
WATER POLLUTION CONTROL REVOLVING FUND FACT SHEET



Water and Wastewater Assistance

Department of Local Affairs
1313 Sherman Street, Room 521
Denver, Colorado 80203
303-866-2156
www.dola.colorado.gov

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INTRODUCTION

The WPCRF is a low-interest loan program for funding publicly owned wastewater treatment works and eligible pollution control projects. Created by Title VI of the 1987 amendments to the federal Clean Water Act and the State Legislature, it has replaced the Federal Construction Grant Program. Between the program's inception and July, 2013, the U.S. Environmental Protection Agency has provided \$304.6 million in capitalization grants which have been matched with an additional 20% from the state. These capitalization grants, along with a leveraging program, have allowed the fund to make in excess of \$912 million in loans through June, 2013. The fund can cover up to 100% of the eligible project costs with terms of up to 20 years.

The WPCRF provides a low-cost means of financing wastewater projects to meet the requirements of the Clean Water Act at a time when other financial assistance is dwindling. The WPCRF program is administered through a partnership between the Colorado Department of Local Affairs, the Colorado Department of Public Health and Environment through the Colorado Water Quality Control Division (WQCD), and the Colorado Water Resources and Power Development Authority (Authority). One representative from each of these entities form the WPCRF Committee, which makes recommendations to the Authority Board on loan requests.

For more information or for more DOLA Local Government Services Publications see the department's web site at www.dola.colorado.gov and click on Information and Publications.

Eligible Government Agencies

Eligible entities include governmental agencies (i.e., municipalities, counties, and special districts) that first are listed on the Project Eligibility List. Ranking of eligible projects is determined by the WQCD using criteria detailed in the WPCRF rules. A Project Eligibility List is adopted by the Water Quality Control Commission and approved by joint resolution of the State Legislature. The Eligibility List includes projects that have (or are anticipated to have during the funding year) an approved 201 facility plan, feasibility study for small communities, sludge management plan, or non-point source implementation plan. Projects on the Eligibility List may be financed out of priority order in accordance with the WPCRF Rules.

Once a community has been included on the Eligibility List, they will be contacted by the WQCD. The WQCD acquaints applicants with the procedures for assistance from the WPCRF, assists in preparation of loan applications, and coordinates the review of all supporting environmental and technical documentation. In addition, the WQCD will assure that projects comply with all applicable state and federal requirements, provide technical reviews, determine eligible costs, monitor project expenditures, and maintain project files.

Uses of Funds

Provide loans for planning, design and construction of eligible wastewater treatment works, nonpoint source projects, beneficial use, and water conservation projects.

Purchase or refinance debt from governmental agencies on eligible construction started after March 7, 1985.

Each calendar year \$150,000 is made available for WPCRF Planning and Design Grants. Grants of up to \$10,000 are available to assist communities with populations under 10,000 with project planning activities. To qualify, the entity must have a Median Household Income (MHI) less than the overall state MHI from the Census Bureau's 2007-2011 American Community Survey, a population of less than 5,000, and have its project on the current year's, or subsequent year's project eligibility list.

Loan Origination Procedures

- Step 1:** Application packages will be distributed by the WQCD (which serves as the primary contact for a loan applicant) to all interested agencies on the eligibility list for the current funding year.
- Step 2:** Potential borrowers will return the completed applications, with appropriate supporting documentation, to the WQCD for review and approval.
- Step 3:** DOLA will perform a financial analysis and make recommendations to the WPCRF Committee. The WPCRF Committee will then vote to forward the recommendations to the Authority's Project Finance Committee.
- Step 4:** If accepted the Authority will determine whether or not the borrower is qualified for the leveraged-loan pool or the direct loan pool.
- Step 5:** The Authority Board will consider the application, and will notify the applicant of acceptance or rejection.

Step 6: Borrowers will initiate local level approval process and present legal evidence of ability to enter into a loan agreement with the Authority. Borrowers will provide the additional disclosure information required by the Authority's legal counsel.

Step 7: The Authority will finalize the documents, and adopt the bond resolution. At closing, borrowers will enter into a loan agreement with the Authority; all necessary closing documents will be executed.

Financial Analysis

Once the Eligibility List has been adopted by the state legislature and an application has been approved by the WQCD, DOLA will perform a financial analysis of the governmental agency proposing the project. DOLA will use audited financial records, information from the application, and other information to make a judgment on an agency's financial need and ability to repay a loan. This judgment will derive from examination of such issues as:

- general management practices
- O & M practices
- financial planning
- personnel and purchasing policies
- governing body stability
- current fund balances as % of operating expenses
- existing and proposed debt burden
- rate structure and policy
- tap and plant investment fees
- median household income
- population stability
- economic trends
- legal analysis

Structure and Security

The Authority uses available funds, EPA grants, along with bond proceeds to make loans to local governments.

The Authority and borrowers enter into a loan agreement which establishes a required loan repayment schedule.

Borrower's obligation to repay loans will be similar to those associated with a bond issue. Loans can be secured by a general obligation pledge or a revenue pledge of the borrower.

A revenue pledge loan, under certain conditions, may be subordinated to the repayment of the borrower's other revenue bonds.

There will be no cross-collateralization or cross-defaults among borrowers. Each borrower is only responsible for its own loan.

Benefits

The three agency partnership offers the advantages of centralized borrowing and technical assistance in both environmental compliance and financial administration.

Reduces costs of issuance and ongoing borrowing costs through economies of scale and interest rate subsidies provided by the program. Pooling several small loans into a larger bond issue also allows the Authority to negotiate better fees on behalf of the borrowers. Additionally, disclosure requirements may be simplified due to the pooled structure of the program.

Allows a very broad spectrum of potential borrowers to participate because the program is designed to include all local governments within the state.

Allows local governments to issue revenue bonds on a subordinate lien basis (with conditions), so that burdensome limitations imposed by existing legal documents may be avoided.

No rating agency presentations are required.

State Agency Contacts

The Water Quality Control Division of the Department of Public Health and Environment is the primary contact for loan applicants and is responsible for coordinating the eligibility list. It also provides technical assistance in environmental compliance and environmental reviews. Information on applications or the water quality aspects of your project can be obtained by contacting Michael Beck at the Water Quality Control Division, (303) 692-3374.

The Department of Local Affairs is responsible for assessing financial need and analyzing the applicant's financial condition. DOLA is available to provide technical assistance in budgeting, financial planning, rate analysis, capital improvement plans, etc. For assistance in these areas, contact Barry Cress at the Department of Local Affairs, (303) 864-7736.

The Colorado Water Resources and Power Development Authority provides the State's 20 percent match by using available funds or by issuing revenue bonds and is responsible for the administration and management of the financial aspects of the revolving fund. All loan agreements will be executed between the governmental agency and the Authority. For information regarding program specifics, contact Keith McLaughlin, Finance Director at the Colorado Water Resources and Power Development Authority, (303) 830-1550, x22.