

CHAPTER 91
CRITERIA FOR RATING AND RANKING PROJECTS
FOR THE WATER POLLUTION CONTROL STATE REVOLVING FUND

[Prior to 7/1/83, DEQ 19.2(12)]

[Prior to 12/3/86, Water, Air and Waste Management[900]]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

567—91.1(455B) Statutory authority. The authority for the Iowa department of natural resources to administer the clean water state revolving fund (CWSRF) to assist in the construction of wastewater treatment facilities and water pollution control works is provided in Iowa Code sections 455B.291 to 455B.299. The requirement to have selection criteria and a method for selecting projects or programs for loans is provided in 40 CFR Part 35.3150, July 1, 2002.

567—91.2(455B) Scope of title. The department has jurisdiction over the surface water and groundwater of the state to prevent, abate and control pollution. As part of that general responsibility, the department and the Iowa finance authority are jointly designated to conduct the administration of the CWSRF loan assistance program to assist in the financing of infrastructure projects pursuant to the Clean Water Act. A project must comply with this chapter and 567—Chapter 92 or 567—Chapter 93 to be eligible for a CWSRF loan. This chapter provides the rating criteria to be used to rank eligible projects for funding. Rating criteria are provided for publicly owned treatment works (POTW) projects and nonpoint source projects. Rating criteria for nonpoint source projects will be utilized when 90 percent of the set-aside funds have been allocated. Until that time, the loan assistance is based on a first-come, first-funded concept.

[ARC 8596B, IAB 3/10/10, effective 4/14/10]

567—91.3(455B) Purpose. The Clean Water Act requires that all uses of CWSRF funds are prioritized. This chapter identifies the criteria that are used to rate projects and activities for both POTW and nonpoint sources. The commission is to set funding targets for POTW and nonpoint source activities and to adjust the fundable project list to ensure that the short- and long-term goals of the intended use plan (IUP) are achieved. The public has an opportunity annually, and quarterly as needed, to comment on both the fundable list and the short- and long-term goals of the IUP.

[ARC 8596B, IAB 3/10/10, effective 4/14/10]

567—91.4 and 91.5 Reserved.

567—91.6(455B) General information—priority rating system. The department shall use the priority rating system to rate eligible projects for funding. An eligible project may be either a point source project or a nonpoint source project or activity. A nonpoint source project activity must be identified in the most recent Iowa nonpoint source management program to be considered eligible.

567—91.7 Reserved.

567—91.8(455B) Project priority rating system.

91.8(1) Rating criteria. The rating criteria consider the use classification of the receiving waters, water quality of the receiving waters, groundwater protection, project type, project purpose, and a tiebreaker. Priority ranking for the projects shall be based on the total points awarded for all the categories; the greater the total number of points, the higher the ranking. For POTW projects, the ranking will be done at the time the IUP is prepared. For nonpoint source projects, if 90 percent of the set-aside is allocated, the ranking will be done at the time the project application is received. The tiebreaker category will be used when necessary.

a. Use classification of receiving waters. This category addresses the receiving water that is impacted or potentially impacted by the existing situation and that would be improved or protected by the proposed project. Points shall be awarded and shall be cumulative for all designated use classifications of the

receiving stream. Points for sludge stabilization, sewers and lift station projects normally will be based on the assigned use of the waters that receive or could receive the effluent discharge.

Use and Classification	Points
Outstanding Iowa waters	45
High quality waters	40
High quality resource waters	20
Class A1 waters	50
Class A2 waters	45
Class A3 waters	45
Class C waters	40
Class B (CW1) waters	50
Class B (CW2) waters	30
Class B (WW1) & HH waters	30
Class B (WW2) waters	25
Class B (WW3) waters	20
Class B (LW) waters	35

b. *Water quality of receiving waters.* This category addresses the quality of water in the receiving stream and whether or not the water has been designated as impaired for some uses. Bodies of water that are impaired by pollutants are identified as the Section 303(d) list of waters in the integrated report of impaired waters status. The Section 303(d) list of waters also identifies probable pollutant source categories for these impairments. Projects that primarily impact these waters are awarded points if the water body that receives or could receive the wastewater discharge is included on the Section 303(d) list and the probable pollutant source is a point source. Waters are also identified in the Section 305(b) report on their use attainment status. Projects that primarily impact these waters are awarded points depending on the use impairment identified for the water body that receives or could receive the wastewater discharge. If no use impairment is identified indicating the water was not assessed, the partially supporting status points will be awarded. Points will be awarded for both A and B of the table below and then totaled for this category.

Indication of water quality	Points
A	
Integrated Report of impaired waters status	
4a, 4b, 4c, 4d, or 5a	15
5b	10
5p	5
B	
Section 305(b) status	
Aquatics or fish consumption or drinking water	
Fully supporting	5
Partially supporting	10
Not supporting	15
Not assessed	7
Recreation	
Fully supporting	5
Partially supporting	10
Not supporting	15

Indication of water quality	Points
Not assessed	7

c. *Protection of groundwater resources.* This category considers the use of the aquifer affected by the project.

Groundwater Category	Points
Wellhead protection area for public water supply	40
Unconfined aquifer that serves as a drinking water source	20
Other groundwater protection	10

d. *Project type.* In this category, points are provided based on the type of project and the relative level of the impact on public health and the environment. Points will be awarded only for the primary project type.

Project Type	Points
Category I. Secondary wastewater treatment	40
Category II. Advanced wastewater treatment	50
Category III–A. Infiltration/inflow correction	30
Category III–B. Sewer replacement/rehabilitation	30
Category IV–A. New collector sewers and appurtenances	10
Category IV–B. New interceptor sewers and appurtenances	20
Category V. Combined sewer overflow correction	40
Category VI. Storm water conveyance treatment systems and green infrastructure	30
Category VII–A. Agriculture (cropland)	30
Category VII–B. Agriculture (animals)	50
Category VII–C. Silviculture	10
Category VII–E. Groundwater protection (unknown sources)	20
Category VII–F. Marinas	10
Category VII–G. Resource extraction	10
Category VII–H. Brownfields	30
Category VII–I. Storage tanks	20
Category VII–J. Landfills	30
Category VII–K. Hydromodification	40
Category X. Recycled water distribution	10
Category XII. Decentralized sewage treatment	40
Refinance of existing projects that meet CWSRF eligibility criteria	5

e. *Project purpose.* In this category, points are awarded based on the purpose and expected outcome of the project. Points will be awarded only for the primary purpose.

Project Purpose	Points
Allows facility to meet new water quality standards	50
Protects or restores the physical, chemical, and biological integrity of water resources at a specific site	50

Reduces the loading of a parameter that has been identified as an impairment to the receiving water or watershed as identified through the total maximum daily load (TMDL) process	40
Provides regional consolidation in wastewater treatment or system management	30
Brings facility into compliance with a National Pollution Discharge Elimination System (NPDES) permit or other administrative or judicial enforcement action as may be required by the department or U.S. Environmental Protection Agency (EPA)	25
Eliminates or remediates a source of groundwater pollution	20
Meets existing or reasonable future needs of the community in order to maintain compliance with an NPDES permit	15
Provides operational reliability improvements, apart from projects which address compliance and enforcement	10

f. Total points. Total points are calculated using the following formula:
 Total Points = Use Classification + Water Quality or Groundwater Protection + Project Type + Project Purpose

g. Tiebreaker. Two or more projects may receive the same total points on the fundable list. If sufficient state revolving loan funds are not available to fund the projects, ties will be broken by determining which project has the highest score in each category in the following order:

- | | |
|--|--|
| • Use Classification of Receiving Streams | Highest |
| • Water Quality of Receiving Streams (a+b) |  |
| • Groundwater Protection | |
| • Project Type | |
| • Project Purpose | |
| | |

91.8(2) Reserved.

[ARC 8596B, IAB 3/10/10, effective 4/14/10]

567—91.9(455B) Livestock water quality facilities priority rating criteria system. Rescinded IAB 3/10/10, effective 4/14/10.

567—91.10(455B) Local water protection projects rating system. Rescinded IAB 3/10/10, effective 4/14/10.

567—91.11(455B) General nonpoint source projects rating system. Rescinded IAB 3/10/10, effective 4/14/10.

These rules are intended to implement Iowa Code sections 455B.291 to 455B.298.

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