



State of Oregon Department of Environmental Quality

Checklist of Loan Requirements: Nonpoint Source Project

Clean Water State Revolving Fund

Contact: [Regional Project Officer](#)

CWSRF applicants should review this checklist in conjunction with making the decision to apply for a CWSRF loan. Before submitting documents, contact your [regional project officer](#) to discuss your project and which documents are required. The exhibits **do not** need to accompany the loan application, but must be submitted before a final loan agreement is signed.

Loan requirements are outlined in the exhibits but the project officer assigned to your application may require additional documents. Many of the requirements require significant planning time to develop and may require out-of-pocket expense to prepare. Per [OAR 340-054-0022\(3\)\(e\)\(B\)\(k\)](#), an applicant must provide any other information requested by DEQ as necessary to complete the loan application.

Clearly label all submissions with the exhibit letter and name.

Requirements Needed for a Design Loan

Exhibit A: Audited financial statements

If your entity does not submit its financials to the Secretary of State's websites, submit copies of the applicant's audited financial statements for the three years prior to the application date. Please explain any adverse opinions or disclosures, which might affect the ability to repay the CWSRF loan in a timely manner.

Exhibit B: Authority to undertake the project (needed at loan signing)

Provide a loan approval resolution from the applicant's governing board or similar authorization for signing a loan agreement and establishing a loan reserve account.

Attorney Letter: At loan signing, after all requirements have been received by DEQ, the loan agreement requires an attorney review the loan agreement and provide a letter that the borrower can execute, deliver, and perform its obligations under the loan agreement.

Exhibit C: Revenue authority

Provide evidence the applicant has the authority to collect and pledge the revenue offered as repayment, repay loan and, when applicable, the ability to ensure ongoing operation and maintenance of the proposed project. DEQ may also require the applicant meet the criteria for a revenue-secured loan described under OAR 340-054-0065(2).

Exhibit D: Budget

Provide a copy of the most recently approved project budget; electronic copies are preferred.

Exhibit E: Inter-agency agreements

If the project will serve two or more public agencies, submit copies of the inter-agency agreements, contracts or other legally binding instruments necessary for the financing, building and operation of the joint project.

Exhibit F: Bonds secured with user system revenues

If the loan is being secured or repaid with sewer system or other revenues, submit a copy of the master resolution or ordinance approving those bond issuances.

Translation or other formats

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)

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Exhibit G: Recent bond issues

If requested, submit the official statement of any recently issued bonds.

Exhibit H: Sewer use ordinances

Rarely required for NPS projects. Check with your project officer before submitting.

Provide a copy of the sewer use ordinances adopted by all municipalities and service districts discharging wastewater to the water treatment facility. The sewer use ordinances must prohibit any new connections from inflow sources into the sewage collection system and ensure the proper design and construction of new sewers and connections to the collection system.

The ordinance must require that any wastewater introduced into the sewage collection system not contain toxics or other pollutants in amounts or concentrations that have the potential to endanger public safety or physical integrity of the associated sewage facilities. The ordinance must require that wastewater introduced to the sewage collection system not cause any violation of effluent or water quality limitations, or preclude the selection of the most cost-effective alternative for wastewater treatment and biosolids disposal.

Exhibit I: User charge system

Provide a copy of the user charge system if the applicant will be securing and repaying the loan with system user revenues. The rate structure must produce adequate revenues to provide for operations and maintenance (including appropriate replacement reserves) and debt service.

Requirements Needed for a Construction Loan

Exhibit J: Project planning documentation

An applicant must submit an engineered planning document prepared by qualified professionals and approved by DEQ. If a planning document has not yet been prepared and approved, please contact your CWSRF Project Officer to discuss the appropriate scope and content. New plans require a kick-off meeting with a DEQ project officer and engineer. A DEQ water quality engineer may require updates for plans more than five years old at the time of application.

Exhibit K: Value engineering study

The applicant must submit a Value Engineering study approved by DEQ if the proposed project's **total costs exceed \$10 million**. This study, completed during the design process, controls the project's construction costs without compromising the quality. A different engineering firm than the one that designed the project should perform the study.

Exhibit L: Plans and specifications

When applicable, DEQ must review plans and specifications before construction. Submit a complete set of plans and specifications with the application if DEQ has not already reviewed and retained those plans.

Depending upon the complexity of a nonpoint source control project, this requirement may be waived.

Exhibit M: Land Use Compatibility Statement

Submit a positive [Land Use Compatibility Statement](#) for the proposed project with signatures by the local land-use planning authorities. Attach any conditions.

Exhibit N: Environmental review

For the construction of a treatment works as defined in the Clean Water Act § 212, nonpoint source pollution control (CWA § 319) or estuary management (CWA § 320) project, provide all necessary documentation to support DEQ's review of the entire projects' potential environmental impacts, including an analysis of a no action alternative and any other reasonable alternatives considered. With DEQ approval, an applicant may submit an environmental determination made by another agency. DEQ's [Applicant Guide to the State Environmental Review Process](#) is available online.

Exhibit O: Consultation with federal cross-cutting authorities

For certain projects, the applicant must comply with some or all federal cross-cutting authorities, unless waived by DEQ. Information is available in DEQ's [Applicant Guide to the State Environmental Review Process](#).

Exhibit P: Fiscal Sustainability Plan Certification

Rarely required for NPS projects. Check with your project officer before submitting.

An applicant with a **publicly owned treatment works project** for repair, replacement or expansion must certify that the applicant has developed and is implementing, or will develop and implement, a fiscal sustainability plan.

This plan, at a minimum, includes the following:

- 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
- A plan for maintaining, repairing, and, as necessary, replacing the treatment works and a plan for funding such activities

Submit a signed [Fiscal Sustainability Plan Certification Form](#).

An applicant with a publicly owned treatment works project for repair, replacement or expansion that has not developed, and is not implementing a fiscal sustainability plan prior to loan award is required to develop the plan and submit such certification before project completion as specified by the loan agreement. In this case, the recipient may take a phased approach by developing an initial plan that covers the CWSRF funded project and closely associated components.

Exhibit Q: Cost and Effectiveness Certification

This is required for any **municipality or inter-municipal, interstate or state agency** that applies for a Clean Water State Revolving Fund loan to demonstrate that the proposed project is the most cost effective approach to achieving the project's water quality goals.

Submit a signed [Cost and Effectiveness Certification Form](#) before construction begins. This can occur prior to signing a DEQ loan agreement or can be a condition of the loan agreement.

Exhibit R: Other repayment sources

Applicant must provide repayment source when not utilizing a user charge system (Exhibit I).

Exhibit S: Useful life

Applicant must use DEQ spreadsheet to calculate how long it will be before the project must be replaced. The project useful life must be greater than the loan term. Add link to spreadsheet.

Exhibit T: Suspension and debarment

Eligibility includes certification of no debarment and no suspension through the [System of Award Management](#) for CWSRF loan recipients for loans of \$25,000 or more. Certification is required at time of loan signing and must be renewed annually.

Exhibit U: American Iron and Steel and Build America Buy America

Review the AIS and BABA presentation. Email the regional project officer that the presentation was reviewed.

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age or sex in administration of its programs or activities. Visit DEQ's [Civil Rights and Environmental Justice page](#)