



## STATE OF RHODE ISLAND

### STATE FISCAL YEAR (SFY) 2022 INTENDED USE PLAN

*in support of the*

### FEDERAL FISCAL YEAR (FFY) 2021 CAPITALIZATION GRANT

*To be made available by the Federal Clean Water Act  
for the Clean Water State Revolving Fund*

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## I. INTRODUCTION

The Rhode Island Infrastructure Bank (Bank) is pleased to submit to the Environmental Protection Agency (EPA) the Intended Use Plan (IUP) for all Clean Water Act (CWA), Title VI funds available to the Clean Water State Revolving Fund (CWSRF) including the Federal Fiscal (FFY) 2021 allotment of \$10,669,000.

The Bank agrees to provide, through methods available to it, the required State Matching Funds of \$2,133,800 for the FFY2021 Capitalization Grant. The State Match will be credited to the CWSRF following receipt of Federal funds into the Bank's Automated Standard Application for Payments (ASAP) account as required by the Act.

## THE RHODE ISLAND CWSRF PROGRAM

### A. Administration

The entities involved in the application for this Federal Capitalization Grant are the Rhode Island Infrastructure Bank (the Bank) and the Rhode Island Department of Environmental Management (RIDEM).

The Bank is the designated lead entity of the CWSRF Program (the Program) and, among other things, is empowered to enter into capitalization grant agreements with the EPA, to accept capitalization grant awards, and to otherwise manage the CWSRF in accordance with the requirements and objectives of the Act.

RIDEM is responsible for establishing assistance priorities; assisting in the development of the IUP; maintaining the project priority list (PPL); determining project eligibility; performing

technical project reviews; monitoring construction; review of project disbursements and project closeouts.

Consistent with the provisions of the CWA and subsequent amendments to it, the Bank reserves the right to cross-collateralize between the CWSRF and Drinking Water SRF (DWSRF). Similarly, the Bank reserves the right to transfer CWSRF funds to the DWSRF as permitted by CWA. While the Bank has not initiated any such transfers in prior years, to help fund loan demand in the DWSRF program, the Bank proposes to make such a transfer in the near term. For this IUP, the Bank proposes to transfer \$7,264,950 from the CWSRF to the DWSRF. As shown in the table below, this amount represents 33% of the DWSRF Capitalization Grant for the FFY 2019 and FFY2020 DWSRF Capitalization Grants:

	<b>DW Cap Grant Amount</b>	<b>Transfer eligible to DWSRF</b>	<b>Transfer amount to DWSRF</b>
2019	\$11,004,000	\$3,631,320	\$3,631,320
2020	\$11,011,000	\$3,633,630	\$3,633,630
	<b>Total</b>	<b>\$7,264,950</b>	<b>\$7,264,950</b>

Currently the Bank is evaluating the best option for facilitating the transfer either by (a) transferring uncommitted first use CWSRF capitalization grant funds from the 2019 and 2020 grants or (b) transferring revolved funds. Acknowledging the administrative burden of transferring Capitalization Grant funds, the Bank's preference is to transfer revolved funds. Once the Bank settles its approach, it will formally notify Region 1 of the transfer and provide necessary documentation required for the transfer.

With the award of the FFY2021 Federal Capitalization Grant, it is the State's intention to continue a subsidized loan program for assisting water pollution abatement projects and to continue the proper administration of the CWSRF.

## **B. Planned Program Activities**

The FFY2021 Capitalization Grant funds will aim to provide financial assistance to local governmental units, persons, corporations and sewer authorities for a variety of infrastructure projects.

The IUP outlines the anticipated use of all funding available in the Program and the methods of financing to be used to make construction loans.

The strong financial standing of the Program is the result of extensive modeling and analyses that provides the Program with the flexibility to achieve short- and long-term goals within the changing financial, legal, and/or political environment.

## **C. Short- and Long-Term Goals**

As required by the CWA, the Program has identified the following goals for the CWSRF. The goals described below are grouped according to short-term and long-term objectives and are not listed in any order:

### **SHORT-TERM GOALS**

**Goal #1:** Effectively manage the Program and maintain timely distribution of Program funds.

**Goal #2:** Continue to encourage new project eligibilities and for traditional wastewater projects to include green and resilient components.

**Goal #3:** Administer rules, regulations, loan policies and procedures, and continue to manage guidelines that are conducive to the proper functioning of the Program while ensuring compliance with the CWA.

**Goal #4:** Develop a comprehensive need-based IUP, to be submitted along with the annual capitalization grant application and prepare an annual report which lists the State's accomplishments for the fiscal year and submit to the EPA in a timely manner.

### **LONG-TERM GOALS**

**Goal #5:** Protect the public health and the environment and promote completion of cost-effective projects.

**Goal #6:** Assure full compliance with Title VI of the Clean Water Act and all federal crosscutting requirements as per the 1987 CWA amendments.

**Goal #7:** Continue to manage the Program such that it will operate in perpetuity.

**Goal #8:** Place emphasis on projects focused on attaining compliance with Rhode Island Pollutant Discharge Elimination System (RIPDES) permit limitations and reinforce the importance of attaining general water quality standards where they are negatively impacted by municipal point-source discharges and/or sources of nonpoint source pollution.

**Goal #9:** Continue to evaluate environmental needs throughout the State, by rating specific projects for water quality improvement and/or protection and strive to distribute Program funds in a priority manner.

**Goal #10:** Continue to assist prospective borrowers during all phases of project development, including the financing process.

**Goal #11:** Continue efforts to improve the water quality of the Narragansett Bay and its tributaries, which is designated as an Estuary of National Significance, and the Wood-Pawcatuck Watershed which is a nationally designated Wild and Scenic River.

**Goal #12:** Coordinate with related partners on the support of borrowers for stormwater, non-point source, climate resiliency and other weather-related projects.

### **D. Information on the CWSRF Activities to be supported**

The FFY2021 Capitalization Grant funds will provide financial assistance to municipalities and sewer authorities using direct loans, Bank Loans, or Federal Direct Loans. The maximum permissible principal repayment period shall be up to 30 years following project

completion and may begin up to 12 months after construction is completed but will not exceed 5 years from the beginning of construction.

The Program has de-allocated Local Interest Subsidy Trust (LIST) funds, Federal Direct Loan re-payments, and State Match direct loan repayments available to lend. These amounts will be used to fund “direct loans” (i.e., not leveraged) or for revenue bond pool issues during this IUP period as loan demand and timing dictates.

The Bank, in cooperation with RIDEM and Rhode Island Housing (RI Housing), continues to manage its Community Septic System Loan Program (CSSLP). RI Housing is the homeowner loan administrator on behalf of the community. The CSSLP allows communities without wastewater treatment facilities to access CWSRF funds. Communities can access the CSSLP after completing an On-Site Wastewater Management Plan (OWMP) approved by RIDEM.

Once the plan appears on RIDEM’s PPL and the Certificate of Approval (CA) is obtained, the community will apply for a loan from the Bank to repair or replace failing sub-standard septic systems. Once the loan is negotiated, the community may then allow residents to access the funds. The borrowing cost for the homeowner is 1% per annum of the outstanding loan balance and a \$300 loan origination fee for a term up to ten years. The Bank uses revolved funds to capitalize the CSSLP. Both RIDEM and the Bank view the CSSLP as a means of achieving the goals and objectives of the approved Section 319 Non-Point Source Management Plan.

In FY2021, the Bank made three CSSLP loans. To date, the Bank has made sixty CSSLP loans to seventeen communities in the total amount of \$21,100,000. To date, the Bank has originated 948 end loans to property owners.

RIDEM and the Bank have created a new funding mechanism to provide grants/loans to municipal and quasi-state entities for the protection of wastewater collection and treatment infrastructure from natural hazards (floods, sea-level rise, etc.) related to climate change. The Wastewater Treatment Facility Resilience Fund has been funded with approximately \$5 million in grant funds from a state bond referendum. Projects costing less than \$500,000 would receive a 50% matching grant up to \$250,000. The grantee is free to use any source, including a loan from the Bank, to finance its match. For projects estimated to cost over \$500,000 a 50% matching grant is made up to \$1.25 million and the grantee must finance its match through the CWSRF program. RIDEM and the Bank are in discussions with the following grantees for match financing: Quonset Development Corporation, Town of Smithfield and Town of Westerly. A fourth grantee, the Town of East Greenwich, financed its match using funds from the FFY 2020 Capitalization Grant.

### **RIDEM Administrative Costs**

Based upon the FFY2021 allotment of funds, RIDEM plans to use \$426,760 (4%) of the FFY2021 Title VI funds for administrative support in managing and operating the Program. The Bank, from FFY98 through FFY05 had “banked” the authority to use the 4% of the federal capitalization funds for RIDEM administrative costs to support the Program. The Bank also banked the FFY2009 American Recovery and Reinvestment Act Capitalization Grant’s 4% administrative monies. To date, \$3,849,156 in Capitalization Funds for

RIDEM’s administrative costs have been banked. These funds have been loaned to various communities. As of March 31, 2021, the Bank has “unbanked” \$2,391,856 utilizing its deallocated funds to pay for RIDEM administrative costs leaving a balance of \$1,457,300 of banked RIDEM administrative funds.

### **Listing of State Revolving Fund Projects To Be Funded**

With the total FFY2021 Federal and State allotment, it is the State’s plan to continue a subsidized CWSRF loan program. To determine which projects are to be funded by the Program, the SFY2022 PPL, prepared by the RIDEM, Office of Water Resources, was reviewed in relation to requests received by the Bank through April 15, 2021. Potential borrowers and those projects requiring CWSRF funds in SFY2022 are identified in priority order. The projects identified for funding are in the service area of the Narragansett Bay Commission (which serves all, or portions of, Central Falls, Cranston, Cumberland, East Providence, Johnston, Lincoln, North Providence, Pawtucket, Providence, and Smithfield); City of Newport; Rhode Island Grows; Town of Burrillville; Town of Middletown; Quonset Development Corp and the Stone Bridge Fire District. Note: All borrowers are subject to change.

## **II. FINANCIAL PLAN AND STRUCTURE FOR THE CWSRF**

### **A. Sources and Uses of Funds Potential**

The estimated funds available for projects in this IUP are summarized below and additional information can be found in Table 1 attached. The estimate includes awarded but unused (undedicated) EPA and State Capitalization Grants available to be drawn from ASAP (see Table 1 attached hereto); direct loan repayments; deallocated reserve funds; estimated debt proceeds; and interest earnings on investments of Program resources.

<b>Resources Available</b>	<b>Amount</b>
State Match Repayments	\$2,360,524
Deallocated List Funds	\$53,185,488
Revenue Fund Release	\$13,583,719
FY 2021 Cap Grant (minus RIDEM Admin)	\$10,242,240
State Match	\$2,133,800
Bond Proceeds	\$10,000,000
Transfer to DWSRF*	(\$7,264,950)
<b>Total</b>	<b>\$70,657,102</b>

\*Proposed.

The total amount of loans to be issued in SFY2021 from the CWSRF is anticipated to be approximately \$72.7 million. The resources available in the CWSRF are anticipated to be enough to finance all eligible projects ready for financing during this IUP period. The Bank will fund projects according to the PPL developed by RIDEM and readiness to proceed.

### **B. Program Income from Administrative Fees**

The Bank charges a 1.0% Loan Origination Fee on all loans. These fees help offset

origination-related expenses. The Bank also charges a 0.30% service fee (per annum) on outstanding loan balances; this fee is used to pay the Bank's operating expenses.

As dictated by EPA, The State agrees to: 1) maintain records which account for fees separate from the CWSRF project fund, 2) identify in the IUP all types of fees charged on loans, including the fee rate, and the amount of fees available, and 3) include in the annual report the types of fees charged on loans, the amount of fees collected, and how those amounts were used.

### **C. Schedule of Anticipated Payments into the ACH system**

The Program anticipates deposits into the ASAP for the FFY2021 capitalization grant as per the following schedule. At this time, it is also expected that the Bank will draw cash from ASAP as per the same schedule:

#### FFY2021 Capitalization Grant Anticipated Payments into EPA/ACH Payment System

Federal Fiscal Qtr.	Payment Into ACH	Cumulative Ceiling
Oct. - Dec. 2021 (22-1)	\$3,556,333.33	\$3,556,333.33
Jan. - Mar. 2022 (22-2)	\$3,556,333.33	\$7,112,666.66
Apr. - Jun. 2022 (22-3)	\$3,556,333.34	\$10,669,000.00
Jul. - Sept. 2022 (22-4)	\$0.00	\$0.00

### **D. Federal Cash Draw Proportionality Ratio**

The Bank will use the 100% State Match equivalent disbursement method (i.e., disburse 100% of the State Match before any of Federal funds are disbursed to meet the proportionality requirement).

### **E. Projected Funding List**

With the award of this grant in the amount of \$10,669,000 plus the State Match of \$2,133,800 for a total amount of \$12,802,800, the Bank expects to fund all, or portions of the projects identified in Table 2 attached hereto. The Bank has received applications from the Town of Burrillville \$5,000,000; Town of Middletown \$2,032,020; Narragansett Bay Commission \$45,000,000; the City of Newport \$11,042,500; Quonset Development Corporation \$450,000 and the Stone Bridge Fire District \$208,300. Additionally, the Bank anticipates an application from Rhode Island Grows for \$9,000,000.

### **F. Additional Subsidization**

The Bank, to the extent that it can, plans on providing up to \$2,133,800 (20% of Capitalization Grant) in additional subsidy from the FFY2021 Capitalization Grant to eligible borrowers. Subsidization will be provided in the form of either principal forgiveness or grants. Exactly 10% (\$1,066,900) of the Capitalization Grant must be provided as additional subsidization consistent with the FFY2021 Enacted Appropriation. This amount is not subject to the restrictions of Water Resources Reform and Development Act (WRRDA). In

addition, between 0% and 30% of the Capitalization Grant may be provided as additional subsidization consistent with the WRRDA provisions. In its solicitation for projects to be included on the SFY2021 PPL, RIDEM announced, to the extent permitted by EPA, that principal forgiveness funds will be applied to projects that constituted a Green Project Reserve (GPR) project. Additional subsidy will be given to projects that qualify for Green Project Reserve. Additional subsidy will be determined by the weighted average of the total project cost of the GPR projects.

### G. Green Project Reserve (GPR)

The Further Consolidated Appropriations Act 2020 sets a goal, subject to eligible projects, that not less than 10% of each state capitalization grant be used to fund the GPR: green infrastructure, water and energy efficiency, and other environmentally innovative projects. A good faith solicitation must be open to all GPR eligible projects in each of the four GPR categories. RIDEM’s PPL and the Bank’s annual open solicitation for projects will be deemed enough for these purposes because the solicitation was open to all GPR eligible projects. The State agrees to include in its IUP such qualified projects, or components of projects, that total an amount at least equal to 10% (\$1,066,900) of its Capitalization Grant.

The attached project list shows the total assistance amount for projects or portions of projects meeting one or more of the specific objectives required by this provision. Town of Burrillville, Quonset Development Corporation, Rhode Island Grows and Stone Bridge Fire District each have GPR associated with their projects.

In its solicitation for projects to be included on the SFY2022 PPL, RIDEM announced, to the extent permitted by EPA, that principal forgiveness funds will be applied to projects that met the GPR guidelines.

<b>Borrower</b>	<b>Project</b>	<b>GPR Category</b>	<b>Project Cost</b>	<b>Loan/Total</b>	<b>GPR Eligible Cost</b>
Burrillville	WWTF Headworks & Oakland Pump Station	EI	\$5,000,000	\$5,000,000	\$245,000
NBC	Solar Carport	EE	\$1,059,000	\$45,000,000	\$1,059,000
NBC	WC SOI OF Relief Structure	GI	\$3,732,000	\$45,000,000	\$250,000
Quonset Development Corp.	WWTF High Flow Capacity Improvements	EI	\$450,000	\$450,000	\$125,000
RI Grows	Greenhouse Stormwater Collection Treatment Reuse	GI/EI	\$9,000,000	\$9,000,000	\$9,000,000
Stonebridge Fire District	Application of Alum to Stafford Pond	EI	\$208,300	\$208,300	\$208,300
<b>Total GPR Eligible</b>					<b>\$10,887,300</b>

- GI - Green Infrastructure
- EI – Environmentally Innovative
- EE - Energy Efficiency
- WE- Water Efficiency

## **H. Criteria and Methods for Distribution of CWSRF Funds**

RIDEM has an integrated priority ranking system, approved by EPA Region I. A PPL is developed annually using this ranking system (Attachment A).

The CWSRF will provide loans for up to 100% of eligible project and finance costs, consistent with Federal limitations on the use of CWSRF funds, with the State determining the eligibility based on state-developed criteria.

The Bank and RIDEM take several factors into consideration when determining which projects from the PPL will be funded by the CWSRF. These factors include:

- Relative ranking on the PPL;
- Indication that the community (or service district) has the authority to encumber debt for water pollution abatement projects from the Bank;
- Indication that the community (or service district) will make an application to the CWSRF for financing;
- Indication that the community's (or service district's) credit quality is adequate;
- Indication that RIDEM will approve the project in the form of a Certificate of Approval; and
- Indication that projects are ready to proceed within six months of closing the loan.

## **I. By-Pass procedure and revisions to the Intended Use Plan**

Throughout the course of the year the need may arise to amend this IUP. In such an event, the Program will only propose projects that have been selected from the approved PPL. The projects on this list will have been previously identified and approved through the public participation process as per 40 C.F.R. Section 35.3150 (c).

In the event that projects identified for funding in the IUP are unable to proceed, funding assistance for these projects will be deferred and other projects from the PPL will be selected for funding based on procedures in the priority determination system, readiness to proceed, and availability of funds.

## **III. ASSURANCES AND SPECIFIC PROPOSALS**

The Bank provides the necessary assurances and certifications as part of the Operating Agreement (OA) between the Bank and EPA. Rhode Island's OA includes the requirements of the following sections of the law:

### 602 (a): Environmental Reviews

RIDEM has formulated the State Environmental Review Process (SERP) which has



been approved by EPA. For FFY21 funds, we expect that most projects will require a Finding of No Significant Impact (FONSI), Categorical Exclusions and non-treatment works projects that do not require environmental review.

602 (b)(3): Binding Commitments

The Bank certifies that it will enter into binding commitments for 120% of each quarterly payment received under the Capitalization Grant within one (1) year of receipt of that payment into the EPA/ACH payment system.

602 (b)(4): Expeditious and Timely Expenditures

The Bank will expend all funds in the CWSRF in a timely and expeditious manner. Disbursements for approved CWSRF projects are dependent upon the accuracy of construction schedules and consistency with planning. The Bank agrees that it will not provide assistance to any project unless that project is consistent with plans developed under Section 205(j), 208, 303(e), 319 or 320.

## A. Reporting

The Bank and RIDEM are committed to ensuring that all reports and electronic data are submitted by their deadlines.

- **Federal Funding Accountability & Transparency Act (FFATA)** – The Bank is committed to transparency and accountability under FFATA (reporting requirements may be obtained at their website <https://fsrs.gov/>). The Bank program information, IUP's, Annual Reports, Audited Financials and other program materials will be posted on the Bank's website: [www.riib.org](http://www.riib.org).
- **SRF Database (formerly Clean Water Benefits Reporting (CBR))** – Project milestones and other pertinent information is reported through EPA's Clean Water Benefits Reporting data base. RIDEM commits to entering benefits information on all projects into the CBR by the end of the quarter in which assistance agreement is signed.
- **SRF Database System (formerly National Information Management System (NIMS))** – The Bank agrees to submit requested data into the SRF Database System for the reporting period July 1 – June 30 on an annual basis.
- **Utilization of Small, Minority and Women's Business Enterprise (DBE)** – The Bank and RIDEM agrees to comply with the requirements of EPA's program for DBE in procurement under assistance agreements contained in 40 CFR, Part 33.
- **Single Audit Act** – The Bank in accordance with OMP Circular A-133, which implements the single audit act, hereby agrees to obtain a single audit from an independent auditor if it expends \$750,000 in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the Bank shall submit a copy of the SF-SAC and a Single Audit Report Package to the Federal Audit Clearing House. The Bank will require the same of its borrowers should they expend \$750,000 in total federal funds in any fiscal year.

- **EPA Annual Report** – The Bank agrees to provide an Annual Report to EPA by September 30 the first fiscal year after it receives payments under title VI. The Bank will submit this report to EPA according to the schedule established in the grant agreement.
- **EPA Sustainability Policy Implementation** - The Bank and RIDEM continue to support the implementation of EPA’s Infrastructure Sustainability Policy by funding only wastewater treatment projects that are consistent with local wastewater facilities plans, prioritize projects through an integrated priority determination system that places emphasis on public health and water quality protection projects and awards extra points for “smart growth” projects and projects that incorporate GPR elements, and tie Additional Subsidization to GPR projects. While recently most of the projects currently funded are mandated through compliance orders or consent agreements, both the Bank and RIDEM recognize that has not been the case in the past nor will it be in the future. The Program will therefore continue to investigate means by which other sustainability measures (e.g., effective utility management, asset management, and integrated water resource management) can be further incorporated into funding decisions to build a “pipeline” of sustainable projects eligible to receive CWSRF funding.
- **Additional Requirements** - To comply with federal reporting requirements such as DBE reporting and Davis-Bacon for the FFY 2021 Capitalization Grant, the Bank will apply these requirements to all of its treatment works projects, (see Table 2) as well as for all other requirements such as the Single Audit Act and federal environmental crosscutters. At time of loan closing, the Bank will designate a borrower for FFATA reporting.

### **Davis-Bacon Wage Rates**

Section 602(b)(6) of the CWA permanently applies the prevailing wage (Davis-Bacon) provision of FWPCA Section 513 to any projects for treatment works that are funded by the CWSRF. Consistent with EPA’s prior implementation of this provision, application of the Davis-Bacon Act requirements extends not only to assistance agreements funded with capitalization grants, but to all CWSRF-funded projects involving the construction of treatment works regardless of the source of the funding (e.g., prior years’ appropriations, state match, bond proceeds, interest earnings, principal repayments, etc.). Any project that is considered a “treatment work” as defined in the CWA Section 212, now incorporated into the CWA as Section 502(26), must comply with Section 513, regardless of which eligibility it is funded under (see section 603(c)). It should be noted that the RI CWSRF program does not consider projects constructing or implementing green stormwater infrastructure to be treatment works.

### **American Iron & Steel (AIS)**

On June 10, 2014, WRRDA amended the CWA to include permanent requirements for the use of AIS in CWSRF financed treatment works projects. Section 608 of the CWA now contains requirements for AIS that repeat those of the Consolidated Appropriations Act of FY2014. As such, all CWSRF projects must comply with Section 608 of the CWA for implementation of the permanent AIS requirements. Therefore, all guidance adopted for

FY2014 apply for the permanent AIS requirements for the CWSRF.

## **B. Fiscal Sustainability Planning**

For treatment works proposed for repair, replacement, or expansion, the EPA is now requiring that Program borrowers develop and implement a fiscal sustainability plan (FSP) that includes:

- an inventory of critical assets that are a part of the treatment works;
- an evaluation of the condition and performance of inventoried assets or asset groupings;
- a certification that the recipient has evaluated and will be implementing water and energy conservation efforts as part of the plan; and
- a plan for maintaining, repairing, and, as necessary, replacing the treatment works and a plan for funding such activities; or a certification that the borrower has developed and implemented a plan that meets these requirements.

The Borrower shall develop and implement the FSP for the Planning Area in accordance with all statutory requirements. The FSP for the Planning Area shall be developed, implemented, and submitted to the RIDEM with a copy to the Bank by the earlier of one year from the date of this Agreement or the final draw on the Loan. RIDEM will inform the Bank of compliance with this requirement the earlier of the aforementioned.

## **C. Cost and Effectiveness**

Starting with the loan applications submitted as of April 1, 2016, EPA is now requiring that borrowers provide a certification that:

- have studied and evaluated the cost and effectiveness of the processes, materials, techniques and technologies for carrying out the proposed project; and
- have selected, to the maximum extent practicable, a project that maximizes the potential for efficient water use, reuse, recapture, and conservation, and energy conservation, taking into account:
  - the cost of constructing the project;
  - the cost of operating and maintaining the project over the life of the project; and
  - that the cost of replacing the project.

The Bank has developed a Cost and Effectiveness Self-Certification Form stating that as a condition for receiving assistance through the SRF, the Borrower hereby certifies that per Section 602(b)(13) of the WRRDA the project is Cost Effective.

## **D. Architectural and Engineering (A/E) Services Procurement**

The 2014 WRRDA Amendments requires that A/E services that are paid with Federal funds for Clean Water projects be procured using the qualifications-based selection process under Chapter 11 of title 40, United States Code or an equivalent state qualifications-based requirement.

### **E. Affordability Criteria**

EPA required each state to develop new affordability criteria for the distribution of additional subsidy by September 30, 2015. These criteria needed to consider income, unemployment rate, and population trends. The Bank developed these criteria, accepted public comment, and approved the final criteria on January 5, 2016. When applied, applicants scoring nine criteria points or greater will be eligible for principal forgiveness. The Bank is currently evaluating potential revisions to the affordability criteria to best reflect Rhode Island and current demographic trends.

### **F. Project Accounting**

The EPA requires that project accounts be maintained in accordance with generally accepted government accounting standards, including standards relating to the reporting of infrastructure assets. The Bank has always required that project accounts be maintained in accordance with generally accepted government accounting standards, but not particularly with respect to the reporting of infrastructure assets. The most recent applicable standard is Governmental Accounting Standards Board (GASB) Statement No. 34, issued in June 1999, which details governmental reporting requirements including standards for reporting of infrastructure assets. The Bank will be changing the standard condition in the Project Regulatory Agreement to reflect this change. It is expected that this change will have little, if any impact on SRF borrowers as most communities are already complying with GASB 34 requirements

### **G. Signage**

The Bank agrees to comply with the SRF Signage Guidance to enhance public awareness of EPA assistance agreements nationwide. The Bank will include the EPA logo on all project signs.

### **H. Public Review and Comment**

PPL Public Notice for public comment was announced in the Providence Journal on May 14, 2021 and the IUP was put on Public Notice in the Providence Journal on June 16, 2021. Additionally, the IUP will be posted on the Bank's website and the PPL has been posted on the RIDEM website providing the opportunity for public comment for thirty (30) days from the date of posting. Any public comments received will be reviewed by the Bank and RIDEM collectively.

## **IV. UPDATE ON THE FFY2019 AND FFY2020 CAPITALIZATION GRANTS UTILIZATION**

Approximately, \$9,175,340 remains to be committed in the FFY2019 capitalization grant and \$9,176,200 remains in the FFY2020 capitalization grant. During FY2021, the Bank had anticipated closing loans to several communities. Unfortunately, those borrowers were not

ready to proceed with their loans. GPR and principal forgiveness utilization has been met on the FFY2019 capitalization grant. GPR and principal forgiveness utilization has not yet been met on the FFY2020 capitalization grant.

The Bank and RIDEM continue to actively engage borrowers to utilize the SRF. The decline in SRF loans is due to most water treatment plants in Rhode Island being updated in the last fifteen years. Additionally, there have not been any new Rhode Island Pollutant Discharge Elimination System (RIPDES) permit initiatives.

The Bank and RIDEM anticipate an application being submitted shortly from Rhode Island Grows. Rhode Island Grows is an advanced controlled environment vegetable produce company with headquarters in Rhode Island. The Company specializes in the development of advanced greenhouse facilities and vegetable produce production for the Northeast Corridor. Their anticipated request will be \$9,179,861. Their project will consist of a stormwater collection, treatment, and reuse irrigation system. Their entire project will be GPR eligible. The Bank anticipates this to be the first private borrower funder under the CWSRF,

TABLE 1

Cap Grant Year	Cap Grant Amount	State Match	DEM 4% Admin.	Used DEM 4% Admin.	Remaining DEM 4% Admin	Banked DEM 4% Admin.	Un-Banked DEM 4% Admn. (deallocated)	Remaining Banked DEM 4% Admin.	Grants pledged for specific purpose	State Match Pledged for a Specific Purpose	Cap Grants Available	State Match Available	Total Cap Grant & State Match Available
CS44000190-0	\$13,378,481	\$2,675,696	\$535,139.24	\$551,880.00	-\$16,740.76				\$13,378,481.00	\$2,675,696.20	\$0.00	\$0.00	\$0.00
CS44000191-0, 2	\$26,826,822	\$5,365,364	\$1,073,072.88	\$1,056,332.12	\$16,740.76				\$26,826,822.00	\$5,365,379.00	\$0.00	-\$14.60	-\$14.60
CS44000193	\$12,905,937	\$2,581,187	\$516,237.48	\$516,237.48	\$0.00				\$12,905,937.00	\$2,581,187.40	\$0.00	\$0.00	\$0.00
CS44000194	\$7,988,800	\$1,597,760	\$319,552.00	\$319,552.00	\$0.00				\$7,988,800.00	\$1,597,760.00	\$0.00	\$0.00	\$0.00
CS44000195	\$8,254,100	\$1,650,820	\$330,164.00	\$330,164.00	\$0.00				\$8,254,100.00	\$1,650,820.00	\$0.00	\$0.00	\$0.00
CS44000196	\$13,547,500	\$2,709,500	\$541,900.00	\$541,900.00	\$0.00				\$13,547,500.00	\$2,709,500.00	\$0.00	\$0.00	\$0.00
CS44000197	\$4,127,100	\$825,420	\$165,084.00	\$165,084.00	\$0.00				\$4,127,100.00	\$825,420.00	\$0.00	\$0.00	\$0.00
CS44000198	\$9,033,100	\$1,806,620	\$361,324.00			\$361,324.00	\$361,324.00	\$0.00	\$9,033,100.00	\$1,806,620.00	\$0.00	\$0.00	\$0.00
CS44000199	\$9,033,800	\$1,806,760	\$361,352.00			\$361,352.00	\$361,352.00	\$0.00	\$9,033,800.00	\$1,806,760.00	\$0.00	\$0.00	\$0.00
CS44000100	\$9,002,900	\$1,800,580	\$360,116.00			\$360,116.00	\$360,116.00	\$0.00	\$9,002,900.00	\$1,800,580.00	\$0.00	\$0.00	\$0.00
CS44000101	\$8,921,900	\$1,784,380	\$356,876.00			\$356,876.00	\$356,876.00	\$0.00	\$8,921,900.00	\$1,784,380.00	\$0.00	\$0.00	\$0.00
CS44000102	\$8,942,000	\$1,788,400	\$357,680.00			\$357,680.00	\$357,680.00	\$0.00	\$8,942,000.00	\$1,788,400.00	\$0.00	\$0.00	\$0.00
CS44000103	\$8,883,300	\$1,776,660	\$355,332.00			\$355,332.00	\$355,332.00	\$0.00	\$8,883,300.00	\$1,776,660.00	\$0.00	\$0.00	\$0.00
CS44000104	\$8,888,700	\$1,777,740	\$355,548.00			\$355,548.00	\$239,175.60	\$116,372.40	\$8,888,700.00	\$1,777,740.00	\$0.00	\$0.00	\$0.00
CS44000105	\$7,208,600	\$1,441,720	\$288,344.00			\$288,344.00		\$288,344.00	\$7,208,600.00	\$1,441,720.00	\$0.00	\$0.00	\$0.00
CS44000106	\$5,839,300	\$1,167,860	\$233,572.00	\$233,572.00	\$0.00				\$5,839,300.00	\$1,167,860.00	\$0.00	\$0.00	\$0.00
CS44000107	\$7,159,200	\$1,431,840	\$286,368.00	\$286,368.00	\$0.00				\$7,159,200.00	\$1,431,840.00	\$0.00	\$0.00	\$0.00
CS44000108	\$4,515,300	\$903,060	\$180,612.00	\$180,612.00	\$0.00				\$4,515,300.00	\$903,060.00	\$0.00	\$0.00	\$0.00
2W44000209	\$26,314,600	\$0	\$1,052,584.00			\$1,052,584.00		\$1,052,584.00	\$26,314,600.00	\$0.00	\$0.00	\$0.00	\$0.00
CS44000109	\$4,515,300	\$903,060	\$180,612.00	\$180,612.00	\$0.00				\$4,515,300.00	\$903,060.00	\$0.00	\$0.00	\$0.00
CS44000110	\$13,681,000	\$2,736,200	\$547,240.00	\$547,240.00	\$0.00				\$13,681,000.00	\$2,736,200.00	\$0.00	\$0.00	\$0.00
CS44000111	\$9,915,000	\$1,983,000	\$396,600.00	\$396,600.00	\$0.00				\$9,915,000.00	\$1,983,000.00	\$0.00	\$0.00	\$0.00
CS44000112	\$9,486,000	\$1,897,200	\$379,440.00	\$379,440.00	\$0.00				\$9,486,000.00	\$1,897,200.00	\$0.00	\$0.00	\$0.00
CS44000113	\$8,955,000	\$1,791,000	\$358,200.00	\$358,200.00	\$0.00				\$8,955,000.00	\$1,791,000.00	\$0.00	\$0.00	\$0.00
CS44000114	\$9,410,000	\$1,882,000	\$376,400.00	\$376,400.00	\$0.00				\$9,410,000.00	\$1,882,000.00	\$0.00	\$0.00	\$0.00
CS44000115	\$9,361,000	\$1,872,200	\$374,440.00	\$374,440.00	\$0.00				\$9,361,000.00	\$1,872,200.00	\$0.00	\$0.00	\$0.00
CS44000116	\$8,962,000	\$1,792,400	\$358,480.00	\$358,480.00	\$0.00				\$8,962,000.00	\$1,792,400.00	\$0.00	\$0.00	\$0.00
CS44000117	\$8,892,000	\$1,778,400	\$355,680.00	\$355,680.00	\$0.00				\$8,892,000.00	\$1,778,400.00	\$0.00	\$0.00	\$0.00
CS44000118	\$10,777,000	\$2,155,400	\$431,080.00	\$431,080.00	\$0.00				\$10,777,000.00	\$2,155,400.00	\$0.00	\$0.00	\$0.00
CS44000119*	\$10,669,000	\$2,133,800	\$426,760.00	\$426,760.00	\$0.00				\$1,493,660.00	\$2,133,800.00	\$1,910,390.00	\$0.00	\$1,910,390.00
CS44000120	\$10,670,000	\$2,134,000	\$426,800.00	\$0.00	\$426,800.00				\$0.00	\$0.00	\$10,670,000.00	\$2,134,000.00	\$12,804,000.00
<b>TOTALS</b>	\$316,064,740	\$57,950,028	\$12,642,590	\$8,366,634	\$426,800.00	\$3,849,156.00	\$2,391,855.60	\$1,457,300.40	\$296,219,400.00	\$55,816,042.60	\$12,580,390.00	\$2,133,985.40	\$14,714,375.40

\*The "Cap Grants Available" for the asterisked includes \$7,264,950 transfer from the CWSRF to the DWSRF.

**TABLE 2**

Community	RIPDES #	Project Name/Number	* SFY22 Estimated PPL COST (\$)	SFY22 Project Cost (\$)	Funded w/Available Cap Grant	Funded w/Available State Match (\$)	Funded w/Repayment and/or Leveraged
Burnilville	RI0100455	WWTF Headworks and Oakland Pump Station Improvements †	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000		\$ -
Middletown	n/a	Marshall Village Pump Station Replacement/ Paradise	\$ 2,100,000	\$ 2,032,020			
NBC	RI0100315	FPWWTF Ernest Street Pump Station Improvements	\$ 11,069,000	\$ 1,252,000	\$ -	\$ -	\$ 1,252,000
NBC	RI0100315	FPWWTF Maintenance and Storage Buildings	\$ 18,222,000	\$ 4,581,000	\$ -	\$ -	\$ 4,581,000
NBC	RI0100315	NBC Solar Carport †	\$ 1,059,000	\$ 6,000		\$ -	\$ 6,000
NBC	RI0100315	Long Range Biosolids Disposal	\$ 10,471,000	\$ 688,000	\$ -	\$ -	\$ 688,000
NBC	RI0100315	FPWWTF Standby Power System Electrical Improvements	\$ 6,962,000	\$ 263,000	\$ -	\$ -	\$ 263,000
NBC	RI0100315	WCSOI OF Relief Structure†	\$ 3,732,000	\$ 2,303,000	\$ 1,066,900	\$ -	\$ 1,236,100
NBC	RI0100315	Louisquisset Pike Interceptor Replacement	\$ 4,794,000	\$ 4,794,000	\$ 4,602,100	\$ 191,900	\$ -
NBC	RI0100315	Providence River Siphon Rehab	\$ 8,479,000	\$ 963,000	\$ -	\$ -	\$ 963,000
NBC	RI0100315	FY 2020 WWTF Improvements	\$ 12,919,000	\$ 6,755,000	\$ -	\$ 1,941,900	\$ 4,813,100
NBC	RI0100315	NBC Interceptor Easements	\$ 1,338,000	\$ 659,000	\$ -	\$ -	\$ 659,000
NBC	RI0100315	NBC System-wide Regulator Modifications	\$ 3,327,000	\$ 786,000	\$ -	\$ -	\$ 786,000
NBC	RI0100315	NBC Systemwide Facilities Planning	\$ 754,000	\$ 577,000	\$ -	\$ -	\$ 577,000
NBC	RI0100315	FPWWTF Standby Power System Electrical Improvements	\$ 6,962,000	\$ 630,000	\$ -	\$ -	\$ 630,000
NBC	RI0100315	NBC Systemwide Inflow Reduction Program	\$ 892,000	\$ 190,000	\$ -	\$ -	\$ 190,000
NBC	RI0100315	Municipal Sewer Acquisition Impact	\$ 411,000	\$ 294,000	\$ -	\$ -	\$ 294,000
NBC	RI0100315	FPWWTF Facilities Plan Update	\$ 421,000	\$ 156,000	\$ -	\$ -	\$ 156,000
NBC	RI0100315	NBC Systemwide RIPDES Flow Monitoring	\$ 1,650,000	\$ 894,000	\$ -	\$ -	\$ 894,000
NBC	RI0100315	Omega Pump Station Upgrade	\$ 4,225,000	\$ 984,000	\$ -	\$ -	\$ 984,000
NBC	RI0100315	Lincoln Seplage Station Replacement	\$ 4,994,000	\$ 558,000	\$ -	\$ -	\$ 558,000
NBC	RI0100315	BPWWTF Sludge Digestion Facility Improvements	\$ 5,103,000	\$ 1,777,000	\$ -	\$ -	\$ 1,777,000
NBC	RI0100315	WWTF Improvements	\$ 3,000,000	\$ 500,000	\$ -	\$ -	\$ 500,000
NBC	RI0100315	Interceptor Inspection and Clearing of CSO Interceptors	\$ 3,000,000	\$ 500,000	\$ -	\$ -	\$ 500,000
NBC	RI0100315	Rehabilitation of the NBC CSO Interceptors	\$ 9,000,000	\$ 1,500,000	\$ -	\$ -	\$ 1,500,000
NBC	RI0100315	BPWWTF UV Disinfection Improvements	\$ 18,354,000	\$ 3,595,000	\$ -	\$ -	\$ 3,595,000
NBC	RI0100315	BPWWTF Improvements	\$ 9,710,000	\$ 584,000	\$ -	\$ -	\$ 584,000
NBC	RI0100315	BPWWTF Operations - Design Build	\$ 39,871,000	\$ 7,568,000	\$ -	\$ -	\$ 7,568,000
NBC	RI0100315	CSO Phase III A Facilities - Design & Construction Program Mgmt.	\$ 54,000,000	\$ 73,000	\$ -	\$ -	\$ 73,000
NBC	RI0100315	CSO Phase III A Facilities - Pawtucket Tunnel & Pump Station	\$ 488,300,000	\$ 747,000	\$ -	\$ -	\$ 747,000
NBC	RI0100315	CSO Phase III A Facilities - Tunnel Pump Station Fit-out	\$ 88,334,000	\$ 39,000	\$ -	\$ -	\$ 39,000
NBC	RI0100315	CSO Phase III A Facilities - OF 205	\$ 6,045,000	\$ 10,000	\$ -	\$ -	\$ 10,000
NBC	RI0100315	CSO Phase III A Facilities - OF 210, 213, 214	\$ 28,187,000	\$ 20,000	\$ -	\$ -	\$ 20,000
NBC	RI0100315	CSO Phase III A Facilities - OF 217	\$ 18,400,000	\$ 45,000	\$ -	\$ -	\$ 45,000
NBC	RI0100315	CSO Phase III A Facilities - OF 218	\$ 11,715,000	\$ 10,000	\$ -	\$ -	\$ 10,000
NBC	RI0100315	CSO Phase III A Facilities - Regulator Modifications	\$ 5,666,000	\$ 17,000	\$ -	\$ -	\$ 17,000
NBC	RI0100315	CSO Phase III A - GSI Projects	\$ 8,754,000	\$ 8,000	\$ -	\$ -	\$ 8,000
NBC	RI0100315	CSO Phase III A Facilities - BPWWTF Clarifiers & Flow Splitters	\$ 47,026,000	\$ 112,000	\$ -	\$ -	\$ 112,000
Newport Quonset Dev. Corp.	RI0100293	Long Wharf Pump Station Improvements	\$ 12,000,000	\$ 11,042,500	\$ -	\$ -	\$ 11,042,500
	RI0100404	Quonset POTW Resiliency Action Plan Phase R1 †	\$ 950,000	\$ 450,000	\$ -	\$ -	\$ 450,000
RI Grows	n/a	Rhode Island Grows - Phase I †	\$ 9,000,000	\$ 9,000,000	\$ -	\$ -	\$ 9,000,000
Stonebridge Fire	RI002384	Application of Alum to Stafford Pond	\$ 450,000	\$ 208,300	\$ -	\$ -	\$ 208,300
<b>Total Rated</b>			<b>\$ 976,646,000</b>	<b>\$ 72,170,820</b>	<b>\$ 10,669,000</b>	<b>\$ 2,133,800</b>	<b>\$ 57,336,000</b>

† Qualifies for Green Project Reserve.

\* All projects not shown. Projects shown are expected to be funded w/2021 Capitalization Grant and other available RIIB funds