



# Utah Lake Preservation Fund Grant

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## Grant Scope

During the 2022 General Session, the Utah Legislature approved the Utah Lake Preservation Fund using American Rescue Plan Act (ARPA) funding as part of [Senate Bill 3](#). The Utah State Legislature has charged the Department of Environmental Quality (DEQ) with administering a competitive grant program for Utah Lake Water Quality Projects with funds from (ARPA).

The State Legislature describes the Utah Lake Preservation Grant Program as a *“Competitive grant program to fund water quality improvements in Utah Lake and its watershed including wastewater upgrades (beyond current requirements), stormwater improvements, agricultural nonpoint source as well as in-lake water quality improvements. A portion of the funds will also be used for outreach and education activities and to establish a water quality trading program for Utah Lake. DEQ and partners are working on criteria for the competitive grant program and plan to collaborate with legislators to ensure funds meet legislative intent.”* (<https://cobi.utah.gov/2022/1/issues/18763>)\*

The Director of Water Quality will collaborate with legislators, the Utah Lake Authority and local stakeholders to obligate these funds under the guidance given by the State of Utah Legislature and in accordance with the Department of Treasury Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Final Rule effective April 1, 2022. The SLFRF Final Rule states funding may be granted under ARPA to projects meeting the eligibility requirements of the Clean Water State Revolving Fund (CWSRF) including eligible projects identified in the Nonpoint Source Management Plan. Funding is available to any municipality, intermunicipal, interstate, or State agency for construction of an eligible project. In addition, any entity including privately owned projects are eligible for nonpoint source project financial assistance.

## Funding Available

A maximum of \$30,000,000 (\$30 Million) is available for all projects within the Utah Lake Watershed through the Utah Lake Preservation Fund. Projects will be ranked by a team of subject matter experts and funding will be allocated among the different projects based on their scores and the decisions of the Executive Selection Committee. There is no per-project funding limit, estimated return on

investment (cost-benefit) will be evaluated and funding provided to a project may be less than what was requested. While there is no per-project funding limit, return on investment (cost-benefit) of a proposed activity is one of the evaluation criteria. Additionally, the funding provided to a project may be less than what was requested, as funding decisions will take into account the applications that are received.

## Eligibility Criteria

The eligibility of projects for this assistance is based on a project being located within the Utah Lake Watershed and the requirements of Section 603(c) of the Clean Water Act (CWA). The *Overview of Clean Water State Revolving Fund Eligibilities* (EPA May 2016) identifies types of projects that may be eligible. ([https://www.epa.gov/sites/default/files/2016-07/documents/overview\\_of\\_cwsrf\\_eligibilities\\_may\\_2016.pdf](https://www.epa.gov/sites/default/files/2016-07/documents/overview_of_cwsrf_eligibilities_may_2016.pdf))

The Clean Water State Revolving Fund (CWSRF) can provide financial assistance for a broad range of projects including: construction of publicly owned treatment works; gray and green water stormwater projects providing a water quality benefit; and publicly or privately-owned non-point source (NPS) projects that support the implementation of Utah's [NPS management program plan](#). Treatment Works projects must provide a water quality benefit in excess of current standards or effluent limitations for water quality. In general, proposals must describe how Utah Lake water quality will benefit (e.g., reduced nutrient loading, increasing water clarity by in-lake treatment, or improved understanding of lake preservation needs by the public) from the project.

Applicants should demonstrate a commitment to co-invest (matching funds) equaling at least:

- 10% of the project cost for projects totaling less than \$150,000;
- 20% for projects between \$150,000 and \$1,000,000;
- 50% for projects between \$1,000,000 and \$10,000,000; and
- 80% for projects over \$10 million.

Utah Lake Preservation Funds are distributed through the Coronavirus SLFRF program. As such, this funding cannot be used as a non-federal match for other federal programs.

## Application and Scoring

The application and scoring process are provided in Attachment 1-Application Questions and Attachment 2-Project Scoring and Prioritization. Application guidance for nonpoint source projects is provided in Attachment 3-Nonpoint Source Project Guidance.

**Applications are due by November 3, 2022.** Applications will be accepted online via a Google Form to answers the application questions in Attachment 1.

## Executive Selection Committee

Projects will undergo two rounds of evaluation. Subject matter experts will evaluate the projects for CWSRF eligibility and rank them based on the criteria identified in Attachment 2. The Executive Selection Committee will obligate all funds and utilize the rankings as a guideline. The Executive Selection Committee will consist of a three-member body: Kim Shelley, Executive Director of Department of Environmental Quality; Joel Ferry, Executive Director, Department of Natural Resources; and Mike McKell, member Utah State Senate.

## Anticipated Schedule

Projects receiving Utah Lake Preservation Fund grants will be posted on December 14, 2022. If funding is obligated, recipients must spend or demonstrate sufficient progress to spend the funds by October 1, 2024 or risk the funds being re-obligated. Due to ARPA requirements, all recipients must spend the funds by December 31, 2026.

## Reporting Requirements

ARPA funding requires subrecipients to provide annual progress reports. Annual progress reports will be due on August 1, annually until the project is completed. A final report will be required within 60 days of project completion. After funds are obligated, funds will only be reimbursed in accordance with the grant agreement signed by the Division Director or designee. Project expenses will be reimbursed quarterly.

## Contact Information

For more information on the Utah Lake Preservation Fund Grant Program, email your questions to: [dwqarpautahlake@utah.gov](mailto:dwqarpautahlake@utah.gov). In your email please provide a Contact Name and Phone number for staff to reach out to.

# Attachment 1 - Application Questions

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The following questions will guide the evaluation of the project for further consideration by the Executive Selection Committee. Additional information may be requested by Subject Matter Experts or the Executive Selection Committee.

1. Project Applicant
  - a. Name:
  - b. Affiliation:
  - c. Project Manager Contact Information:
  - d. Finance Contact Information:
  - e. Project Name:
  
2. Identify the type of project:
  - a. Water Reclamation Facility Upgrade
  - b. Sanitary Sewer Improvement
  - c. Stormwater Treatment
  - d. Agricultural Nonpoint Source
  - e. Stormwater Best Management Practices
  - f. Nonpoint Source Information and Education
  - g. In-Lake Water Quality Improvement
  - h. Water Quality Trading
  
3. Project Location Coordinates (provide Latitude and Longitude in decimal degrees)
  
4. Provide a description of the proposed project.
  
5. Describe the purpose and need for this project and how it will benefit water quality in Utah Lake.
  - a. If the project is at a Water Reclamation Facility (POTW), or permitted stormwater system, also describe how this project exceeds current requirements.
  
6. Describe how the project will contribute to reducing nutrients in Utah Lake and its contributing watersheds or reduce harmful algal blooms in the lake.
  
7. Describe the major project steps or milestones needed to complete the project and meet funding deadlines.
  
8. Clean Water State Revolving Fund (CWSRF) Eligibility
  - a. How does this project meet the allowable uses of these federal funds as described in the SLFRF [Final Rule](#)? Please be specific when explaining your reasoning, including direct text citations and other references from Treasury guidelines that support the justification that this project is eligible.
  - b. For nonpoint source projects (agricultural, information and education, in-lake water quality improvement, stormwater BMPs or water quality trading) describe how the project supports the [Utah Nonpoint Source Management Plan](#);

9. What are the anticipated results or outcomes of this project, and how will you measure the success of this project?
10. Describe the technical capacity of your organization and team or partners to accomplish the proposed project.
11. Project Timeline
  - a. I need to begin obligating/expending the funds by:
  - b. I will complete the project by:
12. Project Cost and Funding
  - a. What is the estimated total cost of the project? (note: a detailed budget will be required prior to award if the project is selected)
  - b. How much matching funds will be co-invested the project?
  - c. Does the project currently have any grant funds awarded to it by another funding agency? If so, how much?
  - d. How will the remainder of the project be funded if only partial grant funds are obligated or if bids come in over the estimate?
13. Describe Partner involvement or regionalization efforts for this project.
14. How will the proposed project integrate with the long-range plans of the applicant or others to improve access and opportunity to diverse and/or economically disadvantaged businesses or groups?
15. For infrastructure projects (Water Reclamation Facility Upgrade, Stormwater treatment and Sewer System Improvements), please provide the following information for the Hardship Analysis using the Financial Burden Evaluation Policy
  - a. What is the population the project will serve?
  - b. What zip codes and/or cities will this project serve?
  - c. What is your average monthly user fee for wastewater service per Equivalent Residential Unit (ERU)?

## Attachment 2 - Project Scoring and Prioritization

Criteria	Project Category					
	Agricultural Nonpoint Source Project	Stormwater BMP	Nonpoint Source Information & Education	In-Lake Water Quality	Wastewater Infrastructure	Stormwater Infrastructure
Proposal clearly describes the purpose and need, and has clear objectives	10	10	15	15	15	15
Physical proximity to Utah Lake as measured based on the nearest stream path to the lake. (note: project must be in Utah Lake Watershed to apply)	10	10	NA	NA	10	10
Return on investment for improving water quality to Utah Lake and its tributaries.	20	20	20	20	20	20
Water quality benefit in Utah Lake	10	10	10	10	10	10
Relevance to Utah's <a href="#">Nonpoint Source Management Plan</a>	15	15	15	15	NA	NA
Technical expertise and capacity of the applicant team to achieve the proposed project.	15	15	20	20	15	15
The project addresses diversity and economic disadvantage.	5	5	5	5	5	5
Percentage of the cost share	5	5	5	5	5	5
Involvement of partners and or regional solutions	10	10	10	10	5	5
Overall Increased Water Quality Benefit Above Existing Requirements	NA	NA	NA	NA	15	15
Total possible points	100					

# Attachment 3 - Nonpoint Source Project Guidance

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Five different categories of nonpoint source projects will be considered: Agricultural Nonpoint Source, Stormwater Best Management Practices, Information and Education, and In-Lake Water Quality Improvements. Below is a non-exhaustive description of potential projects by category. Proposals will not be constrained to this list. Ultimately projects will need to meet eligibility for Clean Water State Revolving Funds using [guidance](#) provided by the U.S. Environmental Protection Agency or support the [Utah Nonpoint Source Management Plan](#).

## Agricultural Nonpoint Source:

Projects that reduce agricultural nutrient (nitrogen and phosphorus) inputs to Utah Lake and upstream tributaries will be eligible for Utah Lake Preservation funding. Eligible projects should be based on practices identified in [Utah's Nonpoint Source Management Plan](#), and the commonly-accepted [Best Management Practices](#) for agricultural land. Some examples of eligible Agricultural nonpoint source Best Management Practices include:

- Nutrient management at Animal Feeding Operations
- Riparian fencing to reduce livestock access to waterways
- Filter strips to reduce field nutrient runoff into waterways
- Process-based restoration to reduce downstream transport of fine sediment and nutrients
- Floodplain and riparian conservation and restoration through agricultural land
- Water consumption reduction aimed at improving instream flow

## Stormwater Nonpoint Source Best Management Practices:

Projects that reduce urban nonpoint sources of pollution and enhance storm water control for water quality beyond traditional quantity control design processes by integrating green infrastructure and implementing Best Management Practices to reduce pollution from diffuse urban sources will be eligible. Eligible projects should be based on practices identified in [Utah's Urban and Suburban Stormwater Management Plan](#). Examples of eligible stormwater nonpoint source BMPs include:

- Incentive-based urban/suburban fertilizer, pesticide, and herbicide pollution reduction
- Floodplain and instream restoration and protection
- Rainwater harvesting
- Permeable pavers
- Stormwater finishing with constructed wetlands
- Pet waste management

## Information and Education:

Initiatives which inform or incentivize the public about the importance of effective control of nonpoint source pollution in the Utah Lake basin, and support the following educational objectives.

- Assure that all Utah citizens understand through the use of nonpoint source management practices the importance of protecting Utah Lake and its contributing waterbodies.
- Help Utah citizens understand the connections between their personal actions and land uses on generation of nonpoint source of pollution to Utah Lake and its contributing waters.
- Educate and inform Utah citizens about water cycle, water conservation, water stewardship and how they can help reduce nonpoint source pollution in the Utah Lake Basin to help them understand the “need for lake preservation

## In-Lake Water Quality Improvements:

Projects must demonstrate a water quality improvement in Utah Lake by reducing the adverse effects of degraded water quality. Potential projects may include Habitat Protection and Restoration including Shoreline Activities, Instream Activities, and Invasive Species Control, and/or monitoring to evaluate the effectiveness of in-lake improvements.

- Shoreline Activities such as re-establishing riparian vegetation, wetlands development or restoration, living shorelines, swales, filter strips, and barrier beach and dune systems.
- In-Lake Activities such as re-establishing aquatic vegetation, restoring oyster/mussel beds, fisheries and shellfish restocking and restoration, removal of contaminated sediments, water control structures for flow regime and salinity, and culvert removal.
- Instream flow deliveries to Utah Lake to address hydrologic impacts.
- Invasive Species Control such as equipment to remove or prevent the spread of invasive species.
- Activities that support Utah’s nonpoint source management plan, specifically water quality protection in urban areas that minimizes pathogenic organisms.

## Water Quality Trading:

Water quality trading is a market-based tool for improving water quality. Trading proposals designed to offset pollutant(s) discharges by controlling the same pollutant(s) separately but within the Utah Lake Watershed to reduce costs. Trading agreements, including regulatory commitments, between trading partners must be completed prior to December 31, 2024. Partnership agreements may be between:

- Individual point sources
- Individual point sources and identified non-point sources
- Regional Banking