Kansas Water Pollution Control Revolving Fund (KWPCRF) FFY 2011/SFY 2012 Nonpoint Source Projects Call for Proposals Webinar

Nov. 30th & Dec. 1st, 2011 Cara Hendricks, P.E. KWPCRF NPS Program Coordinator

Our vision is 'healthy Kansans living in safe and sustainable environments'. The state belongs to all of us - "Kansas Don't Spoil It"
Agenda

- KWPCRF NPS/GPR Program Overview
- Eligible Projects and Priorities
- Eligible Loan Applicants
- Eligible Loan Costs and Loan Terms
- Proposal Guidelines
- Review Process & Timeline
- Loan Application Process
- Loan Administration Duties
- Past Projects
- Questions???
Our vision is "healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"

KWPCRF NPS Program Staff

- Jaime Gaggero, Interim Chief, Watershed Management Section
- Cara Hendricks, P.E., KWPCRF NPS Program Coordinator
What is the KWPCRF?

Until 2009, the KWPCRF…

- Has operated as a low interest loan program utilized to finance “traditional” infrastructure projects (i.e. wastewater treatment projects)
- Statutes and regulations primarily aimed at municipalities and entities with taxing authority
- Nonpoint Source Pollution Control Projects not pursued

Our vision is 'healthy Kansans living in safe and sustainable environments'. The state belongs to all of us - "Kansas Don't Spoil It"
KWPCRF & ARRA

In 2009…

➢ The American Recovery and Reinvestment Act (ARRA)
  ❖ Green Project Reserve
    o emphasized sustainable infrastructure within an urban environment
    o provided opportunities for more rural / ag-based projects
  ❖ Subsidization
    o able to incentivize sustainable stormwater management practices
      and nonpoint source pollution abatement projects
    o dedicated source of revenue through taxing authority no longer
      necessary = non-traditional KWPCRF loan recipients
  ❖ Requirements
    o Buy American, Davis-Bacon, Jobs Created/Retained

Our vision is 'healthy Kansans living in safe and sustainable environments'. The state belongs to all of us - "Kansas Don't Spoil It"
KWPCRF

After ARRA…

➢ In 2010, 20% of the KWPCRF was allocated to NPS/GPR projects – no ARRA requirements

➢ FFY 2011 appropriations of the Clean Water State Revolving Fund provide approximately $13.3 million for water quality projects through the Kansas Water Pollution Control Revolving Fund (KWPCRF).

➢ 20% of funding, approx. $2.6 million, available for nonpoint source pollution control projects “green innovative” projects to meet the EPA Green Project Reserve requirement.

Our vision is ‘healthy Kansans living in safe and sustainable environments’. The state belongs to all of us - "Kansas Don't Spoil It"
NPS Projects

- Implemented under 319 authority
- Designed to prevent or remediate pollution from a nonpoint source (refer to the pollutant source categories of the Kansas NPS Management Plan, 2010 update at http://www.kdheks.gov/nps/Planning_Management.htm)
- Cannot serve to fulfill requirements of National Pollutant Discharge Elimination System (NPDES) Phase I or Phase II General Stormwater Permits (final or draft)
Eligible Projects

- Categorically eligible Green Infrastructure and Environmentally Innovative projects and practices as outlined in the Guidance for Determining Project Eligibility (Refer to Attachment 1 in the Call for Proposals).

- Projects that meet the definition of Green Infrastructure or Environmentally Innovative but are not categorically listed can be considered if a business case as described in the guidance is submitted with the proposal.
Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"

SRF GPR Technical Guidance

- **Green Infrastructure – Definition**
  - Green stormwater infrastructure that manages wet weather and maintains
    and restore natural hydrology by infiltrating, evapotranspiring and
    harvesting and using stormwater
  - Regional scale - Preservation and restoration of natural landscape
    features (i.e. forests, floodplains, wetlands) while reducing overall
    imperviousness in a watershed
  - Local scale - Site and neighborhood-specific practices

- **Environmentally Innovative - Definition**
  - Projects that demonstrate new and/or innovative approaches to delivering
    services of managing water resources in a more sustainable way
  - Decentralized wastewater treatment solutions to existing deficient or
    failing onsite wastewater systems (individual onsite and/or cluster
    systems)
Eligible Project Areas

- All nonpoint source pollution control practices must be applicable to the implementation of a qualifying nonpoint source pollution management plan.

- Qualifying plans include:
  - Local Nonpoint Source Management Plans
  - Watershed Restoration & Protection Strategy (WRAPS) Plans
  - Local Environmental Protection Plans
  - Source Water Protection Plans

- Contact KDHE for questions regarding qualifying plans.

---

Our vision is "healthy Kansans living in safe and sustainable environments".
The state belongs to all of us - "Kansas Don't Spoil It"
Applicants

- Traditional Borrowers
  - Public entities with general taxing authorities (i.e. municipalities)
  - Public entities with revenue bond authority

- Non-traditional KWPCRF Borrowers
  - Other state or local agencies (i.e. county agencies, universities, colleges, etc. with the authority to incur indebtedness)
  - Non-Profit Organizations (i.e. 501(c)3s or other non-lobbying NPOs with the authority to incur indebtedness)

Our vision is ‘healthy Kansans living in safe and sustainable environments’. The state belongs to all of us - "Kansas Don't Spoil It"
Priority Project Areas

- High Priority Total Maximum Daily Load (TMDL) Watersheds
- Public Water Supply Watersheds
- Watersheds with draft or final Nine Element WRAPS Plans
- Source water protection areas
- Water bodies designated for special aquatic life uses, exceptional state waters, or outstanding national resources waters
- Proximity to water body

Our vision is ‘healthy Kansans living in safe and sustainable environments’. The state belongs to all of us - "Kansas Don't Spoil It"
Priority Project Types

- Restoration of floodplains to more natural hydrologic conditions
- Retrofit traditional stormwater control practices with sustainable stormwater management practices
- Utilize multiple best management practices (BMPs), or a treatment train approach
- All nonpoint source pollution control projects must comply with all applicable requirements of the KWPCRF as determined by KDHE.

Our vision is "healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"
Example Project BMPs

- Green roofs
- Infiltration planters
- Vegetated swales/bio-swales
- Vegetated filter strips
- Wetland detention basins
- Wetland/prairie restoration
- Onsite Waste Water Repair
- Trees and tree boxes
- Rain gardens
- Stormwater wetlands

- Porous/permeable pavements
- Detention basin retrofits
- Infiltration basins
- Floodplain restoration
- Riparian restoration
- Rain barrels
- Bio-retention swales
- Streambank Stabilization

Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"
Agricultural BMPs potentially categorically eligible

- Constructed Wetland (#656) - Environmentally Innovative Project (wetland restoration & constructed wetlands)
- Riparian Forest Buffer (#391) - Green Infrastructure
- Streambank and Shoreline Protection (#580) - Green Infrastructure
- Wetland Creation (#658) - Green Infrastructure
- Wetland Enhancement (#659) - Green Infrastructure
- Wetland Restoration (#657) - Green Infrastructure & Environmentally Innovative Projects
- Roof Runoff Structure (#558) - Green Infrastructure (manage & treat storm water)
- Barnyard Runoff Control (#357) - Green Infrastructure (manage & treat storm water)
- Diversion (#362) - Green Infrastructure (manage & treat storm water)
- Grassed Waterway (#412) - Green Infrastructure (manage & treat storm water)
- Terrace (#600) - Green Infrastructure (manage & treat storm water)
Eligible Loan Costs

- Selected projects will be awarded a low interest loan at a fixed interest rate with principal forgiveness

- Eligible Loan Costs
  - Contracted design and engineering costs (including inspections and certifications)
  - Contracted project and loan administration costs (admin costs are subject to a set maximum)
  - Construction costs

- Ineligible Loan Costs
  - Land or easement purchases
  - NPDES Stormwater Runoff from Construction Activities General Permit application fees

Our vision is 'healthy Kansans living in safe and sustainable environments'. The state belongs to all of us - "Kansas Don't Spoil It"
Loan Terms

➢ Traditional KWPCRF Borrowers
   ❖ May receive a loan for 100% of eligible project costs with up to 75% principal forgiveness. In-kind contributions (force account) are not allowable project costs.
   ❖ Length of loan corresponds with useful life of installed practices (no more than 20 years)

➢ Non-traditional KWPCRF Borrowers
   ❖ May receive up to 75% of eligible project costs with 100% principal forgiveness. In-kind contributions are allowable for the remaining 25% of eligible project costs.
   ❖ Interest due within 1 year of project completion

---

Our vision is 'healthy Kansans living in safe and sustainable environments'. The state belongs to all of us - "Kansas Don't Spoil It"
Submission Requirements

- Proposals must be submitted to KDHE no later than 5:00 PM on January 20, 2012.

- The applicant must ensure that all materials have been received by KDHE by the submission deadline.

- Any updates to the Call for Proposals will be posted at www.kdheks.gov/nps/.

- Questions related to project eligibility and proposal submission should be directed to Cara Hendricks at chendricks@kdheks.gov or 785-296-5558.
Proposal Guidelines

Proposal (max 5 pages) must include the following information:

- **Project Sponsor**
- **NPS Management Plan being implemented**
  - Title, Sponsoring Organization, Date Adopted
- **Project Outline**
  - Project Location
  - Description of Practice(s)
  - Population Benefited
- **Project Cost (Minimum $50,000)**
  - Total amount and summary of project costs (including 25% match for non-traditional borrowers)
  - Loan amount requested
- **Applicant qualifications**
  - Applicable project experience
  - Capacity to ensure project completion and compliance

Our vision is "healthy Kansans living in safe and sustainable environments". The state belongs to all of us - "Kansas Don't Spoil It"
Review Criteria

➢ Requisite Criteria

❖ Qualifying NPS Pollution Management Plan

❖ Categorically eligible NPS Green Project Reserve projects

❖ Project does not serve to meet NPDES permitting requirements

❖ Application received by January 20, 2012
Review Criteria (cont.)

- **Environmental Criteria**
  - Direct impact on significant water body
  - Proximity to water body
  - Total Maximum Daily Load Watershed

- **Project Criteria**
  - Utilize Multiple BMPs / Treatment Train
  - Urban stormwater retrofit
  - Floodplain restoration
  - NPS pollution abatement efficiency

Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"
## Timeline

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 20, 2012</td>
<td>Proposals Due</td>
</tr>
<tr>
<td>Late Jan./Early Feb 2012</td>
<td>Proposals Reviewed</td>
</tr>
<tr>
<td>February 17, 2012</td>
<td>Proposal Selection &amp; Award Notification</td>
</tr>
<tr>
<td>April, 2012</td>
<td>Pre-Award Meetings with Loan Applicants</td>
</tr>
<tr>
<td>April – June, 2012</td>
<td>Pre-Application Environmental Clearance &amp; Public Participation, Landowner Agreements, Easements, Etc.***</td>
</tr>
<tr>
<td>July, 2012</td>
<td>Completion of Loan Application Package</td>
</tr>
<tr>
<td>August, 2012</td>
<td>Executed Loan Agreement</td>
</tr>
</tbody>
</table>

Our vision is 'healthy Kansans living in safe and sustainable environments'. The state belongs to all of us - "Kansas Don't Spoil It"
Loan Application Package

- **Start Early!**
- Preliminary Project Action Plan approved by KDHE prior to Environmental Review
  - Need to include detailed project costs, including O & M information, estimated schedule, permit requirements, etc.
- Public Participation
  - Requires Public Meeting & Hearing
  - 30-day Notice for Public Hearing
- Landowner Agreements, Easements, etc

Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"
Loan Application

Other Items to Consider:

- Coordination with Other State/Federal Agencies (KDA, KWO, etc.)
- Contracts with Design Consultants
- Contracts for Construction & Oversight/Inspection Services
- Attorney Review
- Loan Administration

Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"
Loan Administration

- $20,000 cap for allowable administration costs – depends on size of project
- KDHE recommends that the loan applicant contract with an experienced loan project administrator
- Persons currently employed or contracted as full-time personnel by the loan applicant are not eligible

Our vision is 'healthy Kansans living in safe and sustainable environments'. The state belongs to all of us - "Kansas Don't Spoil It"
Loan Recipient Duties

- Ensure completion of all loan application materials
- Coordinate with KDHE to ensure all requirements are met to execute loan agreement
- Ensure all necessary permits are obtained for the project
- Develop and administer applicable project contracts
  - Design consultant contract
  - Construction engineering and inspection/oversight services, if applicable

Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"
Typical Project Management Duties

- Submittal of disbursement requests for loan funds (similar to Grant Affidavits)
- Submittal of MBE/WBE forms
- Coordination of project inspections
- Match Certification (non-traditional borrowers)
- Construction Completion Certificate
- Other Project Closeout items/procedures as required by KDHE
Past SRF NPS/GPR Projects

Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"
Past SRF NPS Projects

- University of Kansas, West Campus Urban Stormwater Management Project

  Project Total: $224,092.75
  KWPCRF Loan Amount: $178,941.00
  Required Match: $44,818.55

  The project converted lawn area to bio-swales and rain gardens planted with predominately native and naturalized vegetation to filter pollutants and promote infiltration of stormwater received from surrounding buildings, parking lots, sidewalks and existing lawns.

  Funded by ARRA through the KWPCRF
Past Projects (Cont.)

City of Mission, Urban Stormwater Management Practices

KWPCRF Loan Amount: $406,272.10
Principal Forgiveness: $304,704.08
25% Loan Principal: $101,568.02

- Green infrastructure/non-point source pollution control practices in the City of Mission, consisting primarily of a vegetated swale, bioretention facilities and rainwater capture and reuse.

- Funded by ARRA through the KWPCRF
Past Projects (Cont.)

- Glacial Hills RC&D, Delaware River Streambank Restoration Project
  
  KWPCRF Loan Amount: $268,063.00 (100% PF)
  Required Match: $53,612.60

  - Green infrastructure/non-point source pollution control project in Atchison and Jackson counties consisting of streambank stabilization and riparian restoration projects along the Delaware River
  
  - Funded by ARRA through the KWPCRF

Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"
Past Projects (Cont.)

- Johnson County Community College, Southeast Campus Quadrant Urban Stormwater Management Project
  
  **KWPCRF Loan Amount: $528,500 (100% PF)**
  
  **Required Match: $132,125**

- The Southeast Campus Quadrant Urban Stormwater Management Project has been designed to mitigate runoff from approximately 11.5 acres of impervious parking surface by retrofitting a series of bioswales, bioretention cells, rain gardens, and a constructed wetland.

- Funded by ARRA through the KWPCRF

Our vision is 'healthy Kansans living in safe and sustainable environments'. The state belongs to all of us - "Kansas Don't Spoil It"
Questions

Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"
Thank You for participating!

If you have additional questions or need more information, please contact me.

Cara Hendricks, P.E.
785-296-5558
chendricks@kdheks.gov
Our vision is 'healthy Kansans living in safe and sustainable environments'.
The state belongs to all of us - "Kansas Don't Spoil It"