

SFY 2010/2011 - Clean Water State Revolving Fund (CWSRF)
 Amended Intended Use Plan (IUP) Public Comments
 April 5, 2011 to May 6, 2011 - Noon

Date Comment Rcvd.	Representative	Comments	Staff Recommendation
4/5/11	Greg Girard <gparg@mcn.org>	Since our country is in a financial crisis, the Water Board should not be financing projects that further bury us in debt. The Water Board should wait until we have a surplus to consider extravagant improvements in our infrastructure.	The Water Board primarily finances projects using repayments from existing loans. New projects or improvements to existing facilities that are financed with the existing revenue stream have no effect on the state or federal governments' finances. Before approving a loan, the Water Board reviews each applicant's finances. Loans are only made to applicants that have sufficient revenue to afford a loan. The decision on whether to appropriate new capital to the CWSRF program is outside the Water Board's control.
4/7/11	Kevin Anderson Environmental Regulations Analyst Planning, Engineering, Environmental Compliance (PEEC) City of Monterey 580 Pacific St, Rm #7 Monterey, CA 93940 (831)646-3746 office (831)760-2079 nextel (831)646-3405 fax	The City of Monterey submitted a questionnaire for its Sewer System Rehabilitation Project (PIN# 15870) through the FAAST system, but the project is not listed in Table 2 of the amended 2010/2011 IUP. Is the project on the Project Priority List, and is it currently eligible for funding?	The City submitted a questionnaire to be listed on the Project Priority List (PPL). Staff contacted the commentator to let him know that the project is listed on PPL and appears to be eligible for financing. The commentator indicated that the complete application package will be submitted in October 2011. Staff explained to the commentator that the amended 2010/2011 IUP is a planning document that attempts to predict which projects will be financed by December 31, 2011. It is unlikely that a funding commitment will be issued by December 31, 2011, since the application will not be submitted until October 2011. Therefore, staff has not included this project in Table 2 of the amended IUP. A Division Project Manager is assigned to the project and is assisting the applicant with the application process. The project will be listed in a future IUP once staff can make a reasonable prediction about when financing will be approved.
4/21/11	Ron Henrickson City Manager City of Rio Dell 675 Wildwood Ave Rio Dell, CA 95562 (707) 764-3532	The City supports the staff's recommendation to remove the deadlines associated with principal forgiveness.	Staff acknowledges the comment.
4/21/11	Peter W. Forgec Associate Management Analyst City of San Diego Public Utilities Dept. Long Range Planning & Water Resources Division (619) 533-7496	1. The City encourages the Water Board to continue to provide principal forgiveness for disadvantaged communities, specifically for disadvantaged segments of larger communities. 2. Interested and affected parties should be updated as soon as possible on whether there will be principal forgiveness funds available from the fiscal year 2011 capitalization grant.	1. Staff acknowledges the comment. 2. Division of Financial Assistance will keep interested and affected parties up-to-date on the availability of additional principal forgiveness funds through its Lyrus email subscription list. Staff encourages all interested and affected parties to subscribe to the "Clean Water State Revolving Fund" list at http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml .

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4/22/11	<p>David A. Warner Sr. Community Development Specialist Self-Help Enterprises P.O. Box 6520 Visalia, CA 93290 Tel: (559) 802-1682, Cell: (559) 731-9796 FAX: (559) 651-3634</p>	<p>1. Principal forgiveness helps Disadvantaged Communities (DAC) preserve user fees for operation, maintenance, equipment replacement, and other ongoing costs. We recommend that principal forgiveness for DAC be included in future SRF IUP's. 2. We support removing the deadlines for principal forgiveness from the FY 2010/2011 IUP. Removing the deadlines will allow DAC's the time needed to complete their applications. 3. Applicants should be given the opportunity to challenge the accuracy of census data. Community specific income surveys should be allowed if the census numbers do not accurately reflect the community's income levels. 4. Please add the Planada Community Services District wastewater project to Table 2. It is finalizing the planning process. 5. Please clarify that all funds from the Small Community Wastewater Grant (SCG) program will be restricted to Small DAC wastewater projects. The limited SCG funds should not fund storm water, estuary, or nonpoint source projects unless the project resolves pollution from septic systems. 6. CWSRF needs to address upfront funding for DAC planing expenses. DAC's don't have the funds for expensive upfront work like engineering reports and environmental analyses. 7. Technical assistance should be provided to DAC's to help them with CWSRF applications and project development.</p>	<p>1. Staff acknowledges the comment. 2. Staff acknowledges the comment. 3. The CWSRF Policy does not specify the method that will be used to determine community income levels. Staff has historically worked with communities on determining income levels based on the data available. Community specific income surveys are an acceptable method of determining community income levels if the census numbers do not accurately reflect the community. 4. The Planada CSD is currently working with its Division Project Manager to complete its project planning and submit a complete application. Based on the current schedule, it appears that the CSD will be financed in early 2012. The amended 2010/2011 IUP is a planning document that attempts to predict which projects will be financed by December 31, 2011. Projects are not required to be listed in the IUP to be eligible for financing. Staff will continue to work with the CSD to complete the application. Therefore, staff has not included this project in Table 2 of the amended IUP. 5. The SCG Funds will be used consistent with the requirements of Assembly Bill (AB) 2356 (Statutes 2008, Chapter 609) only for wastewater projects that serve small (population 20,000 persons or less), disadvantaged (median household income [MHI] less than 80 percent of statewide MHI) communities. Also consistent with AB 2356, the State Water Board will give priority to projects that serve severely disadvantaged (MHI less than 60 percent of statewide MHI) communities. Table 4 of the Intended Use Plan (IUP) specifies that "\$1 million from the SCG Fund shall be disbursed to wastewater projects in this category, with priority given to projects that serve severely disadvantaged communities." 6. The amended IUP includes provisions for DACs to receive principal forgiveness planning financing. 7. The State Water Board recognizes the need for DAC technical assistance as outlined in State Water Board Resolution No. 2008-0048 and the Small Community Wastewater Strategy. Board staff are working on several fronts: A. State Water Board staff assist all communities individually with their applications. B. The Board has a contract with the Rural Community Assistance Corporation to provide wastewater-related training to SDACs, including training on the Clean Water State Revolving Fund (CWSRF) Program application process. The training is available for interested parties to review online at: http://www.rcac.org/doc.aspx?704. C. The Board is developing an invitation for bids (IFB) to hire a contractor to provide wastewater-related technical assistance to SDACs. The technical assistance may include: completing applications; identifying design and operations solutions; financial management; and community outreach, awareness, and education.</p>
4/25/11	<p>Dr. Donna Miranda-Begay, Tribal Chairwoman Tubatulabal Tribe P.O. Box 226 Lake Isabella, CA 93240 Phone: (760) 379-4590 Fax: (760) 379-4592</p>	<p>There is no mention in the draft IUP about how Tribes can be involved with this funding opportunity. Tribes are included in the State Water Plan process. Tribes have very similar needs to those identified in the IUP for the CWSRF. The Water Board should use the Department of Water Resources definition of "California Native American Tribes" - any federally recognized California Native American Tribe or a non-federally recognized California Native American Tribe that is on the contact list maintained by the Native American Heritage Commission (NAHC). California Indian Lands include Reservations, Rancherias, and Allotments.</p>	<p>Tribes are eligible for CWSRF projects. The definition of "municipality" in the CWSRF Policy is based on Section 502(4) of the Clean Water Act since the program is funded in part by US EPA. Municipalities are eligible to receive funding for "publicly owned treatment works." The term "municipality" means a city, town, borough, county, parish, district, association, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of this Act. Staff believes that the current definition will encompass the tribes cited in the comment.</p>

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4/26/11	Steve Jepsen Sewer Program Manager City of Vista/Buena Sanitation District Engineering Department 200 Civic Center Drive Vista, CA 92084-6240 tel (760) 726-1340 x1323 fax (760) 639-6112	The City's Project No. 5696-110, W. Vista Way Sewer (V1), is not listed in Table 2.	The City's project is one of several applications submitted by the City. All of the City's projects are assigned a Division Project Manager who is assisting the City with its applications. The projects are all listed on the Project Priority List, and appear eligible for financing. Financing for the W. Vista Way project is estimated for early 2012 based on the information currently available to the Division. Not being listed in Table 2 of the IUP does not prevent the City from receiving financing earlier if the application review is completed earlier.
5/5/11	Tim Burgess Water Resources Specialist City of Santa Barbara Creeks Division 805-897-1912 805-897-2626 (fax)	The City's Infrastructure Retrofit - Storm Water Quality Improvement Project should be included in Table 2 of the amended IUP because it is eligible and ready for financing. Final design is complete, and the project is ready to begin construction August 22, 2011. The project is on the 2010/2011 Project Priority List (PPL) (Project Number: 6246-110). The project was submitted in FAAST on three occasions, and we added it again under the 2010 Expanded Use SRF Program (non-ARRA, non-wastewater, non-water recycling) solititation. Please include this project in Table 2 of the IUP.	Division staff notes that the City previously submitted the questionnaire in March 2011 to be listed on the PPL, and that the City submitted its application for financing on May 5, 2011. The Division has not had an opportunity to assign a Project Manager to assist the City with the application process or review the City's application to determine if it is complete. The IUP is the Division's attempt to predict which projects will be financed by December 31, 2011. Being listed in Table 2 is not a commitment of funds, and not being listed in Table 2 of the IUP does not prevent the City from receiving financing once the application review is completed. Division staff will continue to process the City's application as expeditiously as possible.
5/6/11	Tim Burgess Water Resources Specialist City of Santa Barbara Creeks Division 805-897-1912 805-897-2626 (fax)	The City urges the State Water Board to amend the CWSRF 2010/2011 IUP to allow Principal Forgiveness for non-disadvantaged communities in addition to disadvantaged communities.	Staff acknowledges the comment.
5/6/11	V. MANUEL PÉREZ Assemblymember, District 80	The adoption of the principal forgiveness for planning costs for disadvantaged communities, in addition to removing the May deadline will go a long way in addressing the lack of infrastructure the communities that most need it.	Staff acknowledges the comment.