



**NHDES**

**Department of Environmental Services**

The State of New Hampshire JAN27'22 PM 2:34 RCVD



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**Robert R. Scott, Commissioner**

January 20, 2022

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Authorize the Department of Environmental Services to amend a Clean Water State Revolving Fund (CWSRF) loan agreement with the Town of Merrimack (VC #177436 B002) to increase funding by \$9,520,000, from \$13,100,000 to \$22,620,000, under the provisions of RSA 486:14 and N.H. Code of Admin. Rules Env-Wq 500 et seq., effective upon Governor & Council approval. The original loan agreement was approved by Governor & Council on August 28, 2019 as Item No. 82 and amended on April 8, 2020 as item No. 53. Funding is 83% Federal Funds, 17% Capital (Other) Funds.

Funding is available in the account as follows:

	<u>FY 2022</u>
03-44-44-441018-2003-301-500832 Dept. Environmental Services, CWSRF Loans, Loans	\$7,933,333
03-44-44-441030-1269-034-500161 Dept. Environmental Services, 17, 19-146:1VIC – Clean Water Rev Capital Project	\$1,586,667

**EXPLANATION**

The purpose of this Amendment is to increase the Town of Merrimack's existing CWSRF Loan by \$9,520,000 to fund ongoing construction of the Wastewater Treatment Facility Phase III and Pump Station Upgrades project. This is a major project that will be phased over time. This third phase encompasses a substantial part of the project, and it is expected to take up to two years to complete. To date \$3,044,013 of this loan has been disbursed.

The final loan amount will be based on the total CWSRF funds disbursed and may be less than \$22,620,000. Under federal capitalization grant requirements this loan includes principal forgiveness in the amount of up to \$1,382,250. The loan interest rate may be adjusted downward if the CWSRF loan rate in effect upon project completion is less than 2.3760%.

Attached is a tabulation of the CWSRF showing the effect of this action on the funds available for loans.

We respectfully request your approval.

  
Robert R. Scott, Commissioner

**DEPARTMENT OF ENVIRONMENTAL SERVICES  
WATER DIVISION  
CLEAN WATER STATE REVOLVING FUND**

Supplemental information to Governor and Council request for loan agreements under RSA 486:14 and N.H. Admin. Rules Env-Wq 500 for the municipality listed below:

This request will change the balance available for loans as follows:

	<b>CWSRF Capitalization Grant</b>
<b>Federal Funds Available for Loans as of 12/27/21</b>	<b><u>\$23,201,475</u></b>
<b>Loan Agreement(s) This Request:</b>	
Town of Merrimack	\$9,520,000
<b>Other Requested Action(s)</b>	
City of Manchester	\$13,000,000
<b>Net Change</b>	<b><u>\$22,520,000</u></b>
<b>Balance Available after G &amp; C Approval</b>	<b><u>\$681,475</u></b>

**NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES  
CLEAN WATER STATE REVOLVING LOAN PROGRAM**

**SRF Funds Available for Loans**

1989-2010 Capitalization Grants	\$329,499,766
Plus State Match	\$58,095,173
Less 4% Administration Fee	(\$15,403,798)
<b>Total 1989-2010 Funds Available for Loans</b>	<b>\$372,191,141</b>
2011 Capitalization Grant (09/21/2011)	\$14,757,000
Plus State Match	\$2,951,400
Less 4% Admin.	(\$708,336)
<b>Total 2011 Funds Available for Loans</b>	<b>\$17,000,064</b>
2012 Capitalization Grant (06/05/2012)	\$14,123,000
Plus State Match	\$2,824,600
Less 4% Admin.	(\$677,904)
<b>Total 2012 Funds Available for Loans</b>	<b>\$16,269,696</b>
2013 Capitalization Grant (08/14/2013)	\$13,342,000
Plus State Match	\$2,668,400
Less 4% Admin.	(\$640,416)
<b>Total 2013 Funds Available for Loans</b>	<b>\$15,369,984</b>
2014 Capitalization Grant (08/11/2014)	\$14,011,000
Plus State Match	\$2,802,200
Less 4% Admin.	(\$672,528)
<b>Total 2014 Funds Available for Loans</b>	<b>\$16,140,672</b>
2015 Capitalization Grant (08/05/2015)	13,940,000
Plus State Match	2,788,000
Less 4% Admin.	(669,120)
<b>Total 2015 Funds Available for Loans</b>	<b>16,058,880</b>
2016 Capitalization Grant (07/28/2016)	13,352,000
Plus State Match	2,670,400
Less 4% Admin.	(640,896)
<b>Total 2016 Funds Available for Loans</b>	<b>\$15,381,504</b>
2017 Capitalization Grant (08/04/2017)	\$13,249,000
Plus State Match	\$2,649,800
Less 4% Admin.	(635,952)
<b>Total 2017 Funds Available for Loans</b>	<b>\$15,262,848</b>
2018 Capitalization Grant (08/09/2018)	\$16,040,000
Plus State Match	\$3,208,000
Less 4% Admin.	(769,920)
<b>Total 2018 Funds Available for Loans</b>	<b>\$18,478,080</b>
2019 Capitalization Grant (07/29/2019)	\$15,879,000
Plus State Match	\$3,175,800
Less 4% Admin.	(762,192)
<b>Total 2019 Funds Available for Loans</b>	<b>\$18,292,608</b>
2020 Capitalization Grant (08/26/2020)	\$15,881,000
Plus State Match	\$3,176,200
Less 4% Admin.	(762,288)
<b>Total 2020 Funds Available for Loans</b>	<b>\$18,294,912</b>
2021 Capitalization Grant (08/17/2021)	\$15,879,000
Plus State Match	\$3,175,800
Less 4% Admin.	(762,192)
<b>Total 2021 Funds Available for Loans</b>	<b>\$18,292,608</b>
Total Federal Grant \$ Available	\$470,454,655
Total State Match Available	\$86,578,342
<b>Total 1989 - 2021 Funds Available for Loans</b>	<b>\$557,032,997</b>

**AMENDMENT No. 2**

TO  
STATE OF NEW HAMPSHIRE  
WATER POLLUTION CONTROL REVOLVING FUND PROGRAM

TOWN OF MERRIMACK, NEW HAMPSHIRE

**ORIGINAL LOAN AGREEMENT**

For Project CS-330215-11

To increase the Town of Merrimack's loan amount for the WWTF Upgrade Project, CWSRF Loan Number CS-330215-11, from \$13,100,000 to \$22,620,000.

Now therefore, amend the ORIGINAL LOAN AGREEMENT, as approved by Governor and Council on August 28, 2019 as Item No. 82 and amended on April 8, 2020 as Item No. 53 in the following manner:

Change only Page 1 lines 16 through 17 of the ORIGINAL LOAN AGREEMENT to read as follows:

"...State, in accordance with the terms of this Agreement, the principal sum of **Twenty-Two Million, Six Hundred Twenty Thousand and 00/100 Dollars (\$22,620,000)** (Principal Sum) or such lesser amount as...";

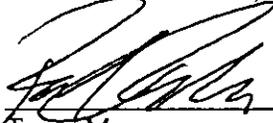
And, change only Page 2, lines 5 through 6 of the ORIGINAL LOAN AGREEMENT to read as follows:

"...principal forgiveness applied to the loan will not exceed **One Million, Three Hundred Eighty-Two Thousand, Two Hundred Fifty and 00/100 Dollars (\$1,382,250)**. In addition to the principal ...";

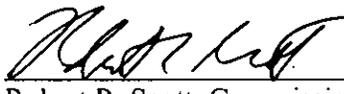
And, change only Page 3, line 13 of the ORIGINAL LOAN AGREEMENT to read as follows:

"...Completion date is hereby determined to be **August 2, 2023**; however, should the project ...".

Accepted by  
Town of Merrimack, New Hampshire

  
Town Manager \_\_\_\_\_ 12/14/21  
Date

Accepted by  
State of New Hampshire

  
Robert R. Scott, Commissioner \_\_\_\_\_ 1/20/22  
Date  
Department of Environmental Services



The State of New Hampshire  
**Department of Environmental Services**



**Robert R. Scott, Commissioner**

March 20, 2020

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**APPROVED G & C**

DATE 8 April 2020

ITEM # 53

**REQUESTED ACTION**

Authorize the Department of Environmental Services to amend a Clean Water State Revolving Fund (CWSRF) loan agreement with the Town of Merrimack (VC #177436 B002) to increase funding by \$11,500,000, from \$1,600,000 to \$13,100,000, under the provisions of RSA 486:14 and N.H. Code of Admin. Rules Env-Wq 500 et seq., effective upon Governor & Council approval. The original loan agreement was approved by Governor & Council on August 28, 2019 as Item No. 82. Funding is 100% CWSRF Repayment Funds.

Funding is available in the account as follows:

03-44-44-441018-2001-301-500832  
Dept. Environmental Services, CWSRF Loan Repayments, Loans

FY 2020  
\$11,500,000

**EXPLANATION**

The purpose of this Amendment is to increase the Town of Merrimack's existing CWSRF Loan by \$11,500,000 to fund construction of the Wastewater Treatment Facility Phase III and Pump Station Upgrades project. The loan amendment will primarily fund the construction of a new screenings facility and an upgrade of two main wastewater pumping stations.

The final loan amount will be based on the total CWSRF funds disbursed, and may be less than \$13,100,000. Under federal capitalization grant requirements this loan includes principal forgiveness in the amount of up to \$906,250. The loan interest rate may be adjusted downward if the CWSRF loan rate in effect upon project completion is less than 2.3760%. To date, the Town has spent \$173,126 of the original loan amount.

Attached is a tabulation of the CWSRF showing the effect of this action on the funds available for loans.

We respectfully request your approval.

  
Robert R. Scott, Commissioner

**DEPARTMENT OF ENVIRONMENTAL SERVICES  
WATER DIVISION  
CLEAN WATER STATE REVOLVING FUND**

Supplemental information to Governor and Council request for loan agreements under RSA 486:14 and N.H. Admin. Rules Env-Wq 500 for the municipality listed below

This request will change the balance available for loans as follows:

	CWSRF Repayment
Repayment Funds as of March 11, 2020	<u>\$64,489,630</u>
 Loan Agreement(s) This Request:	
Town of Merrimack	\$11,500,000
 Other Requested Action(s)	
City of Rochester	\$500,000
 Net Change <sup>†</sup>	<u>\$12,000,000</u>
Balance Available after G & C Approval	<u>\$52,489,630</u>

\*Is net of the 4% reduction for CWSRF Program administration  
See SRF Loan Status Table for breakdown of Grants by year



The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner

August 8, 2019

*Kathy Bourne*

APPROVED G & C

DATE 28 Aug 19

ITEM # 82

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Authorize the Department of Environmental Services to approve a Clean Water State Revolving Fund (CWSRF) loan agreement with the Town of Merrimack (VC #177436 B002) in an amount not to exceed \$1,600,000 to finance the Wastewater Treatment Facility Phase III and Pump Station Upgrades project under the provisions of RSA 486:14 and N.H. Code of Admin. Rules Env-Wq 500 et seq., effective upon Governor & Council approval. Funding is 83% Federal Funds, 17% Capital (Other) Funds.

Funds to support this request are anticipated to be available in the following account in FY 2020 upon the availability and continued appropriation of funds in the future operating budget.

Funding is available in the account as follows:

	<u>FY 2020</u>
03-44-44-441018-2003-301-500832 Dept. Environmental Services, CWSRF Loans, Loans	\$1,466,667
03-44-44-441030-1546-034-500162 Dept. Environmental Services, 17, 228:1-VIII:C CWSRF Loan Program, Capital Project	\$133,333

**EXPLANATION**

The purpose of the requested action is to authorize the Town of Merrimack to borrow up to \$1,600,000 from the CWSRF to finance the Wastewater Treatment Facility Phase III and Pump Station Upgrades. The project includes technical services for final design including topographic, wetlands, geotechnical, and asbestos/lead surveys, a radio path cell feasibility study, and value engineering.

The Supplemental (final) loan amount will be based upon the total CWSRF funds disbursed, and may be less than \$1,600,000. Under federal capitalization grant requirements, this loan includes principal forgiveness of up to \$331,250.

Attached is a tabulation of the CWSRF showing the effect of this action on the funds available for loans.

We respectfully request your approval.

Robert R. Scott, Commissioner

**DEPARTMENT OF ENVIRONMENTAL SERVICES  
WATER DIVISION  
CLEAN WATER STATE REVOLVING FUND**

Supplemental information to Governor and Council request for loan agreements under RSA 486:14 and N.H. Admin. Rules Env-Wq 500 for the municipality listed below:

This request will change the balance available for loans as follows:

	<b>CWSRF Cap Grant</b>
<b>Federal Funds *</b>	<b>\$439,965,055</b>
<b>Plus 20% State Match*</b>	<b>\$80,480,422</b>
Total Funds Available	<b>\$520,445,477</b>
Less Loans Previously Approved	<b>\$501,826,625</b>
<b>Funds Available for Loans</b>	<b>\$18,618,852</b>
 <b>Loan Agreement(s) This Request:</b>	
Town of Merrimack	<b>\$1,600,000</b>
 <b>Other Requested Action(s)</b>	
  <b>Net Change†</b>	<b>\$1,600,000</b>
<b>Balance Available after G &amp; C Approval</b>	<b>\$17,018,852</b>

\*Is net of the 4% reduction for CWSRF Program administration  
See SRF Loan Status Table for breakdown of Grants by year

**NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES  
CLEAN WATER STATE REVOLVING LOAN PROGRAM**

**SRF Funds Available for Loans**

1989-2010 Capitalization Grants	\$329,499,766
Plus State Match	\$58,095,173
Less 4% Administration Fee	<u>(\$15,403,798)</u>
Total 1989-2010 Funds Available for Loans	\$372,191,141
2011 Capitalization Grant (09/21/2011)	\$14,757,000
Plus State Match	\$2,951,400
Less 4% Admin.	<u>(\$708,338)</u>
Total 2011 Funds Available for Loans	\$17,000,064
2012 Capitalization Grant (06/05/2012)	\$14,123,000
Plus State Match	\$2,824,600
Less 4% Admin.	<u>(\$677,904)</u>
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Less 4% Admin.	<u>(669,120)</u>
Total 2015 Funds Available for Loans	16,058,880
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Less 4% Admin.	<u>(640,896)</u>
Total 2016 Funds Available for Loans	\$15,381,504
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Less 4% Admin.	<u>(635,952)</u>
Total 2017 Funds Available for Loans	\$15,262,848
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Plus State Match	\$3,208,000
Less 4% Admin.	<u>(769,920)</u>
Total 2018 Funds Available for Loans	\$18,478,080
2019 Capitalization Grant (08/06/2019)	\$15,879,000
Plus State Match	\$3,175,800
Less 4% Admin.	<u>(762,192)</u>
Total 2019 Funds Available for Loans	\$18,292,608
Total Federal Grant \$ Available	\$439,965,055
Total State Match Available	\$80,480,422
<b>Total 1989 - 2019 Funds Available for Loans</b>	<b><u>\$520,445,477</u></b>