Massachusetts State Revolving Fund Program

Amendments to:
CWSRF 310 CMR 44 and
DWSRF 310 CMR 45
State Revolving Fund

- Federal-state partnership to finance local water and wastewater infrastructure projects.
- Administered in the Commonwealth by the Massachusetts Clean Water trust
- State-subsidized low interest loans.
- Loan repayments finance additional loans.
- CWT raises additional equity by issuing bonds.
- Portfolio is approximately $7B
C. 259 Acts of 2014 - Massachusetts

- Numerous provisions, but among them an increase to the cap on the Commonwealth’s loan assistance to SRF from $88M to $138M.
- Established framework for additional subsidy to certain SRF projects.
- Instructed DEP to update its regs to reflect new state and federal statute.
- Authorized additional subsidies, but did not appropriate funds for those subsidies.
Water Resources Reform and Development Act
2014 amendment to federal CWA

- Expanded CWSRF eligibilities in statute,
  - CWA flexibility to finance projects that protect or enhance water quality.
  - Statute caught up with what most states were already doing.
- Fiscal Sustainability Plans
  - Asset Management Planning
  - Plus local budgeting the maintenance and replacement
- American Iron and Steel (AIS)
- Competitively bidding Engineering Services
- NEPA requirement for all CWSRF projects
- Davis-Bacon prevailing wage law
CWSRF 310 CMR 44

• 44:01 Introduction section (to comply with EO 562)
• 44:03 Expanded Definitions
  
  • 208 Plan
  • Best Management Practice
  • Fiscal Sustainability Plan
  • Green Infrastructure
  • Green Infrastructure Project
  • Indirect Discharge
  • Publicly-owned Treatment Works
  • Regional Local Governmental Unit
  • Regional System
  • Trust-Clean Water Trust
CWSRF 310 CMR 44 (cont.)

- 44:04 Eligible Projects expanded to include:
  - Conservation Management Plan CWA Sec 320
  - Decentralized wastewater systems
  - Stormwater management infrastructure
  - Water Conservation
  - Energy efficiency
  - Water recycling
  - Land Acquisition
  - Projects that offset water withdrawals
• 44:07 Financing Criteria-Qualifying Designated Projects
  ▫ Subject to limits on Contract Assistance (Budget Appropriation)
  ▫ Consistent with Trust priorities
  ▫ Implements BMPs
  ▫ LGU meets Trust Affordability Criteria (CWA S603)

  • Regional project
  • MWRA infrastructure connections
  • Green Infrastructure
  • Disaster as declared by Governor
  • Innovative technology-better, cheaper.
45.01 Introduction section (to comply with EO 562)
45.02 Purpose and applicability
45.03 Definitions
  ▫ Best Management Practices
  ▫ Environmental Protection Agency EPA
45.07 Financing Criteria
  ▫ Subject to limits on Contract Assistance (Budget Appropriation)
  ▫ Consistent with Trust priorities
  ▫ Implements BMPs
  ▫ LGU meets Trust Affordability Criteria (CWA S603)
DWSRF 310 CMR 45 (cont.)

- Federal SDWA statute was not amended, so WRRDA requirements on the CWSRF are not extended to DWSRF.
- **Fiscal Sustainability Plans**
- **Competitively bidding** Engineering Services
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