



CLEANWATER

state revolving fund

FY 2024

INTENDED USE PLAN



Photo taken by LDEQ CWSRF staff

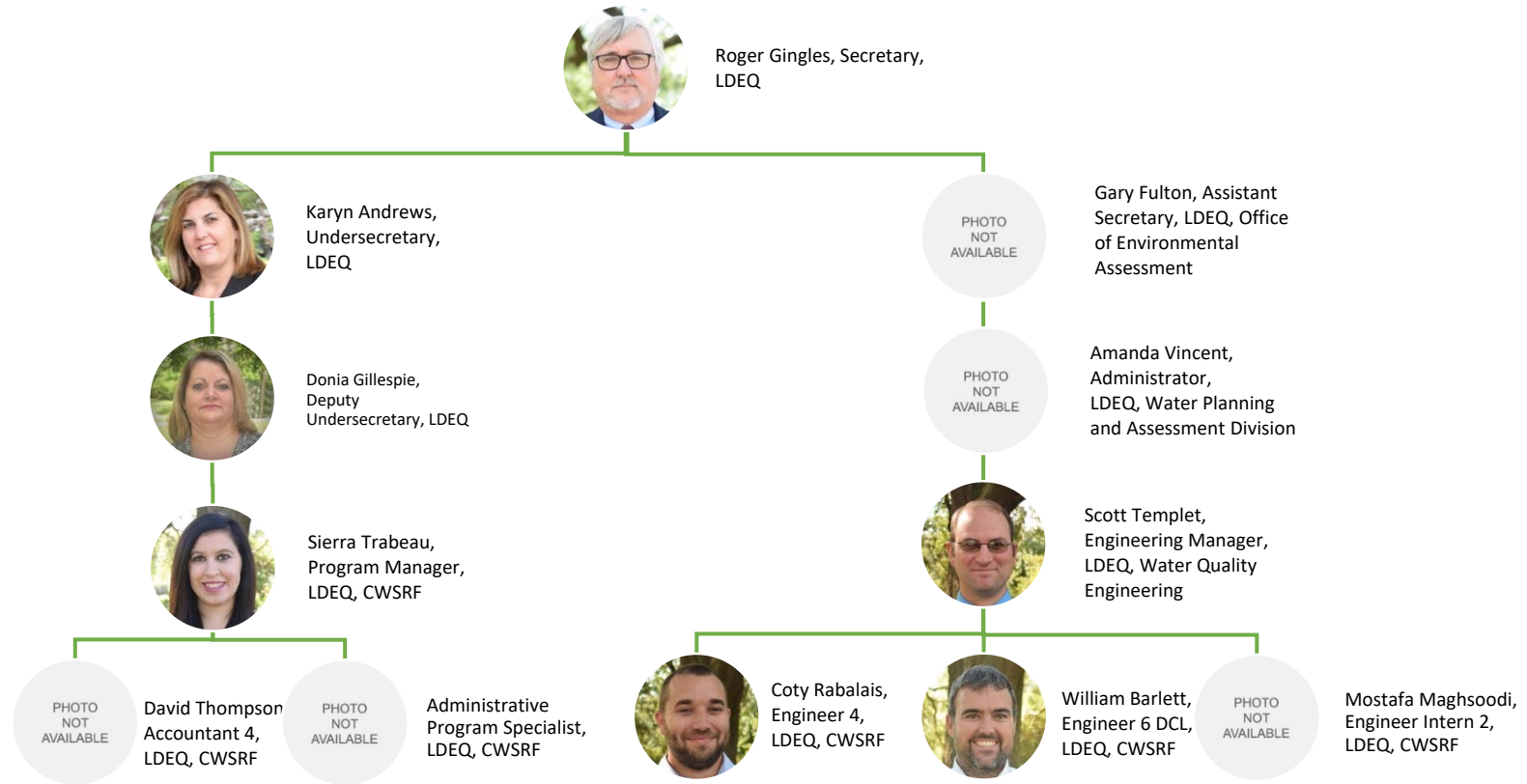
602 NORTH FIFTH STREET
BATON ROUGE, LA 70802
www.deq.louisiana.gov/cwsrf

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Issued: April 26, 2023

Louisiana Clean Water State Revolving Fund Program



I. Introduction

The Louisiana Department of Environmental Quality's (LDEQ) Intended Use Plan (IUP) for the Clean Water State Revolving Fund (CWSRF) is prepared in accordance with the provisions of Title VI of the Clean Water Act of 1987, and Bipartisan Infrastructure Law (BIL) signed by President Biden on November 15, 2021. This IUP is a required part of the process to request the Capitalization Grants for the Emerging Contaminants Grant. The FFY2022 grant allotment is \$1,028,000. This IUP describes LDEQ's intention to transfer the FFY2022 grant allotment to the Drinking Water Revolving Loan Fund (DWRLF.)

The CWSRF program was established pursuant to Title VI of the Clean Water Act, as amended in 1987 (the Act). The CWSRF program presently operates under R.S. 30:2301-2306 (Act 296 of the 2010 Regular Session of the Louisiana Legislature). These statutes establish a state revolving loan fund capitalized by federal grants (Capitalization Grants for Clean Water State Revolving Funds, CFDA 66.458), by state funds when required or available, and by any other funds generated by the operation of the clean water revolving loan fund. LDEQ is authorized to engage in activities regarding the sums on deposit in, credited to, or to be received by the state revolving loan fund. The Financial Services- Support Division and Water Planning and Assessment Division within LDEQ are responsible for the operations of the CWSRF program in the State of Louisiana. These divisions within LDEQ provide assistance to municipalities in developing, financing, and implementing wastewater treatment and/or storm water management plans. The Water Planning and Assessment Division provide engineering oversight, design review, and inspection services as well as environmental assessments. The Financial Services Division oversee grant management, program administration, and financial services on eligible projects. All efforts are directed toward improving water quality by assisting communities in providing wastewater treatment processes that meet established effluent limits and achieve the goals of the Clean Water Act.

II. Transfer of Funds from the Drinking Water Revolving Loan Fund

LDEQ reserves the authority to transfer additional funds as appropriate, at some time in the future, between the CWSRF and DWRLF program. Transfers eligible up to 33 percent of the FFY 2022 DWRLF capitalization grants are possible. LDEQ has solicited for projects and, even though there was initially some interest in projects for the Emerging Contaminants grant, none of those projects have come to fruition. To avoid sending the money back to EPA, LDEQ plans to transfer the full Emerging Contaminants FFY 2022 allotment of \$1,028,000 to the DWRLF in SFY2024. LDEQ does not expect any long impacts on the current year's fund, set asides, or in the long term. Since this allotment was never included in our payment or binding commitment schedules it won't affect them.



State of Louisiana
Louisiana Department of Health
Office of Public Health

April 25, 2023

Charles W. Maguire
Water Division Director
Environmental Protection Agency
1201 Elm Street
Dallas, TX 75270

Dear Mr. Maguire,

The Louisiana Department of Health's Drinking Water Revolving Loan Fund (DWRLF) has been notified that the Clean Water Revolving Loan Fund (CWRLF) within the Louisiana Department of Environmental Quality is willing to transfer \$1,028,000 of Bipartisan Infrastructure Law (BIL) Emerging Contaminant funds to the DWRLF. The DWRLF is appreciative of this transfer and will accept these funds in order to further address emerging contaminants in drinking water.

The DWRLF Emerging Contaminant Fund provides an avenue of funding for projects that will address PFAS chemicals, manganese, *Naegleria fowleri*, or other emerging contaminants in Louisiana's community drinking water systems. The full allotment will be utilized towards projects only.

The DWRLF greatly appreciates this opportunity and providing these funds to much needed drinking water systems in our state. If you have any questions or concerns, please do not hesitate to contact me at telephone number (225) 342-7499.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amanda Ames".

Amanda Ames, P.E.,
LDH Chief Engineer, Bureau of Engineering Services

cc: Joel McKenzie, DWRLF
Carrie Creel, DWRLF
Dan MacDonald, P.E., M.B.A., DWRLF



Jeff Landry
Attorney General

State of Louisiana
DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 94005
BATON ROUGE
70804-9005

April 17, 2023

Sierra Templet
Manager, Clean Water State Revolving Fund
Department of Environmental Quality
P.O. Box 4312
Baton rouge, LA 70821-4312

Re: State of Louisiana State Revolving Loan Fund
FY 2023 Capitalization Grant

Dear Ms. Templet:

As Attorney General for the State of Louisiana (the “State”), and in connection with the Clean Water State Revolving Fund Program (the “SRF”), I have examined, or caused to have examined on my behalf, the Constitution and statutes and rules of the State and such other documents as I deemed necessary and appropriate in order to render this certification. Based upon this review and based upon the opinion of Special Counsel to the Louisiana Department of Environmental Quality (“LDEQ”), I hereby certify that:

1. The State legislation establishing the SRF and the powers it confers are consistent with the Louisiana Constitution and State law, and the State may legally bind itself to the terms of the capitalization grant agreement.
2. The LDEQ policies and requirements implementing the SRF are legally enforceable and binding on recipients of SRF assistance under the Constitution and laws of the State.
3. The State legislation establishing the SRF permits transfers between the SRF and Louisiana Department of Health’s Drinking Water Revolving Loan Program.

Yours very truly,

JEFF LANDRY
Attorney General

JL/RMS

