



State of Oregon Department of Environmental Quality

Proposed Rule Changes: Project Ranking and Scoring

Clean Water State Revolving Fund 2022 Rulemaking Advisory Committee Meeting 2

August 2022

Program Priority Area: Existing Rule Language	Proposed Change	Reason/Basis for Change (Benefit)
Project Ranking and Scoring: OAR 340-054-0026 CWSRF Project Ranking Criteria for Non-planning Loans	Delete reference to “for Nonplanning loans”. Keep broad categories, more detail exists in program internal guidelines, include criteria in IUP as required.	
(1) Category 1. Water quality standards and public health considerations. (a) Does the project improve water quality by addressing water quality parameters including, but not limited to: temperature, dissolved oxygen, contaminated sediments, toxic substances, bacteria or nutrients? (b) Does the project ensure that a facility currently in compliance, but at risk of noncompliance, remains in compliance? (c) Does the project address noncompliance with water quality standards, public health issues or effluent limits related to surface waters, biosolids, water reuse or groundwater? (d) If the project is not implemented, is a water quality standard likely to be exceeded or an existing exceedance likely to worsen? (2) Category 2. Watershed and health benefits. (a) Does the project improve or sustain aquatic habitat supporting native species or state or federally threatened or endangered species?	Keep: “(1) Category 1. Water quality standards and public health considerations.” Strike: (1)(a) – (d) Keep: “(2) Category 2. Watershed and health benefits.” Strike (2) (a) – (i)	Scoring criteria is not required to be in rule. EPA requires scoring criteria to be documented in the IUP. The CWSRF already uses more detailed internal scoring guidelines including categories and subcategories in rule to assign points to projects.

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(b) Does the project address a water quality or public health issue within a federally designated wild and scenic river or sole source aquifer, state designated scenic waterway, the Lower Columbia River or Tillamook Bay estuary, a river designated under OAR 340-041-0350, or a significant wetland and riparian area identified and listed by a local government? (c) Does the project support implementation of a total maximum daily load (TMDL) allocation, a department water quality status and action plan or designated groundwater management area declared under ORS 468B.180? (d) Does the project provide performance-based water quality improvements supported by monitoring and reasonable assurance that the project will continue to function over time? (e) Does the project integrate or expand sustainability or using natural infrastructure, or use approaches including, but not limited to, water quality trading, that are not specified in subsections (f) through (i) of this section of the rule? (f) Does the project incorporate or expand green infrastructure including, but not limited to, practices that manage wet weather and that maintain and restore natural hydrology by infiltrating, evapotranspiring, harvesting or using stormwater on a local or regional scale? (g) Does the project incorporate or expand water efficiency including, but not limited to, using improved technologies and practices to deliver equal or better services with less water, such as conservation, reuse efforts or water loss reduction and prevention? (h) Does the project incorporate or expand energy efficiency including, but not limited to, using improved technologies and practices to reduce energy consumption of water quality projects, use energy in a more efficient way or to produce or utilize renewable energy? (i) Does the project incorporate or expand environmentally innovative projects including, but not limited to, demonstrating new or innovative approaches to deliver services or manage water resources in a more sustainable way?	Keep: “(3) Category 3. Other considerations.” Strike: (3) (a) – (e)	CWSRF will be able to adjust scoring guidelines to include environmental justice metrics for the program in the IUP without future rule changes. The IUP includes public comment for transparency and responsiveness.

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(3) Category 3. Other considerations. (a) Does the project include a long-term planning effort that addresses financial, managerial or technical capability, or asset planning that ensures the project will be maintained? (b) Does the project include a significant on-going educational or outreach component? (c) Does the project incorporate other resources including, but not limited to, in-kind support, other funding sources or a partnership with a governmental, tribal or non-governmental organization? (d) Does the project address a small community's water quality improvement or restoration need? (e) Does the project include a sponsorship option?		
Project Ranking and Scoring: OAR 340-054-0027 CWSRF Project Ranking Criteria for Planning Loans	Remove from rule. Detail exists in program scoring criteria guidelines. Reference in IUP as required.	
Will the scope of the planning effort: (1) Include more than one water quality benefit, pollutant or restoration effort? (2) Include sustainability? (3) Take advantage of an opportunity with respect to timing, finances, partnership or other advantageous opportunity? (4) Include financial, managerial or technical capability aspects of the project? (5) Include integrating natural infrastructure and built systems? (6) Demonstrate applicant cost effectiveness by considering three or more project alternatives such as optimizing an existing facility, regional partnership or consolidation?	Remove these specific questions from rule. These exist in program scoring criteria guidelines. Reference in IUP as required.	Scoring criteria for planning loans specifically is not required in rule and there is no need to include scoring criteria for planning loans explicitly in rule. EPA requires scoring criteria to be documented in the IUP. The CWSRF already uses more detailed internal scoring guidelines for planning loans to assign points to projects.

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		CWSRF will be able to adjust scoring guidelines to include environmental justice metrics for the program in the IUP without future rule changes. The IUP includes public comment for transparency and responsiveness. Reduce risk – CWSRF is considered “low risk” per DOJ (add as basis to other items)