

**SOUTH DAKOTA CLEAN WATER STATE REVOLVING FUND  
FEDERAL FISCAL YEAR 2023 INTENDED USE PLAN**

**INTRODUCTION**

The state of South Dakota proposes to adopt the following Intended Use Plan (IUP) for Federal Fiscal Year (FFY) 2023 as required under Section 606(c) of the Clean Water Act.

The primary purpose of the IUP is to identify the proposed annual intended use of the amounts available to the Clean Water State Revolving Fund (SRF). The IUP has been reviewed by the public and reflects the results of that review.

The IUP includes the following:

1. List of projects and activities;
2. Goals, objectives, and environmental results;
3. Amount of funds transferred between the Clean Water SRF and the Drinking Water SRF;
4. Information on the activities to be supported;
5. Assurances and specific proposals;
6. Criteria and method for distribution of funds;
7. Sources and uses of funds; and
8. Bipartisan Infrastructure Law (BIL) Addendum for specific BIL fund uses and activities.

**LIST OF PROJECTS AND ACTIVITIES**

The IUP identifies potential municipal wastewater, storm water, and nonpoint source projects. A project must be on the project priority list, Attachment I, to be eligible for a loan. This list was developed from the State Water Plan and includes projects that did not designate Clean Water SRF loans as a funding source.

Projects may be added to the project priority list by the Board of Water and Natural Resources if the action is included on the meeting agenda at the time it is posted.

Priority ratings are based on the integrated project priority system established in ARSD 74:05:08:03.01. The general objective of the integrated priority system is to ensure that projects funded through the Clean Water SRF program address high priority water quality problems. This is accomplished with a priority system that ranks both municipal wastewater and nonpoint source pollution control projects on an equal basis. Projects and activities utilizing administrative surcharge funds are not required to be ranked and included on the project priority list.

The Clean Water SRF may be used for the following purposes:

1. Low-interest loans for secondary or more stringent treatment of any cost-effective alternatives, new interceptors and appurtenances, infiltration/inflow correction, new collectors, sewer system rehabilitation, expansion and correction of combined sewer overflows, decentralized wastewater treatment systems, and construction of new storm

sewers. The low-interest loans can be made for up to 100 percent of the total project cost;

2. Refinancing of existing debt obligations for municipal wastewater facilities if the debt was incurred and construction initiated after March 7, 1985; or
3. Nonpoint source pollution control projects and programs, including non-traditional projects (projects with a primary purpose other than water quality).

A determination of which projects are funded from the above-mentioned lists, the amount of assistance, and the financing terms and conditions will be made by the Board of Water and Natural Resources during FFY 2023.

## **GOALS, OBJECTIVES, AND ENVIRONMENTAL RESULTS**

### Long-term Goals and Objectives:

The long-term goals of the State Water Pollution Control Revolving Fund are to fully capitalize the Clean Water SRF, maintain or restore and enhance the chemical, physical, and biological integrity of the state's waters for the benefit of the overall environment, protect public health, and promote economic well-being.

### Objectives:

1. Maintain a permanent, self-sustaining Clean Water SRF program that will serve in perpetuity as a financing source for wastewater treatment works projects and nonpoint source pollution control projects; and

2. Fulfill the requirements of pertinent federal, state, and local laws and regulations governing water pollution control activities while providing the state and local project sponsors with maximum flexibility and decision-making authority regarding such activities.

### Short-term Goal and Objectives:

The short-term goal of the Clean Water SRF is to fully capitalize the fund.

### Objectives:

1. Ensure the technical integrity of Clean Water SRF projects through the review of planning, design plans and specifications, and construction activities;
2. Ensure compliance with all pertinent federal, state, and local water pollution control laws and regulations; and
3. Obtain maximum capitalization of the funds for the state in the shortest time possible.

### Environmental Results:

States are required to quantify and report the environmental benefits being realized through the Clean Water SRF loan program. The reporting requirement is being satisfied using an on-line environmental benefits assessment developed by EPA in cooperation with the States and other organizations. A summary of the FFY 2023 loans and the resulting benefits will be provided in the end-of-year-annual report.

## **AMOUNT OF FUNDS TRANSFERRED BETWEEN THE CLEAN WATER SRF AND THE DRINKING WATER SRF**

The Safe Drinking Water Act Amendments of 1996 and subsequent congressional action allows states to transfer an amount equal to 33 percent of its Drinking Water SRF capitalization grant to the Clean Water SRF or an equivalent amount from the Clean Water SRF to the Drinking Water SRF. States can also transfer state match, investment earnings, or principal and interest repayments between SRF programs and may transfer a previous year's allocation at any time.

South Dakota has transferred \$15,574,320 from the Clean Water SRF program to the Drinking Water SRF program in past years. In fiscal year 2006 and 2011, \$7.5 million in leveraged bond proceeds and \$10 million of repayments, respectively, were transferred from the Drinking Water SRF program to the Clean Water SRF program. With the anticipated FFY 2023 capitalization grant, the ability exists to transfer more than \$63.9 million from the Clean Water SRF program to the Drinking Water SRF program. More than \$61.9 million could be transferred from the Drinking Water Program to the Clean Water SRF program. Table 2 on pages 10 and 11 details the amount of funds transferred between the programs and the amount of funds available to be transferred. This table includes BIL fund transfer authority and descriptions of transfers are provided in the BIL Addendum.

No base program transfers are expected in FFY 2023.

## **INFORMATION ON THE ACTIVITIES TO BE SUPPORTED**

The primary type of assistance to be provided by the Clean Water SRF is direct loans including refinancing of existing debts where eligible. Loan assistance will be provided to municipalities, sanitary districts, counties, or other units of government for publicly owned wastewater treatment facilities, storm sewers, and nonpoint source pollution control programs in accordance with the Clean Water SRF administrative rules adopted by the Board of Water and Natural Resources. With the adoption of the amended and restated Master Indenture in 2004, the Clean Water and Drinking Water SRF programs are cross-collateralized. This allows the board to pledge excess revenues on deposit in the Drinking Water SRF program to act as additional security for bonds secured by excess revenues on deposit in the Clean Water SRF program, and vice versa.

### **Sources of Loan Funds**

Loan funds are derived from various sources and include federal capitalization grants, state match, leveraged bonds, borrowers' principal repayments, and interest earnings.

Capitalization Grants/State Match: Federal capitalization grants are provided to the state annually. These funds must be matched by the state at a ratio of 5 to 1. The fiscal year 2023 capitalization grant is expected to be \$5,681,000 which requires \$1,136,200 in state match. Bond proceeds will be used to match FFY 2023 capitalization grant funds.

For purposes of meeting FFY 2023 proportionality requirements, the South Dakota Clean Water SRF program will document the expenditure of repayments and bond proceeds in an amount equivalent to the entire required state match.

Leveraged Bonds: The South Dakota Conservancy District has the ability to issue additional bonds above that required for state match, known as leveraged bonds. It is anticipated that approximately \$100 million in leveraged bonds will be required in FFY 2023.

Borrowers' Principal Repayments: The principal repaid by the loan borrowers is used to make semi-annual leveraged bond payments. Any excess principal is available for loans. It is estimated that \$20 million in principal repayments will become available for loans in FFY 2023.

Interest Earnings: The interest repaid by the loan borrowers, as well as interest earned on investments, is dedicated to make semi-annual state match bond payments. Any excess interest is available for loans. It is estimated that \$1.0 million in interest earnings will become available for loans in FFY 2023.

### **Additional Subsidy - Principal Forgiveness**

The 2010 and 2011 Clean Water SRF appropriations mandated that not less than 30 percent of the funds made available for Clean Water SRF capitalization grants be used by the State to provide additional subsidy to eligible recipients and shall only apply to the portion of the national allocation that exceeds \$1 billion. The 2012 through 2014 capitalization grants mandated additional subsidy be provided in an amount not less than 20 percent, but not more than 30 percent, of that portion of the national allocation that exceeds \$1,000,000,000. Additional subsidy may be in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these).

Additional subsidy will be provided in the form of principal forgiveness. Municipalities and sanitary districts must have a minimum rate of \$30 per month based on 5,000 gallons usage or a flat rate to qualify for principal forgiveness. Other applicants must have a minimum rate of \$40 per month based on 5,000 gallons usage or a flat rate to qualify for principal forgiveness.

With the passage of the Water Resources Reform and Development Act (WRRDA) in June 2014, states may provide additional subsidization when the total amount appropriated for capitalization grants exceeds \$1,000,000,000. The BIL amendments require a minimum of 10 percent up to a maximum of 30 percent of the capitalization grant be provided as additional subsidy to a municipality that meet the affordability requirements established by the state or to projects that implement a process, material, technique, or technology with water efficiency, energy efficiency, mitigation of stormwater runoff or sustainability benefits.

The 2016 through 2022 appropriation acts required an additional 10 percent of the capitalization grant be used for additional subsidy and is available for any eligible borrower. At this time South Dakota will only provide this 10 percent to borrowers who meet the state's affordability criteria.

When determining the amount of principal forgiveness, the Board of Water and Natural Resources may consider the following decision-making factors, which are set forth in alphabetical order:

- (1) Annual utility operating budgets;
- (2) Available local cash and in-kind contributions;
- (3) Available program funds;
- (4) Compliance with permits and regulations;

- (5) Debt service capability;
- (6) Economic impact;
- (7) Other funding sources;
- (8) Readiness to proceed;
- (9) Regionalization or consolidation of facilities;
- (10) Technical feasibility;
- (11) Utility rates; and
- (12) Water quality benefits.

Table 3 on page 12 summarizes the amounts of principal forgiveness provided with the 2010 – 2023 capitalization grants.

In compliance with the WRRDA provisions South Dakota has adopted the affordability criteria below.

1. All applicants will be awarded points to determine principal forgiveness eligibility as follows:
  - a. Five points if an applicant’s median household income is equal to or less than 80 percent of the statewide median household income;
  - b. Three points if an applicant’s median household income is equal to or less than the statewide median household income and greater than 80 percent of the statewide median household income;
  - c. One point if the applicant’s 2010 census population is less than the applicant’s 2000 census population; and
  - d. One point if an applicant’s county unemployment rate is greater than the statewide unemployment rate.
2. If the boundaries of an applicant are located in more than one county, the unemployment rate of the county with the

largest percentage of the applicant’s population will be used.

3. Applicants must receive a minimum of five points to be eligible for principal forgiveness in the upcoming fiscal year.

The source of median household income statistics will be the American Community Survey or other statistically valid income data supplied by the applicant and acceptable to the board.

The source of unemployment rates will be the 2013 average unemployment rates as determined by the South Dakota Department of Labor and Regulation, Labor Force Statistics.

Systems that are eligible to receive principal forgiveness are identified in Attachment I and Attachment II. Attachment II - List of Projects to be Funded in FFY 2023 identifies \$10,178,907 in principal forgiveness.

### **Green Project Reserve**

Recent Clean Water SRF appropriations mandated that to the extent there are sufficient eligible project applications, a portion of the funds made available for each year’s Clean Water SRF capitalization grant shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. These four categories of projects are the components of the Green Project Reserve.

Sufficient funds have been awarded to qualifying projects to meet the 2010 – 2020 capitalization grants Green Project Reserve requirements.

The Green Project Reserve requirement was included in the 2010 - 2022 capitalization

grants and required that not less than 10 percent be made available for Green Project Reserve eligible projects. It is anticipated that the 2023 capitalization grant will include a requirement that not less than 10 percent be made available for Green Project Reserve eligible projects. South Dakota for several years has utilized incentive rate financing to help encourage borrowers to take additional loan funds for Section 319 non-point source project funding. In South Dakota many non-point source projects include the purchase of easements adjacent to impaired waterbodies to install best management practices reducing nutrient loading into the streams. These activities are green projects as defined by EPA’s eligibility criteria and have been used to meet a portion of the 2016-2021 GPR requirements, additional funds are allocated to projects and as funds are expended, they will be recorded for GPR tracking. These projects will provide sufficient funds to meet the 10 percent requirement of the remaining 2021 - 2023 capitalization grants.

**Interest Rates**

Interest rates are reviewed periodically in comparison to established bond rating indexes to assure rates are at or below market rates as required. The SRF rates are then set to be competitive with other funding agencies.

The current interest rates for FFY 2023 are summarized in Table 1. The rates were adjusted in November 2022.

Projects for traditional wastewater or stormwater projects that include a nonpoint source component may receive the nonpoint source rate. The annual principal and interest payments are calculated for a loan at the higher base interest rate. Using the lower interest incentive rate, a loan is sized using

the annual payment previously calculated. The difference in the two loan amounts is the amount of funding available for the nonpoint source component of the project.

	Up to 5 Yrs	Up to 10 Yrs	Up to 20 Yrs	Up to 30 Yrs*
<u>Interim Rate</u>				
Interest Rate	2.50%			
Admin. Surcharge	<u>0.00%</u>			
Total	2.50%			
<u>Base Rate</u>				
Interest Rate	2.50%	2.75%	3.00%	
Admin. Surcharge	<u>0.25%</u>		0.25%	0.25%
Total	2.75%	3.00%	3.25%	
<u>Nonpoint Source Incentive Rate</u>				
Interest Rate	1.75%	2.00%	2.25%	
Admin. Surcharge	<u>0.25%</u>		0.25%	0.25%
Total	2.00%	2.25%	2.50%	

\* Term cannot exceed useful life of the project.

**Administrative Surcharge Activities**

The interest rate includes an administrative surcharge as identified in Table 1. The surcharge was established to provide a pool of funds to be used for administrative purposes after the state ceases to receive capitalization grants. The administrative surcharge is also available for other purposes, as determined eligible by EPA and at the discretion of the Board of Water and Natural Resources and department. Recent emphasis has been on using the surcharge for purposes other than reserves for future program administration.

Administrative surcharges are being used for non-federal cost share for Total Maximum Daily Load (TMDL) assessment and implementation projects.

Additionally, administrative surcharges have been allocated to supplement the Consolidated program by providing water quality grants to Clean Water SRF eligible projects.

Beginning in fiscal year 2005, administrative surcharge funds were also provided to the planning districts to defray the cost of SRF application preparation and project administration. Reimbursement is \$10,500 per approved loan with payments made in \$3,500 increments as certain milestones are met. Future allocations for this activity are anticipated and will be based on expected loan demand.

The American Recovery and Reinvestment Act (ARRA) of 2009 and subsequent capitalization grants through 2014 had mandated implementation of Davis-Bacon prevailing wage rules. The WRRDA of 2014 included Davis-Bacon prevailing wage requirements for all capitalization grants going forward. Under joint powers agreements between the planning districts and the department, the planning districts are reimbursed \$1,600 per project to oversee compliance with the Davis-Bacon wage rate verification and certification.

### **Administrative Surcharge Uses in FFY 2023**

As of September 30, 2022, \$2,217,038 of unobligated administrative surcharge funds is available. It is anticipated that the administrative surcharge will generate an additional \$1,800,000 in FFY 2023.

In FFY 2023, \$2,700,000 of administrative surcharge funds will be allocated. It is proposed to allocate \$2,200,000 to supplement the Consolidated and Section 319 programs with grants for wastewater and TMDL implementation projects.

Administrative surcharge funds will again be provided to the planning districts to defray the cost of SRF application preparation and project administration, which includes Davis-Bacon wage rate verification and certification. The FFY 2023 allocation for these activities will be \$500,000.

### **Capitalization Grant Administrative Allowance**

The WRRDA of 2014 provides three options to states to calculate the administrative fees available from each year's capitalization grant. States may use the larger of 1) an amount equal to four percent of the annual capitalization grant, 2) \$400,000 per year or 3) 1/5 of a percent of the current valuation of the Clean Water SRF fund based on the most recent previous year's audited financial statements.

The BIL allows states to use an amount equal to four percent of all grant awards to the Clean Water SRF for administrative purposes.

Four percent of the estimated fiscal year 2023 base capitalization grant and BIL Supplemental grant is \$631,240, and 1/5 of a percent of the current fund valuation of \$267,615,217 results in \$535,230 available for administrative fees. As a result, an administrative allowance of \$631,240 will be reserved for administrative purposes in FFY 2023. Of this amount, \$227,240 will be from the base grant and the remaining \$404,000 will be from the BIL Supplemental grant.

### **Capitalization Grant Technical Assistance Set-Aside**

Passage of the BIL allows states the ability to use an amount up to two percent of all grant awards to the Clean Water SRF for technical assistance activities to small and rural

systems. This includes the ability to provide funds for planning studies and for non-profit organizations to assist applicants in need of technical, managerial, or financial capacity training.

In fiscal year 2001, the board initiated the Small Community Planning Grant program to encourage proactive planning by small communities. The planning grants reimburse 80 percent of the cost of the study. Planning grants are available only to communities of 2,500 or less. Communities are reimbursed 80 percent of the cost of an engineering study, with the maximum grant amount for any project being \$10,000.

Prior to 2022 South Dakota utilized administrative surcharge funds to fund planning grants and a contract with Midwest Assistance Program for technical, managerial, or financial capacity training.

To fund these activities in FFY 2023 South Dakota will utilize two percent of the BIL general supplemental funds. No base CWSRF program funds will be allocated for this set-aside.

## **ASSURANCES AND SPECIFIC PROPOSALS**

The state has assured compliance with the following sections of the law in the State/EPA Operating Agreement – XI Certification Procedures. In addition, the state has developed specific proposals on implementation of those assurances in the administrative rules promulgated by the Board of Water and Natural Resources.

Section 602(a) – Environmental Reviews – The state certifies that it will conduct environmental reviews of each project on Attachment II receiving assistance from the Clean Water SRF, as applicable. The state

will follow EPA-approved National Environmental Policy Act (NEPA) like procedures in conjunction with such environmental reviews.

Section 602(b)(3) – Binding Commitments – The state certifies that it will enter into binding commitments equal to at least 120 percent of each quarterly grant payment within one year after receipt.

Section 602(b)(4) – Timely Expenditures of Funds – The state is committed to obligate Clean Water SRF moneys to eligible applicants as quickly and efficiently as possible to facilitate the financing of eligible projects and to initiate construction with a minimum of delay.

Section 602(b)(5) – First Use Enforceable Requirements – The state certifies that all major and minor wastewater treatment facilities identified as part of the National Municipal Policy (NMP) universe are:

1. in compliance, or
2. have received funding through various state and federal assistance programs and constructed a facility designed to produce an effluent capable of meeting the appropriate permit limits and achieve compliance with its discharge permit, or
3. have upgraded existing facilities or constructed new facilities through its own means to achieve compliance with its discharge permit.

Section 602(b)(6) – Compliance with Title II Requirements – The state certifies that it will comply as applicable.

Section 602(b)(13) – Cost Effectiveness Certification – The state will require Clean Water SRF assistance recipients and their consulting engineer to certify that they have



studied and evaluated the cost effectiveness of the proposed project, and to the maximum extent practicable, have selected the alternative that maximizes the potential for efficient water use, reuse, and recapture, and conservation and energy conservation.

Section 602(b)(14) – Procurement of Architectural and Engineering Services – The state will not provide Clean Water SRF assistance to projects for architectural or engineering services that are identified as an equivalency project in the annual report, unless the project has complied with the architectural and engineering procurement procedures identified in 40 U.S.C. 1101 *et seq.*

Section 608 – American Iron and Steel Provisions – The state certifies that it will require American Iron and Steel products to be utilized for all treatment works projects receiving assistance from the Clean Water SRF, as applicable.

Section 70914(a) of BIL – Build America, Buy America Provisions – The state certifies that it will require Build America, Buy America products to be utilized for all projects receiving assistance from the Clean Water SRF that are identified as an equivalency project in the annual report, unless exempted by an approved national or project specific waiver.

SRF Data System – Project data will be entered into the EPA SRF Data System on a quarterly basis.

## **CRITERIA AND METHOD FOR DISTRIBUTION OF FUNDS**

The Clean Water SRF funds are distributed using the following criteria:

1. the availability of funds in the Clean Water SRF program;
2. the applicant’s need;
3. violation of health and safety standards; and
4. the applicant’s ability to repay.

The methods and criteria used are designed to provide the maximum flexibility and assistance that is affordable to the borrower while providing for the long-term viability of the fund.

**Public Review and Comment** – On May 25, 1988, a public hearing was held to review the initial Clean Water SRF rules and to receive comments. The Board of Water and Natural Resources approved the rules following the hearing. Revisions to the Clean Water SRF rules have been made periodically to reflect the needs of the program.

A formal public hearing was held for the South Dakota FFY 2023 Clean Water SRF Intended Use Plan on November 3, 2022.

**Table 2 – Amounts Available to Transfer between State Revolving Fund Programs**

Year	DWSRF Capitalization Grant	Amount Available for Transfer	Banked Transfer Ceiling	Base Program Transfers		Transfer Description	CWSRF Funds Available to Transfer	DWSRF Funds Available to Transfer
				Amount Transferred from CWSRF to DWSRF	Amount Transferred from DWSRF to CWSRF			
1997								
-	\$42,690,000	\$14,087,700	\$14,087,700				\$14,087,700	\$14,087,700
2001								
2002	\$8,052,500	\$2,657,325	\$16,745,025	\$7,812,960		CW Cap Grant/Match	\$8,932,065	\$16,745,025
2003	\$8,004,100	\$2,641,353	\$19,386,378	\$7,761,360		CW Cap Grant/Match	\$3,812,058	\$19,386,378
2004	\$8,303,100	\$2,740,023	\$22,126,401				\$6,552,081	\$22,126,401
2005	\$8,285,500	\$2,734,215	\$24,860,616				\$9,286,296	\$24,860,616
2006	\$8,229,300	\$2,715,669	\$27,576,285		\$7,500,000	Leveraged Bonds	\$12,001,965	\$20,076,285
2007								
-	\$38,094,000	\$12,571,020	\$40,147,305				\$24,572,985	\$32,647,305
2010								
2011	\$9,418,000	\$3,107,940	\$43,255,245		\$10,000,000	Repayments	\$27,680,925	\$25,755,245
2012	\$8,975,000	\$2,961,750	\$46,216,995				\$30,642,675	\$28,716,995
2013	\$8,421,000	\$2,788,930	\$48,995,925				\$33,421,605	\$31,495,925
2014	\$8,845,000	\$2,918,850	\$51,914,775				\$36,340,455	\$34,414,775
2015	\$8,787,000	\$2,899,710	\$54,814,485				\$39,240,165	\$37,314,485
2016	\$8,312,000	\$2,742,960	\$57,557,445				\$41,983,125	\$40,057,445
2017	\$8,241,000	\$2,719,530	\$60,276,975				\$44,702,655	\$42,776,975
2018	\$11,107,000	\$3,665,310	\$63,942,285				\$48,367,965	\$46,442,285
2019	\$11,103,000	\$3,663,990	\$67,606,275				\$52,031,955	\$50,106,275
2020	\$11,011,000	\$3,633,630	\$71,239,905				\$55,665,585	\$53,739,905
2021	\$11,001,000	\$3,630,330	\$74,870,235				\$59,295,915	\$57,370,235
2022	\$7,008,000	\$2,312,640	\$77,182,875				\$61,608,555	\$59,682,875
2023 (est)	\$7,008,000	\$2,312,640	\$79,495,515				\$63,921,195	\$61,995,515

**BIL General Supplemental Transfers**

<b>Year</b>	<b>DWSRF Capitalization Grant</b>	<b>Amount Available for Transfer</b>	<b>Banked Transfer Ceiling</b>	<b>Amount Transferred from CWSRF to DWSRF</b>	<b>Amount Transferred from DWSRF to CWSRF</b>	<b>Transfer Description</b>	<b>CWSRF Funds Available to Transfer</b>	<b>DWSRF Funds Available to Transfer</b>
2022	\$17,992,000	\$5,937,360	\$5,937,360				\$5,937,360	\$5,937,360
2023 (est)	\$20,800,000	\$6,864,000	\$12,801,360				\$12,801,360	\$12,801,360

**BIL Emerging Contaminants Transfers**

<b>Year</b>	<b>DWSRF Capitalization Grant</b>	<b>Amount Available for Transfer</b>	<b>Banked Transfer Ceiling</b>	<b>Amount Transferred from CWSRF to DWSRF</b>	<b>Amount Transferred from DWSRF to CWSRF</b>	<b>Transfer Description</b>	<b>CWSRF Funds Available to Transfer</b>	<b>DWSRF Funds Available to Transfer</b>
2022	\$7,555,000	\$2,493,150	\$2,493,150	\$459,000		CWSRF EC Grant	\$2,034,150	\$2,493,150
2023 (est)	\$7,555,000	\$2,493,150	\$4,986,300	\$1,032,000		CWSRF EC Grant	\$3,954,300	\$4,986,300

**Table 3 – Principal Forgiveness Allowed and Awarded**

<b>Principal Forgiveness for all Borrowers*</b>			
<b>Year</b>	<b>Minimum</b>	<b>Maximum</b>	<b>Awarded from FY Grant</b>
2010	\$1,497,982	\$4,993,274	\$4,993,274
2011	\$669,233	\$2,230,777	\$2,230,777
2012	\$383,922	\$575,882	\$575,882
2013	\$307,120	\$460,680	\$359,114
2014	\$372,924	\$559,386	\$548,729
2015	\$0	\$2,045,100	\$2,045,100
2016	\$652,500	\$2,610,000	\$2,610,000
2017	\$647,400	\$2,589,600	\$2,589,600
2018	\$785,900	\$3,143,600	\$3,143,600
2019	\$777,900	\$3,111,600	\$3,111,600
2020	\$778,000	\$3,112,000	\$3,112,000
2021	\$777,900	\$3,111,600	\$3,111,600
2022	\$1,136,200	\$2,272,400	\$0
2023 Est.	\$1,136,200	\$2,272,400	\$0
<b>Totals</b>	<b>\$9,923,181</b>	<b>\$33,088,299</b>	<b>\$28,431,276</b>

<b>Year</b>	<b>BIL General Supplemental Principal Forgiveness*</b>		<b>BIL Emerging Contaminants Principal Forgiveness</b>	
	<b>Required Amount</b>	<b>Awarded from FY Grant</b>	<b>Required Amount</b>	<b>Awarded from FY Grant</b>
2022	\$4,281,620	\$3,284,000	\$0**	\$0
2023 Est.	\$4,949,000	\$0	\$0**	\$0
<b>Totals</b>	<b>\$9,230,620</b>	<b>\$3,284,000</b>	<b>\$0</b>	<b>\$0</b>

\* Principal Forgiveness will only be provided to eligible entities that meet the Affordability Criteria definition in ARSD 74:05:08:12.03 and described on pages 4 and 5 of the IUP.

\*\* All of the CWSRF Emerging Contaminant allocation was transferred to the DWSRF for eligible emerging contaminants projects.

## ATTACHMENT I

### PROJECT PRIORITY LIST

Attachment I is a comprehensive list of projects that are eligible for Clean Water SRF loans. This list was developed from State Water Plan applications. Inclusion on the list carries no obligations to the Clean Water SRF program. Attachment II lists those projects expected to be funded in FFY 2023.

Priority Points	Loan Recipient	Project Number	Project Description	Estimated Loan Amount	Expected Loan Rate & Term	Principal Forgiveness Eligible	NPDES Permit Number
30	Whitewood	C461006-03	The treatment facility is currently out of compliance with discharge permit requirements. The project would repurpose the existing aeration basin to serve as an oxidation ditch to increase the ammonia removal capabilities and install a lift station to facilitate this process.	\$3,758,000	3.25%, 30 yrs		SD0021466
25	Parkston	C461062-03	Replacement or relining of 11,200 feet of clay sanitary sewer throughout the community, televising service lines for illegal sump pump connections, installation of an ammonia removal and disinfection system at the treatment lagoons, and dredging of the ponds to increase capacity.	\$5,900,000	3.25%, 30 yrs	Yes (Pending rate increase)	SD0022021
23	Spring/Cow Creek Sanitary District	C461493-02	Rehabilitation of the existing lagoon system or construction of a new subsurface wastewater dispersal system to address compliance issues.	\$1,043,337	3.25%, 30 yrs		SD0026751
21	Piedmont	C461462-01	Construction of a centralized collection system to eliminate on-site septic systems within the municipality and an activated sludge treatment facility.	\$4,500,000	3.00%, 20 yrs	Yes (Pending rate increase)	No Number

<b>Priority Points</b>	<b>Loan Recipient</b>	<b>Project Number</b>	<b>Project Description</b>	<b>Estimated Loan Amount</b>	<b>Expected Loan Rate &amp; Term</b>	<b>Principal Forgiveness Eligible</b>	<b>NPDES Permit Number</b>
20	Rapid City	C461014-09	Upgrades to the south plant water reclamation facility to expand the treatment capacity and install equipment for nutrient removal processes and decommission the north plant treatment system.	\$145,000,000	3.00%, 20 yrs		SD0023574
20	Sioux Falls	C461232-48	Major replacement and upgrades to the city's water reclamation facility to improve treatment processes and expand the current treatment capacity to meet future growth needs (Phases 3 and 4).	\$11,675,000	2.75%, 20 yrs		SD0022128
18	Aberdeen	C461072-05	Rehabilitation of the main lift station and improvements to the wastewater treatment facility to provide additional capacity and provide the ability to meet anticipated future permit limits.	\$52,230,000	3.00%, 20 yrs		SD0020087
18	Mitchell	C461129-13	Construction of a new laboratory for the north plant and upgrades to the south portion of the wastewater treatment facility to include site improvements to the facility, headworks process improvements, refurbishing the blower building and motor control center, adding equalization storage, new activated sludge blower and aeration system, refurbishment of clarifiers, and installation of a new aerobic sludge digester for nutrient removal capacity.	\$23,500,000	3.25%, 30 yrs		SD0023361
18	Spearfish	C461030-04	Replacement and upsizing of sanitary Sewer along Colorado Boulevard and upgrades at the wastewater treatment facility to include mechanical and electrical equipment replacements for multiple processes at the facility.	\$8,521,000	3.25%, 30 yrs	Yes	SD0020044

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18	Vermillion	C461022-12	Replacement of existing equipment and buildings at the wastewater treatment facility that are beyond their useful life to include the pretreatment, primary clarifiers, intermediate lift station, aeration basins, generator building, final clarifiers, anaerobic digester, disinfection, control building, electrical and controls, and site piping.	\$21,960,000	3.25%, 30 yrs	Yes (pending rate increase)	SD0020061
18	Watertown	C461029-16	Replacement and upgrades to the city's wastewater treatment facility to improve treatment processes and expand the current treatment capacity to meet future growth needs, replacement or relining of 10,700 feet of sanitary sewer, and rehabilitation of several lift stations.	\$35,042,000	3.00%, 20 yrs		SD0023370
18	Yankton	C461038-08	Relocation or rehabilitation of the wastewater treatment facility.	\$99,640,000	3.25%, 30 yrs		SD0023396
17	Rapid Valley Sanitary District	C461013-01	Construction of a new trunk sewer line and collection pipe to disconnect users from the city of Rapid City system and construction of a new wastewater treatment facility to provide capacity for a future population of 36,000 with the ability for nutrient removal and direct potable water reuse of the effluent.	\$51,575,000	3.00%, 20 yrs		No Number
16	Hartford	C461104-09	Construction of a regional wastewater treatment facility and conveyance system.	\$35,086,000	3.25%, 30 yrs		SD0021750

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16	Mobridge	C461016-07	Upgrades at the wastewater treatment facility to include replacement of the screw pumps, grit handling equipment, and screening system, repairs to the facility roof and electrical equipment, relining of approximately 7,600 feet sanitary sewer lines.	\$3,000,000	3.25%, 30 yrs	Yes (Pending rate increase)	SD0020028
16	Rapid City	C461014-08	Construction of a landfill cap for waste cell #16, a landfill gas collection and control system, improvements to the existing gas collection system, and construction of new landfill disposal cell #15.	\$6,650,000	3.00%, 20 yrs		SD0023574
16	Vermillion	C461022-11	Construction of a new leachate pond that is at capacity and additional storage volume is needed.	\$1,300,000	1.875%, 10 years	Yes	Not Applicable
15	Beresford	C461187-05	Construction of a submerged attached growth reactor system at the wastewater treatment facility, dredging of sludge from cell 1. and installation of a disinfection system.	\$4,579,000	3.25%, 30 yrs	Yes	SD0020079
15	Britton	C461188-06	Rehabilitation of the main lift station, expansion of the south lift station and installation of sewer lines to serve residents currently using on-site treatment, and replacement of 2,300 feet of clay sanitary sewer pipe.	\$1,530,861	3.25%, 30 yrs		SD0022292



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15	Custer	C461021-07	Upgrades at the wastewater treatment facility to include control building HVAC and electrical, standby generators, SCADA system, pond structures, pumps, interpond piping, installation of a submerged-attached-growth-reactor treatment system, related appurtenances, and UV disinfection and construction of a new lift station and forcemain with a new discharge point.	\$11,442,000	3.25%, 30 yrs	Yes	SD0023281
15	Gregory	C461126-05	Replacement and relining of the existing sanitary sewer collection lines, replacement of two existing lift stations, and improvements to the wastewater treatment facility to include new rip-rap, embankment shaping, and sludge removal.	\$15,958,700	3.25%, 30 yrs	Yes	SD0022179
15	Lennox	C461105-11	Construction of a 3.4-million-gallon equalization storage basin, installation of covers for the treatment basins, heating equipment for use during cold weather, and a solids dewatering press, and to make improvements to the existing facilities and the replacement of approximately 6,700 feet of sanitary sewer and 8,500 of storm sewer.	\$15,012,000	3.25%, 30 yrs		SD0021768
15	Springfield	C461071-02	Replacement or relining of 19,000 feet of clay sanitary sewer, construction of 25 acres of wastewater treatment lagoons, and 10-acres of artificial wetlands to replace the current wastewater treatment lagoons.	\$6,800,000	3.25%, 30 yrs	Yes (Pending rate increase)	SD0022047

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15	Summerset	C461448-04	Expansion of the current wastewater treatment facility to 0.37 MGD to accommodate additional growth and new users.	\$9,995,000	2.00%, 20 yrs		SD0027758
14	Aurora	C461081-05	Replacement or relining of approximately 6,300 feet of sanitary sewer and 32 manholes, and construction of a submerged attached growth reactor system at the wastewater treatment facility.	\$10,898,000	3.25%, 30 yrs		SD0021661
14	Wessington Springs	C461210-03	Grading of the wastewater treatment facility site to redirect stormwater from over topping berms and entering the treatment ponds and installing riprap on the primary treatment cell.	\$575,000	3.25%, 30 yrs	Yes	SD0020460
14	Worthing	C461047-06	Replacement of 4,700 feet of clay sanitary sewer and 5,400 feet of storm sewer and, installation of submerged attached growth reactor at the treatment facility to increase capacity and meet new permit limits.	\$4,908,000	3.25%, 30 yrs		SD0021474
13	Box Elder	C461003-04	Replacement of the sewer interceptor line along SD Highway 14/16 and installation of a new sewer interceptor line to serve areas east of Box Elder.	\$5,800,000	3.25%, 30 yrs	Yes	SD0025186
13	Bryant	C461121-02	Replacement or lining of the entire collection system and extension of the collection system to serve houses within the city limits currently on septic systems.	\$8,702,000	3.25%, 30 yrs		SD0021555

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13	Gayville	C461250-03	Replacement of 11,100 feet of clay sanitary sewer, installation of 2,250 feet of storm sewer, replacement of a lift station, and improvements at the wastewater treatment facility to include repair of the pond liner, and inlet/outlet structures and replacement of inter pond piping.	\$4,429,000	3.25%, 30 yrs		SD0022161
13	Harrisburg	C461065-09	Installation of sanitary sewer trunk lines to assure the necessary capacity exists in the collection system to serve current users and future development.	\$7,305,000	3.25%, 30 yrs		SD0023728
13	Henry	C461277-01	Relining or replacement of 19,000 feet of sanitary sewer, improvements to the wastewater treatment ponds to include installation of rip-rap, berm shaping, and upgrades to meet compliance requirements, and replacement of an existing lift station that is beyond its useful life.	\$8,047,800	3.25%, 30 yrs		SD0025151
13	Hermosa	C461278-03	Rehabilitating the lagoon system and construction of a new lagoon cell.	\$3,531,727	3.25%, 30 yrs		SD0022349
13	Irene	C461255-04	Replacement of 1,000 feet of force main and improvements to the lagoon system including construction of an inlet structure, installation of new control and effluent structures and removal of sludge from the ponds.	\$519,000	3.25%, 30 yrs	Yes	SD0022454
13	Mitchell	C461129-14	Dredging of Lake Mitchell to remove nutrient laden lakebed sediments.	\$38,465,000	3.00%, 20 yrs		SD0023361
13	Sturgis	C461068-08	Replacement of 31,500 feet of existing clay sanitary sewer.	\$19,751,760	3.25%, 30 yrs		SD0020052

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13	Tulare	C461297-02	Construction of a new wastewater treatment cell to provide capacity, installation of interpond piping, and improvements to the wetlands, replacement of an existing lift station, forcemain and 400 feet of sanitary sewer main.	\$2,540,000	3.25%, 30 yrs		SD0021911
12	Dell Rapids	C461064-12	Replacement of 15,700 feet of sanitary sewer, 8,300 feet of service lines, 46 manholes and 7,000 feet of storm sewer.	\$23,702,000	3.25%, 30 yrs		SD0022101
12	Mission Hill	C461364-02	Construction of a new 1.8-acre artificial wetland for wastewater treatment, rehabilitation of the lift station, and televising 9,000 feet of sanitary sewer line to prioritize for future repairs.	\$662,000	3.25%, 30 yrs		SD0026611
12	Mitchell	C461129-15	Televising, replacing and relining areas of sanitary sewer collection lines throughout the city and replacement or rehabilitation of several lift stations.	\$23,100,000	3.25%, 30 yrs		SD0023361
12	Mitchell	C461129-16	Replacement of the South Harmon lift station and all deficient sanitary sewer lines as well as lines adjacent to cast iron or asbestos cement waterlines.	\$98,000,000	3.25%, 30 yrs		SD0023361
12	Powder House Pass Community Improvement District	C461471-04	Expansion of the current wastewater treatment facility to accommodate additional growth and installation of a new lift station and sanitary sewer lines to allow expansion into undeveloped areas.	\$7,500,000	3.00%, 20 yrs		SD0028615

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12	Sioux Falls	C461232-46	Increase the capacity of the existing Pump Station 240 from 3.5 million gallons per day to 7 million gallons per day, install a parallel 30-inch forcemain from the pump station to the water reclamation facility.	\$35,500,000	3.00%, 20 yrs		SD0022128
12	Sioux Falls	C461232-45	Installation of two miles of sanitary sewer trunk main and related appurtenances in the northwest area of the city in what is known as basin 15 that will allow up to 1,200 acres of land for future development, and install best management practices in the Big Sioux River watershed.	\$21,065,500	1.25%, 20 yrs		SD0022128
12	Yankton	C461038-09	Installation and replacement of sanitary sewer collection lines in various locations of the city to replace old clay pipes and to install new sanitary sewer interceptors to provide needed conveyance capacity.	\$7,200,000	3.25%, 30 yrs		SD0023396
11	Beresford	C461187-06	Replacement of approximately 37,000 feet of sanitary sewer, televising portions of the collection system, and lining of the lift station wet wells.	\$9,186,000	3.25%, 30 yrs	Yes	SD0020079
11	Brandon	C461032-07	Replacement of approximately 6,800 feet of sanitary sewer and related appurtenances.	\$36,987,000	3.25%, 30 yrs		SD0025186
11	Box Elder	C461003-05	Replacement of approximately 2,800 feet of sanitary sewer lines with new larger lines to accommodate increased flows and future growth in the southwest portion of the city.	\$929,000	3.25%, 30 yrs	Yes	SD0022535

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11	Harrisburg	C461065-10	Construction of a new westside trunk sewer to free capacity in the existing collection system for new and existing users and allow elimination of existing lift stations which requires installation of 13,200 feet of 24- to 30-inch sewer pipe	\$3,652,600	3.25%, 30 yrs		SD0023728
11	Madison	C461024-06	Replacement or relining of 15,300 feet of clay sanitary sewer and 3,700 feet of storm sewer throughout the community.	\$5,692,400	3.25%, 30 yrs	Yes	SD0020010
11	Sturgis	C461068-09	Installation of 11,500 feet of new 15-inch sanitary sewer trunk main along the alignment of Bear Butte Creek and replacement of 5,500 feet of 10-inch sanitary sewer on Dudley Street.	\$10,338,964	3.25%, 30 yrs	Yes	SD0020052
10	Canton	C461039-07	Replacement of the main lift station and approximately 6,000 feet of sanitary sewer.	\$2,801,000	3.25%, 30 yrs		SD0022489
10	Hot Springs	C461040-04	Replacement of approximately 5,640 feet of sewer lines and manholes under SD Highway 385/18.	\$800,000	3.25%, 30 yrs	Yes	SD0022918
10	Howard	C461127-03	Relining approximately 30,000 feet of sanitary sewer main to reduce infiltration and inflow.	\$4,399,000	3.25%, 30 yrs	Yes	SD0020613
10	Lake Preston	C461011-03	Replacement of approximately 13,000 feet of sanitary sewer and 3,500 feet of storm sewer.	\$6,913,000	3.25%, 30 yrs	Yes	SD0023655
10	Tea	C461028-12	Installation of 12,850 feet of new sanitary sewer trunk lines and 2,900 feet of storm sewer to serve users not connected to the city's sanitary sewer and undeveloped areas of the city.	\$5,649,000	3.25%, 30 yrs		SD0021784
10	Valley Springs	C461239-05	Replacement of 770 feet of clay sanitary sewer and dredging of the wastewater treatment lagoon to increase capacity.	\$2,658,000	3.25%, 30 yrs		SD0020923

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9	Baltic	C461223-05	Replacement of the main lift station at the wastewater treatment facility.	\$718,600	3.25%, 30 yrs		SD0022284
9	Baltic	C461223-06	Replacement of approximately 7,000 feet of sanitary sewer, 7 manholes and other related appurtenances.	\$2,324,000	3.25%, 30 yrs		SD0022284
9	Box Elder	C461003-06	Installation of 16,500 feet of sewer trunk main to provide service to 870 acres in preparation of the Ellsworth Air Force Base expansion.	\$1,800,000	3.25%, 30 yrs	Yes	SD0025186
9	Box Elder	C461003-07	Installation of approximately 6,780 feet of sanitary sewer interceptor lines to provide for future development of 1,200 acres of land along Westgate Road south of I-90.	\$2,868,750	3.25%, 30 yrs	Yes	SD0025186
9	Box Elder	C461003-08	Installation of approximately 11,400 feet of sanitary sewer interceptor lines to provide for future development of land adjacent to Cheyenne Boulevard.	\$2,300,000	3.25%, 30 yrs	Yes	SD0025186
9	Bridgewater	C461112-06	Replacement of approximately 5,900 feet of storm sewer outfall line, and sewer replacement and drainage improvements throughout the city.	\$8,190,000	3.25%, 30 yrs	Yes	SD0021512
9	Britton	C461188-07	Replacement of sanitary sewer and installation of a lift station in the city's industrial area.	\$532,000	3.25%, 30 yrs		SD0022292
9	Chamberlain	C461044-07	Replacement of 2,000 feet of sanitary sewer and installation of 5,000 feet of new sanitary sewer to serve a new development.	\$2,676,000	3.25%, 30 yrs		SD0023698
9	Chancellor	C461122-05	Replacement of 3,600 feet of sanitary sewer, 13 manholes and 2,500 feet of storm sewer.	\$1,832,000	3.25%, 30 yrs		SD0023639
9	Crooks	C461227-06	Replacement of 6,200 feet of sanitary sewer and construction of a new lift station to support future development.	\$4,614,000	3.25%, 30 yrs		SD0020761
9	DeSmet	C461193-02	Replacement of 7,200 feet of clay sanitary sewer.	\$2,090,000	3.25%, 30 yrs		SD0021687

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9	Flandreau	C461125-02	Replacement of 8,500 feet of clay sanitary sewer.	\$4,380,000	3.25%, 30 yrs	Yes	SD0021831
9	Freeman	C461017-04	Replacement of 7 blocks of sanitary and storm sewer.	\$1,298,328	3.25%, 30 yrs	Yes	SD0022110
9	Garretson	C461063-05	Replacement of 5,500 feet of sanitary sewer and 1,000 feet of storm sewer.	\$4,036,000	3.25%, 30 yrs		SD0022560
9	Harrisburg	C461065-11	Replacement of 16,000 feet of sanitary sewer, 6,200 feet of service lines, and 10,700 feet of storm sewer.	\$8,619,000	3.25%, 30 yrs		SD0023728
9	Lennox	C461105-12	Construction of new trunk sewer to free capacity in the existing collection system for new and existing users and allow elimination of existing lift stations which requires installation of 28,100 feet sewer pipe, 5,875 feet of new forcemain, and a new main lift station.	\$16,802,280	3.25%, 30 yrs		SD0021768
9	Kennebec	C461283-04	Replacement of 1,600 feet of storm sewer and related appurtenances.	\$2,833,062	3.25%, 30 yrs		SD0022861
9	Miller	C461128-06	Replacement of 1,750 feet of clay sanitary sewer on East 7th and Donlin Streets.	\$830,388	3.25%, 30 yrs		SD0022659
9	Parker	C461026-07	Replacement of 8,625 feet of clay sanitary sewer and 6,300 feet of storm sewer throughout the community.	\$4,575,000	3.25%, 30 yrs		SD0020940
9	Pickstown	C461378-02	Relining 4,085 feet the wastewater collection system.	\$1,400,000	3.25%, 30 yrs		SD0021881
9	Platte	C461130-04	Installation of approximately 3,500 feet of sanitary sewer and related appurtenances.	\$3,509,090	3.25%, 30 yrs	Yes	SD0020354
9	Salem	C461057-07	Replacement of the existing cast iron water pipe and in the western portion of the city, the project will also install new watermain to loop dead end lines at the edge of the community.	\$6,833,000	3.25%, 30 yrs		SD0020966



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9	Salem	C461057-08	Replacement of sanitary sewer and installation of storm sewer in the city's industrial area.	\$2,040,000	3.25%, 30 yrs		SD0020966
9	Salem	C461057-09	Replacement or relining of 17,600 feet of clay sanitary sewer and installation of 4,000 feet of storm sewer.	\$8,015,000	3.25%, 30 yrs		SD0020966
9	Tyndall	C461131-04	Replacement of 47,700 feet of clay sanitary sewer and rehabilitation of a lift station.	\$13,860,000	3.25%, 30 yrs	Yes	SD0020133
9	Wagner	C461209-04	Replacement of 22,400 feet of clay sanitary sewer.	\$11,500,000	3.25%, 30 yrs	Yes	SD0020184
9	Webster	C461054-07	Replacement or relining of 24,500 feet of clay sanitary sewer.	\$7,557,775	3.25%, 30 yrs	Yes	SD0020320
9	White	C461118-02	Replacement or relining of approximately 13,000 feet of sewer lines and manholes throughout the city.	\$6,100,000	3.25%, 30 yrs	Yes (Pending rate increase)	SD0021636
8	Alcester	C461212-03	Replacement of 7,400 feet of collection pipe, cleaning and televising the remaining collection system to prioritize for future repairs.	\$1,643,400	3.25%, 30 yrs	Yes	SD0023639
8	Bowdle	C461243-02	Rehabilitation of the sanitary collection system and manholes and various improvements to the treatment ponds.	\$2,246,000	3.25%, 30 yrs	Yes	SD0030532
8	Colman	C461144-04	Replacement or relining of 6,000 feet of clay sanitary sewer and installation of 520 feet of storm sewer.	\$1,995,000	3.25%, 30 yrs		SD0022551
8	Colton	C461135-05	Replacement of 7,600 feet of sanitary sewer, 25 manholes and 1,000 feet of storm sewer.	\$2,343,000	3.25%, 30 yrs		SD0022322
8	Corsica	C461107-02	Replacement of 1,500 feet of sanitary sewer, 1,900 feet of storm sewer, and 5 manholes.	\$878,600	3.25%, 30 yrs		SD0021962

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8	Dupree	C461247-04	Cleaning and televising of the collection system, replacement or relining of the entire collection system, replacement of the force main from the lift station to the treatment facility and removal of sludge from the lagoons.	\$3,617,737	3.25%, 30 yrs	Yes	SDG589116
8	Humboldt	C461254-06	Replacement of 7,000 feet of sanitary sewer, 3,000 feet of service line and relining of 1,200 feet of sewer.	\$3,572,000	3.25%, 30 yrs		SD0024015
8	Ipswich	C461133-03	Installation of 24,000 feet of storm sewer pipe and related appurtenances.	\$13,631,900	3.25%, 30 yrs		Not Applicable
8	Lake Andes	C461218-01	Replacement of an existing lift station and 1,500 feet of forcemain that is undersized and beyond its useful life.	\$1,230,000	3.25%, 30 yrs	Yes	SD0022004
8	Kimball	C461415-01	Replacement of existing sanitary sewer, storm sewer, and curb and gutter as a part of an approximately four block area of Main Street to be reconstructed.	\$850,000	3.25%, 30 yrs		SD0022772
8	North Sioux City	C461009-04	Installation of 4,000 feet of new sanitary sewer, 10,600 feet of forcemain, and a new lift station in a currently undeveloped area of the city.	\$3,521,310	3.25%, 30 yrs		SD0020311
8	Philip	C461205-08	Relining of 1,950 feet and replacement of 540 feet of clay sanitary sewer in the northeast part of the community.	\$353,500	3.25%, 30 yrs		SD0020303
8	Philip	C461205-09	Replacement or relining of 3,450 feet of clay sanitary sewer and installation of 375 feet of storm sewer.	\$3,164,500	3.25%, 30 yrs		SD0020303

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8	Plankinton	C461110-04	Replacement or relining of 19,000 feet of clay sanitary sewer and installation of 250 feet of new sanitary sewer, 50 feet of forcemain, and a new lift station in a currently undeveloped area of the city.	\$5,075,000	3.25%, 30 yrs		SD0020958
8	Saint Lawrence	C461045-03	Replacement of 13,175 feet of clay sanitary sewer and rehabilitation of a lift station.	\$2,134,000	3.25%, 30 yrs		SD0020982
8	Wall	C461033-02	Replacement of 2,000 feet of clay sanitary sewer.	\$1,366,413	3.25%, 30 yrs		SD0020346
8	Wessington Springs	C461210-03	Replacement of 4.5 blocks of sanitary sewer on Second Street.	\$90,000	3.25%, 30 yrs	Yes	SD0020460
8	Wessington Springs	C461210-04	Replacement of 800 feet of sanitary sewer on College Avenue.	\$316,000	3.25%, 30 yrs	Yes	SD0020460
7	Beresford	C461187-07	Installation of 1,560 feet of sanitary sewer to serve new users.	\$228,750	3.25%, 30 yrs	Yes	SD0020079
7	Bison	C461139-04	Cleaning and televising the collection system, replacing or relining portions of the collection system, and various improvements to the wastewater treatment facility.	\$3,826,319	3.25%, 30 yrs		SD0022411
7	Chester Sanitary District	C461073-01	Replacement or relining of 11,000 feet of clay sanitary sewer.	\$3,600,000	3.25%, 30 yrs		SD0020338
7	Emery	C461248-03	Installation of 8,400 feet of storm sewer.	\$2,494,000	3.25%, 30 yrs		Not Applicable
7	Hudson	C461280-03	Replacement of 16,000 feet of sanitary sewer and service line.	\$8,146,000	3.25%, 30 yrs	Yes	SD0022471
7	Hurley	C461281-03	Replacement or relining of 2,500 feet of sanitary sewer and replacement of 7 manholes.	\$820,000	3.25%, 30 yrs		SD0021997
7	Keystone	C461074-02	Replacement of 2,000 feet of clay sanitary sewer on Bullion Street.	\$593,803	3.25%, 30 yrs	Yes	SD0024007

<b>Priority Points</b>	<b>Loan Recipient</b>	<b>Project Number</b>	<b>Project Description</b>	<b>Estimated Loan Amount</b>	<b>Expected Loan Rate &amp; Term</b>	<b>Principal Forgiveness Eligible</b>	<b>NPDES Permit Number</b>
7	Lake Poinsett Sanitary District	C461027-06	Installation of 58,600 feet of sanitary sewer and 72 manholes to connect to houses currently on septic systems, rehabilitation of a lift station, construction of a new treatment pond and replacement of sanitary sewer in portions of the system to reduce I/I.	\$14,085,000	3.25%, 30 yrs		SD0026450
7	Timber Lake	C461260-02	Cleaning and televising the entire collection system, replacement or relining of approximately 16,400 feet of sewer lines, manholes, and related appurtenances throughout the city.	\$3,513,400	3.25%, 30 yrs	Yes (Pending rate increase)	SD0021903
7	Tyndall	C461131-05	Installation of 5,000 feet of new storm sewer, inlets, and curb and gutter to manage storm water flows.	\$2,930,000	3.25%, 30 yrs	Yes	Not Applicable
7	Webster	C461054-08	Installation of 1,150 feet of new storm sewer and inlets to manage storm water flows.	\$325,690	3.25%, 30 yrs	Yes	Not Applicable
7	Wilmot	C461077-02	Cleaning and televising of the south half of the collection system to determine the need for replacement or relining of the lines and replacement or relining of 15,400 feet of clay sanitary sewer in the north half of the collection system.	\$4,092,000	3.25%, 30 yrs	Yes (Pending rate increase)	SD0021024
7	Wolsey	C461262-04	The outfall line to the treatment ponds will be replaced. The existing line is old and includes no manholes which prohibits to city being able to properly clean and maintain the line.	\$255,725	3.25%, 30 yrs	Yes (pending rate increase)	SD0020249
6	Corona	C461088-01	Replacement of relining or 5,700 feet of sanitary sewer and 16 manholes, and installation of 3,600 feet of storm sewer.	\$1,926,000	3.25%, 30 yrs		SD0021814

<b>Priority Points</b>	<b>Loan Recipient</b>	<b>Project Number</b>	<b>Project Description</b>	<b>Estimated Loan Amount</b>	<b>Expected Loan Rate &amp; Term</b>	<b>Principal Forgiveness Eligible</b>	<b>NPDES Permit Number</b>
6	Isabel	C461282-02	Cleaning and televising of the collection system and replacement or relining of the entire collection system.	\$1,823,547	3.25%, 30 yrs	Yes (Pending rate increase)	SD0020893
6	Newell	C461109-02	Installation of 2,050 feet of new sanitary sewer, 550 feet of forcemain, and a new lift station in a currently undeveloped area of the city.	\$708,878	3.25%, 30 yrs	Yes (Pending rate increase)	SD0020494
6	Peever	C461220-02	Replacement of 9,200 feet of clay sanitary sewer throughout the community, replacement of the lift station, and installation of rip-rap at the wastewater treatment lagoons.	\$1,606,500	3.25%, 30 yrs		SD0022756
6	Seneca	C461389-02	Improvements to the wastewater treatment facility to include access road, depth indicators, fencing, rip-rap and forcemain replacement, and cleaning and televising the collection system to prioritize for future improvements.	\$609,550	3.25%, 30 yrs		SD0026719
6	Stratford	C461394-01	Replacement of 8,800 feet of sanitary sewer, replacement of the existing sewer lift station, and cleaning and televising of the remaining collection system to prioritize for future repairs. Improvements to the wastewater treatment ponds to include installation of a new access road and fencing or replacement of the entire treatment system are necessary for continued treatment. The treatment improvements will be determined after collection system repair is complete.	\$5,139,335	3.25%, 30 yrs		No Number

<b>Priority Points</b>	<b>Loan Recipient</b>	<b>Project Number</b>	<b>Project Description</b>	<b>Estimated Loan Amount</b>	<b>Expected Loan Rate &amp; Term</b>	<b>Principal Forgiveness Eligible</b>	<b>NPDES Permit Number</b>
6	Tripp	C461238-02	Installation of 5,000 feet of new storm sewer, inlets, and curb and gutter to manage storm water flows.	\$1,913,000	3.25%, 30 yrs	Yes (Pending rate increase)	SD0022403
6	Wessington	C461302-01	Cleaning and televising of the collection system to determine the need for replacement or relining of the lines, replacement or relining of 11,700 feet of existing clay sanitary sewer, replacement of a lift station, and various improvements to the wastewater treatment facility.	\$3,907,900	3.25%, 30 yrs	Yes (Pending rate increase)	SD0023591
5	Geddes	C461274-01	Installation of 3,600 feet of storm sewer and related appurtenances.	\$378,132	3.25%, 30 yrs	Yes (Pending rate increase)	SD0021849
5	Pukwana	C461417-01	Installation of 2,100 feet of new sanitary sewer to serve a currently undeveloped area of the city.	\$240,000	3.25%, 30 yrs	Yes	SD0022586
4	Lesterville	C461357-02	Installation of 6,700 feet of storm sewer and related appurtenances.	\$1,870,000	3.25%, 30 yrs		SD0022373
4	Ravinia	C461384-01	Installation of 5,000 feet of new storm sewer and inlets to manage storm water flows.	\$1,865,000	3.25%, 30 yrs	Yes (Pending rate increase)	No Number

**ATTACHMENT II – LIST OF PROJECTS TO BE FUNDED IN FFY 2023**

Priority Points	Loan Recipient	Project Number	Assistance Amount	Principal Forgiveness <sup>1</sup>	Funding Date	Expected Funding Source <sup>2</sup>	Fund/Project Eligibility <sup>3,4</sup>
	<i>Green Project Reserve Information</i>						
Loans Expected							
16	Vermillion	C461022-11	\$1,300,000		Jan. 2023	Repay/Lev. Bonds	
12	Sioux Falls	C461232-45	\$21,065,500		Jan. 2023	2022/2023	
	<i>GPR Project Type: Green Infrastructure (Categorical) GPR Amount: TBD</i>						
11	Sturgis	C461068-09	\$10,338,964	\$3,101,689	Jan. 2023	Repay/Lev. Bonds	3
30	Whitewood	C461006-03	\$3,758,000		March 2023	Repay/Lev. Bonds	
18	Vermillion	C461022-12	\$21,960,000	\$6,588,000	March 2023	Repay/Lev. Bonds	3
16	Rapid City	C461014-08	\$6,650,000		March 2023	Repay/Lev. Bonds	
14	Wessington Springs	C461210-03	\$575,000	\$172,500	March 2023	Repay/Lev. Bonds	3
12	Sioux Falls	C461232-47	\$35,500,000		March 2023	2022/2023	
11	Harrisburg	C461065-10	\$3,652,600		March 2023	Repay/Lev. Bonds	
9	Lennox	C461105-12	\$16,802,280		March 2023	Repay/Lev. Bonds	
9	Salem	C461057-07	\$6,833,000		March 2023	Repay/Lev. Bonds	
8	Kimball	C461415-01	\$850,000		March 2023	Repay/Lev. Bonds	
7	Wolsey	C461262-04	\$255,725	\$76,718	March 2023	Repay/Lev. Bonds	3
13	Henry	C461277-01	\$8,047,800		June 2023	Repay/Lev. Bonds	
13	Mitchell	C461129-14	\$38,465,000		June 2023	Repay/Lev. Bonds	
10	Hot Springs	C461040-04	\$800,000	\$240,000	June 2023	Repay/Lev. Bonds	3

1. Principal forgiveness amounts shown for loans expected are estimates for planning purposes only.
2. Projects identified using capitalization grant funds are for equivalency requirements planning purposes only Actual projects used for capitalization grant equivalency will be identified on the FFY 2023 annual report.
3. Projects are anticipated to be funded in part utilizing capitalization grant principal forgiveness reserved for affordability criteria communities, and may be from funds within the base capitalization grant, BIL general supplemental, or BIL emerging contaminants grant allotments depending on project eligibility.
4. Projects identified are anticipated to be funded in part utilizing BIL emerging contaminants allotments.

**ATTACHMENT III  
PROGRAM FUNDING STATUS**

**Federal Fiscal Years 1989 – 2022**

Capitalization Grants	\$224,170,200	
BIL Supplemental Grants	\$8,738,000	
State Match (Base and BIL)	\$45,707,840	
ARRA Grant	\$19,239,100	
Set-Asides (Base and BIL)	(\$10,919,899)	
Leveraged Funds	\$415,790,341	
Transfer FFY 2002 & 2003 Capitalization Grant and State Match to DWSRF	(\$15,574,320)	
Excess Interest as of September 30, 2022	\$130,815,133	
Excess Principal as of September 30, 2022	<u>\$206,633,350</u>	
 Total Funds Dedicated to Loan		 \$1,024,599,745
 Closed Loans made through September 30, 2022		 <u>(\$1,052,566,137)</u>
 Unclosed loans and available funds as of September 30, 2022		 (\$27,966,392)

**Federal Fiscal Year 2023 Projections**

Base Capitalization Grant	\$5,681,000	
BIL General Supplemental Grant	\$10,100,000	
State Match (combined total)	\$2,146,200	
Set-Asides (combined total)	(\$833,240)	
Projected Excess Principal Repayments	\$20,000,000	
Projected Unrestricted Interest Earnings	\$1,000,000	
Leveraged Bonds	<u>\$100,000,000</u>	
Projected FFY 2023 Loan Subtotal		\$138,093,960
 Unclosed loans and funds Available for Loans		 \$110,127,568
 Loans Awarded and Unclosed as of September 30, 2022		 (\$332,264,942)
 Total Funds Available for Loans		 <u>(\$222,137,374)</u>
 Loan Amount Identified on Attachment II - List of Projects to be Funded in FFY 2023		 <u>\$176,853,869</u>

<b>Administrative Surcharge Funds Available as of September 30, 2022</b>	
Restricted Account (Administrative Purposes Only)	\$342,846
Discretionary Account (Available for Water Quality Grants)	<u>\$1,874,192</u>
Total	<u>\$2,217,038</u>



**BIL EMERGING CONTAMINANTS  
PROGRAM FUNDING STATUS**

**Federal Fiscal Year 2022**

CWSRF BIL Emerging Contaminants Grants	\$459,000	
State Match	\$0	
Set-Asides	\$0	
Transfer FFY 2022 Grant to DWSRF Emerging Contaminants	(\$459,000)	
	<hr/>	
Total Funds Dedicated to Loan		\$0
Closed Loans made through September 30, 2022		<hr/> \$0
Unclosed loans and available funds as of September 30, 2022		\$0

**Federal Fiscal Year 2023 Projections**

CWSRF BIL Emerging Contaminants Grant	\$1,032,000	
Transfer of FY 2023 Clean Water Emerging Contaminants Grant	(\$1,032,000)	
State Match	\$0	
Set-Asides	\$0	
	<hr/>	
Projected FFY 2023 Loan Sub-total		\$0
Unclosed loans and funds Available for Loans		\$0
Loans Awarded and Unclosed as of September 30, 2022		\$0
Total Funds Available for Loans		<hr/> \$0
Loan Amount Identified on Attachment II - List of Projects to be Funded in FFY 2023		<hr/> <hr/> \$0

## **Addendum to the 2023 CWSRF Intended Use Plan:**

### **Bipartisan Infrastructure Law**

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The Bipartisan Infrastructure Law (BIL), previously referred to as the Infrastructure Investment and Jobs Act, was signed into law on November 15, 2021. The BIL invests more than \$50 billion over the next five years in EPA water infrastructure programs including the State Revolving Funds. South Dakota's estimated 2023 allotment for the CWSRF program totals \$11,132,000.

This addendum is for the distribution of BIL funds in 2023.

The BIL funding will be issued through the CWSRF in two categories: 1) CWSRF BIL General Supplemental Funding and 2) CWSRF BIL Emerging Contaminants Funding. The IUP amendments and the BIL funding categories are described below.

### **BIL Funding Categories and Use of Funds**

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#### **CWSRF BIL General Supplemental Funding**

The BIL includes an estimated general supplemental funding allotment of \$10,100,000 to South Dakota in 2023 for the CWSRF program. The existing CWSRF program as described in this IUP applies to this funding category and includes the following:

#### **Eligibility**

- Eligible entities and projects for this funding must be eligible under the existing CWSRF program.
- All CWSRF eligible projects must be listed on the existing Attachment I - 2023 Project Priority List

#### **Requirements**

- Application, prioritization and approval for funding will be the same as the existing CWSRF program.
- State match is 10% of the total amount of the capitalization grant in fiscal year 2023. Bond proceeds will be used to provide the matching funds.
- Loan interest rate and terms will be the same as the existing program.
- Forty-nine percent of the capitalization grant amount must be awarded as additional subsidization in the form of principal forgiveness. Additional subsidization will be provided to eligible entities that meet the Affordability Criteria established in ARSD 74:05:08:12.03. Applicants meeting the Affordability Criteria may be eligible for additional principal forgiveness from the base program.

## **Technical Assistance Set-Asides**

BIL includes the following provision:

*Additional Use of Funds--A State may use an additional 2 percent of the funds annually awarded to each State under this title for nonprofit organizations (as defined in section 104(w)) or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.*

States have the flexibility to use up to an amount equal to two percent of its annual CWSRF capitalization grant for the purpose of hiring staff, nonprofit organizations, or regional, interstate, or municipal entities to assist rural, small, and tribal publicly owned treatment works. The form of that assistance is flexible and could include, but is not limited to, community outreach, technical evaluation of wastewater solutions, preparation of applications, preliminary engineering reports, and financial documents necessary for receiving SRF assistance. This provision applies to the base program, the BIL CWSRF General Supplemental fund, and the BIL CWSRF Emerging Contaminants fund.

The estimated 2023 BIL CWSRF appropriation for infrastructure is \$10,100,000. The department intends to set-aside the eligible two percent (\$202,000) to provide planning grants to communities of 2,500 or less and provide technical assistance to rural communities through the through the contract with the Midwest Assistance Program. More information on these technical assistance activities is provided on pages 7 and 8 of the base program IUP.

## **Capitalization Grant Administrative Allowance**

The BIL provides three options to states to calculate the administrative fees available from each year's capitalization grant. States may use the larger of 1) an amount equal to four percent of all grant awards to the CWSRF, 2) \$400,000 per year or 3) 1/5 of a percent of the current valuation of the Clean Water SRF fund based on the most recent previous year's audited financial statements.

Four percent of the estimated fiscal year 2023 base capitalization grant and BIL Supplemental grant is \$631,240, and 1/5 of a percent of the current fund valuation of \$267,615,217 results in \$535,230 available for administrative fees. As a result, an administrative allowance of \$631,240 will be reserved for administrative purposes in FFY 2023. Of this amount, \$404,000 will be from the BIL Supplemental grant and the remaining \$227,240 from the base grant.

## **CWSRF BIL Emerging Contaminants Funding**

The BIL includes an estimated funding allocation of \$1,032,000 to South Dakota in 2023 to be applied to clean water emerging contaminants. The Department proposes to transfer these funds to the DWSRF Emerging Contaminant Fund. Information regarding transferring funds can be found in the BIL Funding Applicable Provisions and Additional Requirements section.

## **CWSRF BIL Principal Forgiveness Eligibility Criteria**

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An eligible applicant may receive principal forgiveness from the CWSRF BIL General Supplemental Funding if it meets the Affordability Criteria established in ARSD 74:05:08:12.03 and outlined on pages 4 and 5 of the base program IUP.

## **Project Priority List and List of Projects Expected to be Funded**

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All projects identified on Attachment I - Project Priority List and Attachment II - List of Projects Expected to be Funded in FFY 2023 are eligible to receive BIL supplemental funding. Projects may be funded by a combination of BIL supplemental funds and base program funds.

## **BIL Funding Provisions and Additional Requirements**

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All provisions promulgated through statute, guidance, or regulations issued by EPA for the implementation of the CWSRF program will remain in effect (e.g. American Iron and Steel and Davis-Bacon related prevailing wage requirements) unless they are inconsistent with the BIL, capitalization grant conditions, or the requirements contained in the [EPA BIL SRF Implementation Memo](#) dated March 8, 2022.

**The EPA BIL SRF Implementation Memo includes the following provisions summarized below:**

1. Build America, Buy America Act: BIL creates the Build America, Buy America (BABA) Act domestic sourcing requirements for Federal financial assistance programs for infrastructure, including the SRF programs. For more specific information on BABA implementation, please refer to the Office of Management and Budget's Build America, Buy America Act Implementation Guidance. EPA will issue a separate memorandum for BABA after the United States Office of Management and Budget (OMB) publishes its guidance. The American Iron and Steel provisions of both the CWSRF and DWSRF continue to apply.

BABA applies to both the existing CWSRF program equivalency projects and BIL funded projects. BIL funded projects will be required to comply with BABA requirements, unless exempted by an approved national or project specific waiver. The OMB guidance and EPA memorandums mentioned above will determine the specific requirements for implementing and meeting the BABA requirement.

2. Reporting: States must use EPA's SRF Data System to report key BIL project characteristics and milestone information no less than quarterly. Additional reporting will be required through the terms and conditions of the grant award. The Federal Funding Accountability and Transparency Act (FFATA) of 2010 requires SRF programs to report on recipients that received federal dollars in the FFATA Subaward Reporting System ([www.fsr.gov](http://www.fsr.gov)).

3. Blending Funds and Cash Draws: States have the flexibility to craft single assistance agreements (e.g., loans) that contain multiple types of construction components and activities. These assistance agreements may commit funds from multiple BIL capitalization grants and base program funds. Upon disbursement of funds, these assistance agreements may draw from both BIL and base SRF capitalization grants for eligible project components.
4. Green Project Reserve: If provided for in the annual appropriation, the green project reserve is applicable to the BIL capitalization grants for the corresponding fiscal year.
5. Inter-SRF Transfers: Per SRF statute and regulation, states have the flexibility to transfer funds between the CWSRF and DWSRF. Given BIL's requirements, authorities, and narrower SRF eligibilities, states may only transfer funds between the specific BIL appropriations in the equivalent CWSRF or DWSRF program. In other words, transfer of funds may occur between the CWSRF and DWSRF General BIL capitalization grants and between the CWSRF and DWSRF BIL Emerging Contaminants capitalization grants. Because there is no similar CWSRF appropriation to the DWSRF BIL LSLR appropriation, no funds may be transferred from or to the DWSRF BIL LSLR appropriation. States may not transfer BIL appropriations to or from base appropriations.
6. Federal Civil Rights Responsibilities, Including Title VI of the Civil Rights Act of 1964 is reviewed by the state to ensure requirements are met and applies to DWSRF and CWSRF programs for both base and BIL funding.

## **Public Review and Comment**

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On November 3, 2022, a public hearing was held seeking comments on the BIL addendum to the CWSRF 2023 Intended Use Plan. The notice was published at least 20 days prior in four newspapers of general circulation in different parts of the state. The department maintains a public notice page on its website <https://danr.sd.gov/public/default.aspx>, and interested parties are able to submit comments through the website. The addendum was made available during the public notice period for review and comment. The department sends out weekly updates to a list of interested parties who have subscribed for updates to the website. Upon posting the public notice on the department's website, the addendum was e-mailed to a list of interested parties that regular receive notice of Board of Water and Natural Resources activities. As part of the required board meeting notice the addendum was also available on the Boards and Commissions portal website <https://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=108>.