



**GROUNDWATER NITRATE WORK GROUP
MONDAY JUNE 7, 2021 @ 8:30 A.M
Land Conservation Department Conference Room
440 N US Hwy 14
Janesville WI
OR
Via Zoom
CALL: 1-312-626-6799
Meeting ID: 827 0984 5288
Passcode: 361800**

Join Zoom Meeting

<https://us02web.zoom.us/j/82709845288?pwd=VEVBN3I1UkJmTUN2UmlzT3IRWjlqZz09>

Meeting ID: 827 0984 5288

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One tap mobile

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If you are interested in providing public comments on items on this agenda, you must submit your comments by noon on Friday June 4, 2021. To submit a public comment use the following email: baker@co.rock.wi.us.

Join from a telephone:

- On your phone, dial the phone number provided above
- Enter the meeting ID number when prompted, using your dial-pad.
- Please note that long-distance charges may apply. This is not a toll-free number.

- Supervisors: Please identify yourself by name
- Please mute your phone when you are not speaking to minimize background noises
- We are new at holding meetings this way, so please be patient

Instructions for the hearing impaired –

<https://support.zoom.us/hc/en-us/articles/207279736-Getting-started-with-closed-captioning>

**GROUNDWATER NITRATE WORK GROUP
MONDAY JUNE 7th, 2021 @ 8:30 am**

AGENDA

1. Call Meeting to Order
2. Approval of Agenda
3. Approval of Minutes – January 19th, 2021 Meeting
4. Communications and Announcements
5. **Action Item:** *Resolution* Directing Rock County Staff to Explore the Feasibility of Creating Program to Address Nitrate Mitigation in Rock County’s Ground Water (Previously tabled by Land Conservation Committee pending possible recommendation from Nitrate Work Group).
6. Discussion regarding possible use of American Rescue Plan Act funds for Groundwater Nitrate Initiative activities
7. Discussion about funding/cooperation for Groundwater Nitrate research at the County Farm
8. Well Sampling – Update
9. Status of 9KE and NWQI Plan Development
10. Producer Led Watershed Group – Update
11. Consider Reimbursement to County Farm Lessee for Installation of Cover Crops
12. Next Meeting Date, Time, and Location (Avoid Second and Fourth Tuesday Mornings)
13. Adjourn

The County of Rock will provide reasonable accommodations to people with disabilities. Please contact us at 608-757-5510 or e-mail countyadmin@co.rock.wi.us at least 48 hours prior to a public meeting to discuss any accommodations that may be necessary.



**GROUNDWATER NITRATE WORK GROUP
TUESDAY January 19, 2021 @ 8:00 AM
ZOOM MEETING**

Minutes

1. **Call Meeting to Order.** Chair Sweeney called the meeting to order at 8:01 am.
Members present: Rick Richards, Wes Davis, Pat Mullooly, Dave Rebout, Lou Peer, Rich Bostwick and Al Sweeney.
Members Excused: Rick Wietersen
Others present: Supervisor Shirley Williams, Scott Fleming, Andrew Baker, and Chris Newberry
2. **Approval of Agenda.** Wes Davis moved the agenda as presented, seconded by Rich Bostwick. **Motion Carried.**
3. **Approval of Minutes from October 27, 2020 meeting.** Lou Peer moved the minutes for the October 27, 2020 meeting as presented, seconded by Rick Richards. **Motion Carried.**
4. **Communications, Announcements.** Lou Peer would like to congratulate Rich Bostwick for being elected as County Board Chair and Wes Davis for being elected Vice Chair.
5. **Well Sampling-Update.** Rick Wietersen was not available for this meeting but sent update of well sampling to Andrew Baker. Andrew indicated that the monitoring well elevations are stable with a slight decrease in depth. Flow is steady and remains NE to SW. The 3 transient community wells are also stable over the last couple of months. Nitrate levels remained stable with at most an increase of 0.1mg/l.
6. **Ground Water Sampling Agreements with Private Landowners**
 - a. **Water sampling procedure**
 - b. **Conservation practice costs in sample areas**

Chris Newberry gave an update indicating that he has found a landowner willing to split his field and allow conservation practices and soil borings on the field for 5 years. The field is ~73 acres and would be split in half. One half would remain under current typical land management. The other half would have conservation practices added. The split fields would be sampled at 10 locations on each half, twice a year, once in the spring and once in the fall. Cost for the project are very dependent on federal programs. Costs could range from \$1000 to \$7000 per year depending on NRCS conservation programs and assistance from UWEX and Discovery Farms. Various questions were raised about the project. Sweeney would like to see a more definitive plan and cost estimate before allocating any funds and also suggested working very closely with UWEX on the details.
7. **Status of 9KE Plan.** Chris Newberry gave an update to the timetable of the plan. Newberry noted he has had to set aside the 9KE plan for a while to work on engineering projects. He has reset the timetable to the end of summer to have a first draft of the plan. Newberry indicated he has asked for help in developing EVAAL and ACPF maps for the plan. Jennifer from planning

and Anne from Land Conservation will help with ACPF maps. Craig with NRCS is working on the EVAAL maps. Craig has taken over from Kent who retired at the end of October.

8. **Producer Led Watershed Group Development - Update.** Chris Newberry indicated the FotR was not awarded a grant from DATCP. The grant was for \$20,000 and would have been used for starting the group website, advertising and cost-sharing of cover crops. The group had a sponsor give \$500 and another pledge \$500. The group is hopeful for in-kind donation of a professional logo creation and website design. The next meeting is January 27, at 7:00am via Zoom. The group is planning a virtual field day in mid-April at Rebout's farm. Eric Cooley of UWEX Discovery Farms will talk. Discovery farms will host the live presentation. The Group is also looking for a new Board Member, preferably someone that farms west of the Rock River.
9. Next Meeting Date, Time, and Location (Avoid Second and Fourth Tuesday Mornings). Date and time was tentatively set for February 22, 2021 at 8:00am via Zoom, dependent on status of planning/developing the water sampling project.
10. Adjourn. Rich Bostwick moved to adjourn the January 19, 2021 meeting of the Groundwater Nitrate Workgroup at 8:45 am, seconded by Rick Richards. **Motion Carried.**

Respectively Submitted,

Chris Newberry
Conservation Specialist IV

Minutes are not official until adopted by the Groundwater Nitrate Workgroup.

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**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Supervisor Rick Richard _____
INITIATED BY

Land Conservation Committee _____
SUBMITTED BY



Corporation Counsel Richard
Greenlee _____
DRAFTED BY

February 3, 2021 _____
DATE DRAFTED

**DIRECTING ROCK COUNTY STAFF TO EXPLORE THE FEASIBILITY OF
CREATING PROGRAMS TO ADDRESS NITRATE MITIGATION IN
ROCK COUNTY'S GROUND WATER**

1 **WHEREAS**, the level of nitrates in Rock County's groundwater has increased over the past two
2 decades in private wells, with over an estimated 3,000 Rock County homeowner wells
3 exceeding the drinking water nitrate health advisory level of 10 mg/L; and,
4

5 **WHEREAS**, it's estimated that fewer than 5% Rock County private wells are tested annually, at a
6 cost of \$25 per test.
7

8 **WHEREAS**, in order to address the continued threat to public health of nitrates in Rock County's
9 ground water, the Rock County Board of Supervisors created the Rock County Nitrate Workgroup
10 by Resolution 17-5A-282 which was tasked with, among other things, evaluating nitrate sources
11 and researching groundwater nitrate reduction initiatives being conducted in other parts of
12 Wisconsin; and,
13

14 **WHEREAS**, other communities across Wisconsin have also confronted the problems of excess
15 nitrates in groundwater and similarly formed working groups of community leaders and
16 stakeholders to address excess and unsafe nitrates in Wisconsin's groundwater; and,
17

18 **WHEREAS**, developing programs to remediate or mitigate nitrate concentrates in groundwater
19 is essential for protecting human health.
20

21 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled
22 this _____ day of _____, 20__ directs that staff from the Rock County Planning
23 Department, Rock County Public Health Department, County Administrator's Office, Land
24 Conservation and Corporation Counsel to explore the feasibility of creating and administrating
25 programs to address excess nitrate levels in Rock County Groundwater including, but not limited to,
26 implementation of a program to subsidize the cost of nitrate testing for ground water well
27 users in Rock County, and a program to subsidize the cost of installation of reverse osmosis, or
28 similar, water treatment systems that filter out groundwater nitrates to levels lower than federal
29 maximums.
30

31 **BE IT FURTHER RESOLVED** that any such program evaluated and considered use Sales Tax
32 collected in Rock County as the funding source.
33

34 **BE IT FURTHER RESOLVED** that the group of staff shall report on their findings to the Rock
35 County Nitrate Working Group by July 1, 2021.

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DIRECTING ROCK COUNTY STAFF TO EXPLORE THE FEASIBILITY OF CREATING PROGRAMS TO ADDRESS NITRATE MITIGATION IN ROCK COUNTY'S GROUND WATER
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Respectfully submitted,

LAND CONSERVATION COMMITTEE

Richard Bostwick, Chair

Alan Sweeney, Vice Chair

Stephanie Aegerter

Wes Davis

Kaelyb Lokrantz

Mike Mulligan

James Quade

Vacant

FISCAL NOTE:

Minimal fiscal impact in and by itself.

/s/Sherry Oja

Sherry Oja
Finance Director

ADMINISTRATIVE NOTE:

The County Board has previously determined that nitrates in groundwater is a priority issue for Rock County. This resolution would further clarify how the County Board wants staff to support the work of the Nitrate Working Group, focusing on which approaches, and on what timeline.

/s/Josh Smith

Josh Smith
County Administrator

LEGAL NOTE:

The County Board is authorized to take this action pursuant to §§ 59.01 and 59.51, Wis. Stats.

s/Richard Greenlee

Richard Greenlee
Corporation Counsel

Item 5



Coronavirus State and Local Fiscal Recovery Funds

The American Rescue Plan will deliver \$350 billion for state, local, territorial, and Tribal governments to respond to the COVID-19 emergency and bring back jobs.

The Coronavirus State and Local Fiscal Recovery Funds provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery.

Funding Objectives

- **Support urgent COVID-19 response efforts** to continue to decrease spread of the virus and bring the pandemic under control
- **Replace lost public sector revenue** to strengthen support for vital public services and help retain jobs
- **Support immediate economic stabilization** for households and businesses
- **Address systemic public health and economic challenges** that have contributed to the inequal impact of the pandemic

Eligible Jurisdictions & Allocations

Direct Recipients

- States and District of Columbia (\$195.3 billion)
- Counties (\$65.1 billion)
- Metropolitan cities (\$45.6 billion)
- Tribal governments (\$20.0 billion)
- Territories (\$4.5 billion)

Indirect Recipients

- Non-entitlement units (\$19.5 billion)



Support Public Health Response

Fund COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff



Address Negative Economic Impacts

Respond to economic harms to workers, families, small businesses, impacted industries, and the public sector



Replace Public Sector Revenue Loss

Use funds to provide government services to the extent of the reduction in revenue experienced due to the pandemic



Premium Pay for Essential Workers

Offer additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure sectors



Water and Sewer Infrastructure

Make necessary investments to improve access to clean drinking water and invest in wastewater and stormwater infrastructure



Broadband Infrastructure

Make necessary investments to provide unserved or underserved locations with new or expanded broadband access



For More Information: Please visit www.treasury.gov/SLFRP

For Media Inquiries: Please contact the U.S. Treasury Press Office at (202) 622-2960

For General Inquiries: Please email SLFRP@treasury.gov for additional information

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Example Uses of Funds

⊕ Support Public Health Response

- **Services to contain and mitigate the spread of COVID-19**, including vaccination, medical expenses, testing, contact tracing, quarantine costs, capacity enhancements, and many related activities
- **Behavioral healthcare services**, including mental health or substance misuse treatment, crisis intervention, and related services
- **Payroll and covered benefits** for public health, healthcare, human services, and public safety staff to the extent that they work on the COVID-19 response

🏛️ Replace Public Sector Revenue Loss

- **Ensure continuity of vital government services** by filling budget shortfalls
- **Revenue loss is calculated** relative to the expected trend, beginning with the last full fiscal year pre-pandemic and adjusted annually for growth
- **Recipients may re-calculate revenue loss** at multiple points during the program, supporting those entities that experience revenue loss with a lag

🚰 Water & Sewer Infrastructure

- **Includes improvements to infrastructure**, such as building or upgrading facilities and transmission, distribution, and storage systems
- **Eligible uses aligned to Environmental Protection Agency project categories** for the Clean Water State Revolving Fund and Drinking Water State Revolving Fund



👤 Equity-Focused Services

- **Additional flexibility for the hardest-hit communities and families** to address health disparities, invest in housing, address educational disparities, and promote healthy childhood environments
- **Broadly applicable** to Qualified Census Tracts, other disproportionately impacted areas, and when provided by Tribal governments

🏠 Address Negative Economic Impacts

- **Deliver assistance to workers and families**, including support for unemployed workers, aid to households, and survivor's benefits for families of COVID-19 victims
- **Support small businesses** with loans, grants, in-kind assistance, and counseling programs
- **Speed the recovery of impacted industries**, including the tourism, travel, and hospitality sectors
- **Rebuild public sector capacity** by rehiring staff, replenishing state unemployment insurance funds, and implementing economic relief programs

👤 Premium Pay for Essential Workers

- **Provide premium pay to essential workers**, both directly and through grants to third-party employers
- **Prioritize low- and moderate-income workers**, who face the greatest mismatch between employment-related health risks and compensation
- **Key sectors include** healthcare, grocery and food services, education, childcare, sanitation, and transit
- **Must be fully additive** to a worker's wages

📶 Broadband Infrastructure

- **Focus on households and businesses** without access to broadband and those with connections that do not provide minimally acceptable speeds
- **Fund projects that deliver reliable service** with minimum 100 Mbps download / 100 Mbps upload speeds unless impracticable
- **Complement broadband investments** made through the Capital Projects Fund

⊖ Ineligible Uses

- **Changes that reduce net tax revenue** must not be offset with American Rescue Plan funds
- **Extraordinary payments into a pension fund** are a prohibited use of this funding
- **Other restrictions apply** to eligible uses

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The examples listed in this document are non-exhaustive, do not describe all terms and conditions associated with the use of this funding, and do not describe all the restrictions on use that may apply. The U.S. Department of the Treasury provides this document, the State and Local contact channels, and other resources for informational purposes. Although efforts have been made to ensure the accuracy of the information provided, the information is subject to change or correction. Any Coronavirus State and Local Fiscal Recovery Funds received will be subject to the terms and conditions of the agreement entered into by Treasury and the respective jurisdiction, which shall incorporate the provisions of the Interim Final Rule and/or Final Rule that implements this program.

Coronavirus State and Local Fiscal Recovery Funds

Frequently Asked Questions

AS OF MAY 27, 2021



Cover page of
FAQs

This document contains answers to frequently asked questions regarding the Coronavirus State and Local Fiscal Recovery Funds (CSFRF / CLFRF, or Fiscal Recovery Funds). Treasury will be updating this document periodically in response to questions received from stakeholders. Recipients and stakeholders should consult the Interim Final Rule for additional information.

- For overall information about the program, including information on requesting funding, please see <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments>
- For general questions about CSFRF / CLFRF, please email SLFRP@treasury.gov
- Treasury is seeking comment on all aspects of the Interim Final Rule. Stakeholders are encouraged to submit comments electronically through the Federal eRulemaking Portal (<https://www.regulations.gov/document/TREAS-DO-2021-0008-0002>) on or before July 16, 2021. Please be advised that comments received will be part of the public record and subject to public disclosure. Do not disclose any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Questions added 5/27/21: 1.5, 1.6, 2.13, 2.14, 2.15, 3.9, 4.5, 4.6, 10.3, 10.4 (noted with “[5/27]”)

1. Eligibility and Allocations

1.1. Which governments are eligible for funds?

The following governments are eligible:

- States and the District of Columbia
- Territories
- Tribal governments
- Counties
- Metropolitan cities
- Non-entitlement units, or smaller local governments

1.2. Which governments receive funds directly from Treasury?

Treasury will distribute funds directly to each eligible state, territory, metropolitan city, county, or Tribal government. Smaller local governments that are classified as non-entitlement units will receive funds through their applicable state government.

1.3. Are special-purpose units of government eligible to receive funds?

5.2. What criteria should recipients use in identifying third-party employers to receive grants for the purpose of providing premium pay to essential workers?

Any third-party employers of essential workers are eligible. Third-party contractors who employ essential workers in eligible sectors are also eligible for grants to provide premium pay. Selection of third-party employers and contractors who receive grants is at the discretion of recipients.

To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided.

5.3. May recipients provide premium pay retroactively for work already performed?

Yes. Treasury encourages recipients to consider providing premium pay retroactively for work performed during the pandemic, recognizing that many essential workers have not yet received additional compensation for their service during the pandemic.

6. Eligible Uses – Water, Sewer, and Broadband Infrastructure



6.1. What types of water and sewer projects are eligible uses of funds?

The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency’s Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

Under the DWSRF, categories of eligible projects include: treatment, transmission and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation, and new systems development.

Under the CWSRF, categories of eligible projects include: construction of publicly-owned treatment works, nonpoint source pollution management, national estuary program projects, decentralized wastewater treatment systems, stormwater systems, water conservation, efficiency, and reuse measures, watershed pilot projects, energy efficiency measures for publicly-owned treatment works, water reuse projects, security measures at publicly-owned treatment works, and technical assistance to ensure compliance with the Clean Water Act.

→ Link materials attached

As mentioned in the Interim Final Rule, eligible projects under the DWSRF and CWSRF support efforts to address climate change, as well as to meet cybersecurity needs to protect water and sewer infrastructure. Given the lifelong impacts of lead exposure for children, and the widespread nature of lead service lines, Treasury also encourages recipients to consider projects to replace lead service lines.

6.2. May construction on eligible water, sewer, or broadband infrastructure projects continue past December 31, 2024, assuming funds have been obligated prior to that date?

Yes. Treasury is interpreting the requirement that costs be incurred by December 31, 2024 to only require that recipients have obligated the funds by such date. The period of performance will run until December 31, 2026, which will provide recipients a reasonable amount of time to complete projects funded with Fiscal Recovery Funds.



6.3. May recipients use funds as a non-federal match for the Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)?

Recipients may not use funds as a state match for the CWSRF and DWSRF due to prohibitions in utilizing federal funds as a state match in the authorizing statutes and regulations of the CWSRF and DWSRF.

6.4. Does the National Environmental Policy Act (NEPA) apply to eligible infrastructure projects?

NEPA does not apply to Treasury's administration of the Funds. Projects supported with payments from the Funds may still be subject to NEPA review if they are also funded by other federal financial assistance programs.

6.5. What types of broadband projects are eligible?

The Interim Final Rule requires eligible projects to reliably deliver minimum speeds of 100 Mbps download and 100 Mbps upload. In cases where it is impracticable due to geography, topography, or financial cost to meet those standards, projects must reliably deliver at least 100 Mbps download speed, at least 20 Mbps upload speed, and be scalable to a minimum of 100 Mbps download speed and 100 Mbps upload speed.

Projects must also be designed to serve unserved or underserved households and businesses, defined as those that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed.

6.6. For broadband investments, may recipients use funds for related programs such as cybersecurity or digital literacy training?

Yes. Recipients may use funds to provide assistance to households facing negative economic impacts due to Covid-19, including digital literacy training and other programs that promote access to the Internet. Recipients may also use funds for modernization of cybersecurity, including hardware, software, and protection of critical infrastructure, as part of provision of government services up to the amount of revenue lost due to the public health emergency.

An official website of the United States government.



Learn about the Clean Water State Revolving Fund (CWSRF)

[Infographic: Learn how the CWSRF works.](#)

The CWSRF was created by the 1987 amendments to the Clean Water Act (CWA) as a financial assistance program for a wide range of water infrastructure projects, under [33 U.S. Code §1383](#). The program is a powerful partnership between EPA and the states that replaced EPA's Construction Grants program. States have the flexibility to fund a range of projects that address their highest priority water quality needs. The program was amended in 2014 by the Water Resources Reform and Development Act.

Using a combination of federal and state funds, state CWSRF programs provide loans to eligible recipients to:

- construct municipal wastewater facilities,
- control nonpoint sources of pollution,
- build decentralized wastewater treatment systems,
- create green infrastructure projects,
- protect estuaries, and
- fund other water quality projects.

Building on a federal investment of \$46.8 billion, the state CWSRFs have provided \$145 billion to communities through 2020. States have provided over 42,800 low-interest loans to protect public health, protect valuable aquatic resources, and meet environmental standards benefiting hundreds of millions of people.

Learn about:

- [How the CWSRF Works](#)
- [CWSRF Project Eligibilities](#)
- [Types of CWSRF Assistance](#)
- [How to Apply for CWSRF Assistance](#)

How the CWSRF Works

Under the CWSRF, EPA provides grants to all 50 states plus Puerto Rico to capitalize state CWSRF loan programs. The states contribute an additional 20 percent to match the federal grants. EPA also provides direct grant funding for the District of Columbia, U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of Northern Marianas.

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The 51 CWSRF programs function like environmental infrastructure banks by providing low interest loans to eligible recipients for water infrastructure projects. As money is paid back into the state's revolving loan fund, the state makes new loans to other recipients for high priority, water quality activities. Repayments of loan principal and interest earnings are recycled back into individual state CWSRF programs to finance new projects that allow the funds to "revolve" at the state level over time.

States are responsible for the operation of their CWSRF program. Under the CWSRF, states may provide various types of assistance, including loans, refinancing, purchasing, or guaranteeing local debt and purchasing bond insurance. States may also set specific loan terms, including interest rates from zero percent to market rate and repayment periods of up to 30 years. States have the flexibility to target financial resources to their specific community and environmental needs.

States may customize loan terms to meet the needs of small and disadvantaged communities, or to provide incentives for certain types of projects. Beginning in 2009, Congress authorized the CWSRFs to provide further financial assistance through additional subsidization, such as grants, principal forgiveness, and negative interest rate loans. Through the Green Project Reserve, the CWSRFs target critical green infrastructure, water and energy efficiency improvements, and other environmentally innovative activities.

See more information on how the CWSRF program works in the presentation, "[CWSRF 101: An Introduction to EPA's Clean Water State Revolving Fund.](#)"

CWSRF Project Eligibilities

CWSRFs fund a wide range of water infrastructure projects. Eleven types of projects are eligible to receive CWSRF assistance:

- **Construction of publicly owned treatment works**
Assistance to any municipality or inter-municipal, interstate, or state agency for construction of publicly owned treatment works (as defined in CWA section 212).
- **Nonpoint source**
Assistance to any public, private, or nonprofit entity for the implementation a state nonpoint source pollution management program, established under CWA section 319.
- **National estuary program projects**
Assistance to any public, private, or nonprofit entity for the development and implementation of a conservation and management plan under CWA section 320.
- **Decentralized wastewater treatment systems**
Assistance to any public, private, or nonprofit entity for the construction, repair, or replacement of decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage.

- **Stormwater**
Assistance to any public, private, or nonprofit entity for measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water.
- **Water conservation, efficiency, and reuse**
Assistance to any municipality or inter-municipal, interstate, or state agency for measures to reduce the demand for publicly owned treatment works capacity through water conservation, efficiency, or reuse.
- **Watershed pilot projects**
Assistance to any public, private, or nonprofit entity for the development and implementation of watershed projects meeting the criteria in CWA section 122.
- **Energy efficiency**
Assistance to any municipality or inter-municipal, interstate, or state agency for measures to reduce the energy consumption needs for publicly owned treatment works.
- **Water reuse**
Assistance to any public, private, or nonprofit entity for projects for reusing or recycling wastewater, stormwater, or subsurface drainage water.
- **Security measures at publicly owned treatment works**
Assistance to any public, private, or nonprofit entity for measures to increase the security of publicly owned treatment works.
- **Technical assistance**
Assistance to any qualified nonprofit entity, to provide technical assistance to owners and operators of small and medium sized publicly owned treatment works to plan, develop, and obtain financing for CWSRF eligible projects and to assist each treatment works in achieving compliance with the CWA.

Types of CWSRF Assistance

CWSRFs may offer a variety of financial assistance:

Loans

- The terms of the loan may not exceed 30 years or the useful life of the project.
- Interest rates must be at or below market rate, including interest-free.

Purchase of Debt or Refinance

- A community's debt may be purchased by a CWSRF program.
- The purchase may have terms up to 30 years, or the useful life of the project.
- A CWSRF program may refinance previously issued debt.

Guarantees and Insurance

- Guarantees or insurance can be used where such assistance will result in improved credit market access or reduced interest rates.
- The CWSRF program does not disburse funds for construction; such funds are procured by a borrower in the market.

Guarantee SRF Revenue Debt

- CWSRF programs may issue debt guaranteed by CWSRF funds. The revenue generated is used to provide assistance to borrowers for eligible projects. This expands the capacity of a program in the near-term.

Provide Loan Guarantees

- Similar revolving funds established by municipalities or inter-municipal agencies can receive loan guarantees.

Additional Subsidization

- Under certain conditions, CWSRF programs may provide up to a fixed percentage of their capitalization grants as additional subsidization in the form of principal forgiveness, negative interest rate loans, or grants.
- The annual CWSRF appropriation must be greater than \$1 billion.
- The recipient must be a municipality or inter-municipal, interstate, or state agency.
- Additional subsidization may only be used to help address affordability issues or to implement a process, material, technique, or technology that addresses water or energy efficiency goals; mitigates stormwater runoff; or encourages sustainable project planning, design, and construction.

Earn Interest

- CWSRFs may invest available funds in short-term investments.
- All interest earnings must remain in the fund to be used for eligible purposes.

How to Apply for CWSRF Assistance

CWSRF assistance is provided directly from state agencies. Contact the [CWSRF program in your state](#) for information on how to apply.

LAST UPDATED ON FEBRUARY 11, 2021

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Section 5005. Report on the Allotment of Funds

The WRRDA includes the following provision:

(a) Review.—The Administrator of the Environmental Protection Agency shall conduct a review of the allotment formula in effect on the date of enactment of this Act for allocation of funds authorized under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) to determine whether that formula adequately addresses the water quality needs of eligible States, territories, and Indian tribes, based on—

(1) the most recent survey of needs developed by the Administrator under section 516(b) of that Act (33 U.S.C. 1375(b)); and

(2) any other information the Administrator considers appropriate.

(b) Report.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on the results of the review under subsection (a), including any recommendations for changing the allotment formula.

A review of the CWSRF allotment formula will begin in FY 2015.

Section 5006. Effective date

The WRRDA includes the following provision:

This subtitle, including any amendments made by the subtitle, shall take effect on October 1, 2014.

The amendments to the FWPCA apply to assistance provided after September 30, 2014 unless otherwise stated elsewhere in this document. States that have not met the statutory requirements in previous capitalization grants must still meet those requirements (e.g., the additional subsidy and green project reserve requirements).

Subtitle B: Amended Provisions in Title I, II, and V

Section 5011. Watershed Pilot Projects (Section 122)

Section 122

As amended, the FWPCA section 122 now states:

Clean water Act provisions that are tied to CWSRF

SEC. 122. WATERSHED PILOT PROJECTS.

(a) IN GENERAL.—The Administrator, in coordination with the States, may provide technical assistance and grants to a municipality or municipal entity to carry out pilot projects relating to the following areas:

(1) WATERSHED MANAGEMENT OF WET WEATHER DISCHARGES.—The management of municipal combined sewer overflows, sanitary sewer overflows,

and stormwater discharges, on an integrated watershed or subwatershed basis for the purpose of demonstrating the effectiveness of a unified wet weather approach.

(2) *STORMWATER BEST MANAGEMENT PRACTICES.*—The control of pollutants from municipal separate storm sewer systems for the purpose of demonstrating and determining controls that are cost-effective and that use innovative technologies to manage, reduce, treat, recapture, or reuse municipal stormwater, including techniques that utilize infiltration, evapotranspiration, and reuse of stormwater onsite.

(3) *WATERSHED PARTNERSHIPS.*—Efforts of municipalities and property owners to demonstrate cooperative ways to address nonpoint sources of pollution to reduce adverse impacts on water quality.

(4) *INTEGRATED WATER RESOURCE PLAN.*—The development of an integrated water resource plan for the coordinated management and protection of surface water, ground water, and stormwater resources on a watershed or subwatershed basis to meet the objectives, goals, and policies of this Act.

(5) *MUNICIPALITY-WIDE STORMWATER MANAGEMENT PLANNING.*—The development of a municipality-wide plan that identifies the most effective placement of stormwater technologies and management approaches, to reduce water quality impairments from stormwater on a municipality-wide basis.

(6) *INCREASED RESILIENCE OF TREATMENT WORKS.*—Efforts to assess future risks and vulnerabilities of publicly owned treatment works to manmade or natural disasters, including extreme weather events and sea-level rise, and to carry out measures, on a systemwide or area-wide basis, to increase the resiliency of publicly owned treatment works.

(b) *ADMINISTRATION.*—The Administrator, in coordination with the States, shall provide municipalities participating in a pilot project under this section the ability to engage in innovative practices, including the ability to unify separate wet weather control efforts under a single permit.

(c) *REPORT TO CONGRESS.*—Not later than October 1, 2015, the Administrator shall transmit to Congress a report on the results of the pilot projects conducted under this section and their possible application nationwide.

Guidance implementing this section is under development.

Section 5012. Definition of Treatment Works (Section 212)

Section 212(2)(A)

As amended, the FWPCA section 212(2)(A) now states:

(2)(A) *The term “treatment works” means any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature to implement section 201 of this act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment, and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as*