In addition to federal dollars, The Department of Environmental Quality – Division of Water Quality is required to provide a twenty percent (20%) state match. Utah has met the state match requirement by using money from the Utah Wastewater Loan Fund (UWLF). Revenues into the UWLF are comprised of principal repayments from state loans and from a state sales tax allocation. For FY21, Utah anticipates receiving its full measure of sales tax dollars, which is \$3,587,500. The entire 20% state matching amount will be used toward eligible project costs before draws are made from the capitalization grant. Once the requirement is met, draws will be made from the federal award as a 100% federal share.

The Department of Environmental Quality – Division of Water Quality will use SRF administrative funds of up to \$400,000 for costs associated with administering the program. In addition, loan origination fees, equal to 1% of the principal loan amount, are charged to loan recipients. That revenue may also be used for program administration expenses. The Division of Water Quality estimates that \$1,501,730 will be collected from loan origination fees by the end of Fiscal Year 2021.

2.1 Transfer of Clean Water State Revolving Funds

The Water Quality Board and Division of Water Quality reserve authority to transfer funds from the Clean Water SRF program to the Drinking Water SRF (DWSRF) program. The amount reserved for future transfers is up to 33% of the DWSRF capitalization grant award. The table below indicates the reserved transfer amount by award year.

For FY21, the projected amount of funds to be transferred is \$0, with no short- or long-term impacts on the fund. Justification for any transfers to the Drinking Water SRF program, including amount, type of funds, and fund impact, will be documented in a future Intended Use Plan (IUP).

The intended use plan will reserve the authority to transfer funding to the DWSRF program. A Memorandum of Understanding between the divisions to process the actual transfers will require the Water Quality Board approval.

TABLE 1 – TRANSFER AMOUNTS

Award Year	DWSRF Capitalization Grant Award	Reserved Transfer Amount
2019	\$11,103,000	\$3,663,990
2020	\$11,011,000	\$3,633,630
2021	\$11,001,000	\$3,630,330
Total		\$10,957,950

2.2 Extended Financing Terms

As of July 1, 2020, the Utah Water Quality Board has authorized extended financing to two SRF recipients: San Juan Spanish Valley and Mountain Green Sewer Improvement District. The Division of Water Quality estimates that the long-term impact of extended financing on the SRF program is less than a 1% revolving level reduction over 60 years. This estimate does not include an adjustment for inflation.

In cases of extreme hardship, the maximum affordable loan amount may not provide sufficient capital to cover project costs. In these cases, the Board would be requested to provide hardship grant funds to make these projects feasible. Extended-term financing can increase the loan amount that a community qualifies for under the 1.4% median adjusted gross household income (MAGI) affordability guideline. The extended terms also benefit the SRF program by replacing an award of grant dollars with additional loan repayments, albeit in years 21- 30.

2.3 Additional Subsidization

The FY21 capitalization grant may allow states to provide additional subsidization in the form of principal forgiveness and negative interest loans. A minimum of \$835,700 and a maximum amount of \$3,342,800 additional subsidization amounts will be outlined in the programmatic terms and conditions of the award. The Water Quality Board uses principal forgiveness agreements as its mechanism for awarding additional subsidization.

Additional subsidy may be provided to disadvantaged communities, communities addressing water-efficiency or energy-efficiency goals, communities mitigating storm water runoff, or to encourage sustainability. For the Water Quality Board to qualify a community as disadvantaged, the community must have a demonstrated hardship based on its cost of sewer service relative to 1.4% of the MAGI, unemployment, poverty level, or economic trends. Table 2: FY21 List of SRF Projects identifies those projects that may meet any additional subsidization requirement. However, the Water Quality Board may authorize principal forgiveness to additional projects presented for authorization during the year.

2.3 Green Project Reserve

The FY 21 capitalization grant allocation requires that, to the extent that there are sufficient eligible projects applications, not less than 10% of the SRF funds shall be used for projects that address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. The required amount for FY21 is \$835,700. The State of Utah will meet this objective by identifying projects that meet green infrastructure requirements and providing funding, in whole or in part, as they proceed to construction. Table 2: FY21 List of SRF Projects identifies projects that may meet the Green Project Reserve requirement.

2.4 Program Assurances

The State of Utah must comply with its Operation Agreement with EPA and Utah Administrative Code, R-317-102, Utah Wastewater State Revolving Fund (SRF). Assurances include:

- Section 602(a)-Environmental Reviews
- Section 602(b)(3)-Certify binding commitments within one year
- Section 602(b)(4)-Certify expeditious and timely expenditures
- Section 602(b)(5)-First use for enforceable requirements

The Division of Water Quality will complete the one-page worksheet through the Clean Benefits Reporting database for all binding commitments in the quarter that they are made.

CHAPTER 3. CWSRF Project Funding

Eligible projects to be funded by the SRF include loans closed with remaining draws, authorized loans, and anticipated loans. Loans closed with remaining draws are projects that are currently under construction. Authorized loans are projects that have been authorized by the Utah Water Quality Board and are in the design phase. Anticipated loans are projects that are in the beginning stages of planning.

Funding through the SRF can include federal dollars from the capitalization grant awards, principal repayments, interest payments, and investment fund interest earnings. Table 2 shows the projects that are expected to be funded from the Clean Water SRF. Projects must meet specific programmatic requirements including federal cross cutters and “super cross-cutters,” Davis-Bacon wages, American Iron and Steel (AIS), NEPA-like environmental review, Single Audit Act, Disadvantaged Business Enterprise (DBE), and Architectural and Engineering Services procurement.

As determined by the Utah Water Quality Board, SRF loan recipients may be charged a hardship grant assessment in lieu of interest. Upon collection, the hardship grant assessment will be placed into the Federal Hardship Grant Fund. If a hardship grant assessment is derived from a loan funded directly by EPA Capitalization Grant monies, the assessment shall be used for purposes identified in 40 CFR Part 31.25. If a hardship grant assessment is derived from a loan funded by SRF loan repayments, the assessment may be used to provide grants to communities for projects that are economically unfeasible without grant assistance.

3.1 Long Term Goals

1. Provide a permanent funding source for water quality construction projects that supplements a community’s own resources and/or other funding sources.
2. Distribute SRF funds to projects with the highest water quality and infrastructure needs by evaluating and prioritizing proposed projects throughout the state.
3. Support EPA’s Sustainability Policy by balancing a community’s economic and water quality needs with the perpetuity of the SRF program.
4. Assist communities with all phases of a project, including sufficient planning, project design, environmental work, and construction.

3.2 Short Term Goals

1. Present eligible projects to the Water Quality Board for authorization and assist communities through the application and award process.
2. Collaborate with other agencies (e.g., Utah Permanent Community Impact Board, U.S. Department of Agriculture Rural Development, and U.S. Army Corps of Engineers) to sufficiently fund projects.
3. Solicit and fund eligible nonpoint source and storm water projects.
4. Provide funding, equal to at least ten percent (10%) of the capitalization award, for energy efficiency and recycled water and water reuse projects to the extent such projects exist.
5. Increasing the profile of the SRF program as a potential funding source for low income and rural Utah communities.

TABLE 2 – LIST OF FY21 SRF PROJECTS

LOAN RECIPIENT	PERMIT NUMBER	NEEDS CATEGORY	ASSISTANCE AMOUNT	FUNDING TYPE	INTEREST RATE	TERM (YRS)	ADDITIONAL SUBSIDY AMOUNT (Principal Forgiveness)	GREEN PROJECT RESERVE AMOUNT	BINDING COMMITMENT / CONSTRUCTION START	INITIATION OF OPERATION
Duchesne City	UT0020095	I-Secondary Treatment	\$2,700,000	1st Round	0.25%	30	\$400,000	\$262,295	17-May	19-Jul
Logan City	UT002199920	II-Advanced Wastewater Treatment	\$69,131,000	2nd Round	0.75%	20	-	-	16-Mar	22-Jan
Logan City	UT002199920	II-Advanced Wastewater Treatment	\$20,000,000	2nd Round	1.50%	30	-	-	18-Dec	22-Jan
Moab City	UT0020419	I-Secondary Treatment	\$14,200,000	1st Round	1.15%	20	-	\$502,937	17-Apr	19-Nov
Salem City	UT0020249	I-Secondary Treatment	\$20,000,000	1 st & 2 nd Round	1.15%	30	-	-	18-Jul	22-Aug
San Juan Spanish Valley SSD	See Moab	Iva-New Collectors	\$968,000	1st Round	0%	30	\$1,997,000	-	19-Jan	20-Jan
San Juan Spanish Valley SSD	See Moab	Iva-New Collectors	\$360,000	2nd Round	0%	30	-	-	19-Jan	20-Jan
Central Valley WRF	UT0024392	I-Secondary Treatment	\$65,100,000	1 st & 2 nd Round	1.50%	20	-	-	18-Dec	24-Dec
Provo City	UT0021717	II- Advanced Treatment	\$75,800,000	1 st & 2 nd Round	0.50%	20	\$2,000,000	-	18-Dec	25-Jan
South Davis Sewer Dist	UT0021628	II-Advanced Treatment	\$14,176,000	1 st & 2 nd Round	0.25%	20	-	\$13,176,000	21-Dec	24-Dec
South Salt Lake City	See CVWRF	I-Secondary Treatment	\$2,413,000	1st Round	0%	20	\$2,000,000	-	18-Dec	24-Dec
Millville City	UT0023205	Iva-New Collectors	\$0.00	1 st Round	-	-	\$2,000,000	-	20-Mar	20-Dec
Mountain Green	UT0024732	I-Secondary Treatment	\$7,000,000	2 nd Round	1.30%	30	-	-	22-Jan	24-Jan
Payson City	UT0020427	I-Secondary Treatment	\$11,500,000	2 nd Round	1.11%	20	-	-	22-Feb	25-Jan
TOTAL			\$303,348,000				\$8,397,000	\$13,941,232		

CHAPTER 4. Utah Wastewater Loan Program

The Utah Wastewater Loan program is a state-funded loan program similar to the SRF. Revenue for the Utah Wastewater Loan program is derived from sales tax dollars and principal repayments. Monies may be authorized in the form of loans or interest-rate buy downs.

Projects eligible for funding through the Utah Wastewater Loan program have been divided into three categories: closed loans with remaining draws, authorized loans, and anticipated loans. Closed loans with remaining draws are projects that have held loan closing and are currently under construction. Authorized loans are those projects which have received authorization from the Utah Water Quality Board but have not yet held loan closing and are still in the planning or design phase. Anticipated loans are those projects that may be presented to the Utah Quality Board for authorization in the next fiscal year.

Please refer to Table 3 for a list of projects to be funded from the Utah Wastewater Loan Fund.

TABLE 3 – LIST OF FY21 UTAH WASTEWATER LOAN PROGRAM PROJECTS

LOAN RECIPIENT	ASSISTANCE AMOUNT	INTEREST RATE	TERM (YEARS)	BINDING COMMITMENT	CONSTRUCTION START	CONSTRUCTION END
LOAN CLOSED WITH REMAINING DRAWS						
KCCWD-Duck Creek	\$1,000,000	0%	30	Aug-18	May-20	Nov-22
South Salt Lake	\$6,835,000	0%	20	Dec-18	Feb-20	Jun-24
AUTHORIZED LOANS						
Spanish Fork City	\$4,500,000	1.12	20	TBA	TBA	Dec-24
ANTICIPATED LOANS						
N/A						
TOTAL \$12,335,000						

CHAPTER 5. Hardship Grant Funds

The State of Utah provides hardship grants for several types of projects. First, hardship grant funds may be authorized as planning advances or grants and design advances. Advances are repaid once construction funding has been secured through a loan closing. Second, funds may be awarded as hardship construction grants to entities that may not otherwise be able to afford to complete an eligible project. The Water Quality Board may consider authorizing a hardship grant when the estimated annual cost of sewer service exceeds 1.4% of the local MAGI. Third, hardship grants may be awarded for water quality improvement projects such as non-point source, water quality studies, and educational outreach efforts. Projects eligible for Hardship Grant Funds may be added to the list once authorization has been received from the Board.

Please refer to Table 4 for a list of projects to be funded from the Hardship Grant Funds.

TABLE 4 – LIST OF FY21 HARDSHIP GRANT FUND PROJECTS

Recipient	Assistance Amount Balance	Type
HARDSHIP GRANTS		
Eagle Mountain City (White Hills)	\$510,000	Construction Grant
Emigration SID	\$26,158	Planning Grant
Kane County WCD (Duck Creek)	\$3,034,500	Design/Construction Grant
Lewiston City	\$274,000	Design/Construction Grant
Millville City	\$1,500,000	Design/Construction Grant
Spanish Fork	\$500,000	Construction Grant
NON-POINT SOURCE GRANTS		
Utah Department of Agriculture	\$288,442	NPS Grant
DEQ - Ammonia Criteria Study	\$27,242	NPS Grant
DEQ - Nitrogen Transformation Study	\$14,500	NPS Grant
DEQ - Utah Lake Water Quality Study	\$348,301	NPS Grant
Wasatch Co Health Dept Ground WQ Study	\$18,387	NPS Grant
BYU - Bioassays to Investigate Nutrient Limitation	\$8,603	NPS Grant
USU - Historic Trophic State/Nutrient Concentrations Paleo	\$123,500	NPS Grant
FY18 – FY21 Remaining Payments	\$1,762,998	Various NPS Grants
TOTAL	\$8,436,631	

CHAPTER 6. Payment Schedule

Utah's Clean Water SRF has met "first use" requirements of Section 602(b) (5). SRF funds will be distributed using the method, criteria, and eligible activities that are outlined in Section R-317-101 and 102 of the Utah Administrative Code. The methods and criteria provide affordable assistance as well as maximum benefit to the long-term viability of the fund.

If the dollar amount of projects in the FY21 Intended Use Plan exceeds the actual amount of funds available during the planning period, one of the following may occur:

- Projects listed may not be funded.
- Projects may be funded using available credit enhancement techniques.
- Projects may need to be delayed until funds are available.

Please see the CASH FLOW PROJECTIONS for the detail of revenue and expenses for the State Revolving Fund, Utah Wastewater Loan Fund, and Hardship Grant Funds.

6.1 Cash Flow Projections – State Revolving Fund

TABLE 5 – FY21 STATE REVOLVING FUND

STATE REVOLVING FUND (SRF)			
Funds Available	2021	2022	2023
Capitalization Grants Awards (FFY18 - 20)	24,589,401	-	-
State Match (FFY18 - 20)	3,343,000	-	-
Future Capitalization Grants (estimated)	8,358,000	8,000,000	8,000,000
Future State Match (estimated)	1,671,600	1,600,000	1,600,000
SRF - 2nd Round	51,939,078	65,831,397	29,403,500
Interest Earnings at 0.5534%	95,810	364,311	162,719
Loan Repayments (5255)	3,275,803	17,243,792	16,240,097
Total Funds Available	93,272,692	93,039,500	55,406,316
Project Obligations			
Central Valley Water Reclamation Facility	-8,324,000	-24,976,000	-6,800,000
Duchesne City	-27,295	-	-
Moab City	-80,000	-	-
Provo City	-17,230,000	-28,000,000	-20,000,000
South Salt Lake City (A)	-630,000	-2,160,000	-234,000
Loan Authorizations			
Millville City	-1,150,000	-	-
San Juan Spanish Valley SSD		-	-
South Davis Sewer District (with NPS)	-	-7,000,000	-7,176,000
Mountain Green		-1,500,000	-4,000,000
Payson City			-2,000,000
Total Obligations	-27,441,295	-63,636,000	-40,210,000
SRF Unobligated Funds	\$65,831,397	\$29,403,500	\$15,196,316

6.2 Cash Flow Projections – Utah Wastewater Loan Fund

TABLE 6 – FY21 UTAH WASTEWATER LOAN FUND

UTAH WASTEWATER LOAN FUND (UWLF)			
Funds Available	2021	2022	2023
UWLF	20,920,514	14,111,186	15,289,292
Sales Tax Revenue	-	3,587,500	3,587,500
Loan Repayments (5260)	882,972	3,031,806	2,615,488
Total Funds Available	21,803,486	20,730,492	21,492,280
General Obligations			
State Match Transfers	-5,014,600	-1,600,000	-1,600,000
DWQ Administrative Expenses	-820,700	-1,636,200	-1,636,200
Project Obligations			
Kane Co Water Conservancy Dist (Duck Creek)	-400,000		
South Salt Lake City (B)	-1,457,000	-2,205,000	-1,779,000
Loan Authorizations			
Spanish Fork		-	-4,500,000
Total Obligations	-7,692,300	-5,441,200	-9,515,200
UWLF Unobligated Funds	\$14,111,186	\$15,289,292	\$11,977,080

6.2 Cash Flow Projections – Hardship Grant Funds

TABLE 7 – FY21 HARDSHIP GRANT FUND

HARDSHIP GRANT FUNDS (HGF)			
Funds Available	2021	2022	2023
Beginning Balance		847,576	792,606
Federal HGF Beginning Balance (5250)	6,120,157	-	-
State HGF Beginning Balance (5265)	2,183,129	-	-
Interest Earnings at 0.5534%	15,317	4,690	4,386
UWLF Interest Earnings at 0.5534%	38,591	78,091	84,611
Hardship Grant Assessments (5255)	412,912	739,214	641,688
Interest Payments - 5260	136,009	373,034	345,473
Total Funds Available	8,906,114	2,042,606	1,868,765
Financial Assistance Project Obligations			
Eagle Mountain City - Construction Grant	-510,000	-	-
Emigration Sewer Imp Dist - Planning Grant	-26,158	-	-
Kane Co Water Conservancy Dist (Duck Creek) - Hardship Grant	-3,034,500	-	-
Lewiston City - Design and Construction	-274,000	-	-
Millville City - Design and Construction	-1,500,000	-	-
Salina City - Planning Grant/Advance	-	-	-
Spanish Fork - Hardship Grant	-	-250,000	-250,000
Non-Point Source/Hardship Grant Obligations			
Fitzgerald ARDL interest-rate buy down	-51,056	-	-
McKees ARDL interest-rate buy down	-55,261	-	-
Munk Dairy ARDL interest-rate buy down	-16,017	-	-
(FY12) Utah Department of Agriculture	-288,442	-	-
(FY15) DEQ - Ammonia Criteria Study	-27,242	-	-
(FY15) DEQ - Nitrogen Transformation Study	-14,500	-	-
(FY17) DEQ - Utah Lake Water Quality Study	-348,301	-	-
(FY20) Wasatch Co Health Dept Ground WQ Study	-18,387	-	-
BYU - Bioassays to Investigate Nutrient Limitation	-8,603	-	-
USU - Historic Trophic State/Nutrient Concentrations Paleo	-123,500	-	-
FY 2018 - Remaining Payments	-64,739	-	-
FY 2019 - Remaining Payments	-454,089	-	-
FY 2020 - Remaining Payments	-473,270	-	-
FY 2021 - Remaining Payments	-770,474	-	-
Future NPS Annual Allocations		-1,000,000	-1,000,000
Total Obligations	-8,058,538	-1,250,000	-1,250,000
HGF Unobligated Funds	\$847,576	\$792,606	\$618,765

CHAPTER 7. Project Priority List (PPL)

State of Utah
Wastewater Project
Assistance Program Project
Priority List
As of March 2020

TABLE 8 – FY21 PROJECT PRIORITY LIST

Rank	Project Name	Funding Authorized	Total Points	Point Categories			
				Project Need	Potential Improvement	Population Affected	Special Consideration
1	South Davis Sewer District	x	138	50	18	10	60
2	Payson	x	120	35	17	8	60
3	Spanish Fork Water Reclamation Facility	x	117	50	19	8	40
4	Millville City	x	114	45	46	3	20
5	Mountain Green	x	108	50	14	4	40
6	Fairview City		107	50	15	2	40
7	San Juan Spanish Valley SSD	x	86	25	0	1	60
8	Wellington City	x	74	10	21	3	40
9	Lewiston City	x	67	10	16	1	40

DWQ-2021-005895