The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

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September 18, 2025

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Environmental Services (NHDES) to amend a Clean Water State Revolving Fund (CWSRF) loan agreement to fund waste water treatment facility improvements (P.O. #9005878) with the Town of Winchester (VC #159981 B001) to increase the loan amount by $2,685,282, from $3,454,700 to $6,139,982, 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 November 22, 2022, as Item No. 145. Funding is 100% CWSRF Repayment Funds.

Funding is available in the following account:

	FY 2026
03-44-44-441018-2001-301-500832 Dept. Environmental Services, CWSRF Loan Repayments, Loans	$2,685,282

EXPLANATION

The purpose of this Amendment is to increase the Town of Winchester's existing CWSRF loan by $2,685,282 to fund an increase in construction costs since the original loan application in June 2022. Construction material costs have risen between the time of the loan application and the receipt of construction bids, and the original costs cited in the loan application are no longer adequate to complete the project. The additional funding will supplement the original CWSRF loan agreement and ARPA grant and allow the project to move forward. To date one hundred percent of ARPA funds in the amount of $1,245,300 have been disbursed, and none of the original CWSRF loan has been disbursed.

The final loan amount will be based on the total CWSRF funds disbursed and may be less than $6,139,982. Under federal capitalization grant requirements this loan includes principal forgiveness in the amount of up to $1,227,996. Currently, there is $41,192,201 available to loan after this request.

We respectfully request your approval.

Robert R. Scott, Commissioner

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AMENDMENT No. 1

TO
STATE OF NEW HAMPSHIRE
WATER POLLUTION CONTROL REVOLVING FUND PROGRAM
TOWN OF WINCHESTER, NEW HAMPSHIRE

ORIGINAL LOAN AGREEMENT
For Project CS-334140-08

To increase the Town of Winchester's loan amount for the **Biosolids Improvements** project, CWSRF Loan Number CS-334140-08, by $2,685,282, from $3,454,700 to $6,139,982.

Now therefore, amend the ORIGINAL LOAN AGREEMENT, as approved by Governor and Council on November 22, 2022, as Item No. 145 and modified on January 22, 2024, in the following manner:

Change only Page 1 lines 15 through 16 of the ORIGINAL LOAN AGREEMENT to read as follows:

"...State, in accordance with the terms of this Agreement, the principal sum of **Six Million, One Hundred Thirty-Nine Thousand, Nine Hundred Eighty-Two and 00/100 Dollars ($6,139,982)** (Principal...";

And, change only Page 1 line 20 through 22 of the ORIGINAL LOAN AGREEMENT to read as follows:

"...the loan upon the initial repayment as follows: A portion of the principal sum, not to exceed **One Million, Two Hundred Twenty-Seven Thousand, Nine Hundred Ninety-Six and 00/100 Dollars ($1,227,996) or 20%** of the total of Disbursements, whichever is less, provided the project is determined to be...";

And, change only Page 3, line 5 of the ORIGINAL LOAN AGREEMENT to read as follows:

"...date is hereby determined to be **June 2, 2027;** however, should the project experience an...".

Accepted by
Town of Winchester, New Hampshire

8/6/2025
Chair, Board of Selectmen Date

Accepted by
Town of Winchester, New Hampshire

8/6/25
Vice Chair, Board of Selectmen Date

Accepted by
State of New Hampshire

9/25/25
Robert R. Scott, Commissioner Date
Department of Environmental Services

The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

October 11, 2022

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

APPROVED G & C
DATE 22 November 2022
ITEM # 145

REQUESTED ACTIONS

1. Authorize the Department of Environmental Services to award a grant to the Town of Winchester (VC# 159981 B001) in the amount not to exceed $1,245,300 for the Biosolids Improvements project, effective upon Governor & Council approval through January 1, 2025. 100% Federal Funds.

   Funding is available in the following account:

	FY 2023
03-44-44-440010-2476-072-500574 Dept Environmental Services, ARPA DES Loans, Grants Federal Activity code: 00FRF602WB4401E	$1,245,300

2. Authorize the Department of Environmental Services to approve a loan agreement with the Town of Winchester (VC# 159981 B001) in an amount not to exceed $3,454,700 to finance the Biosolids Improvements 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 100% CWSRF Repayment Funds.

   Funding is available in the following account:

	FY 2023
03-44-44-441018-2001-301-500832 Dept. Environmental Services, CWSRF Loan Repayments, Loans	$3,454,700

EXPLANATION

NHDES selected awardees for the Clean Water Infrastructure projects from pre-applicants who submitted proposed projects to the Clean Water State Revolving Fund (CWSRF) loan program in 2021. Pre-applicants were offered funding for their project utilizing CWSRF ranking criteria, the 2021 CWSRF Project Priority List, and information obtained from a project update solicitation in November 2021.

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The Town of Winchester requested a total of $4,700,000 in funding from NHDES for needed improvements to the wastewater treatment facility (WWTF). NHDES, through the American Rescue Plan Act funds (ARPA) and the Clean Water State Revolving Loan Fund (CWSRF) has offered the Town $4,700,000 in a combination of grant and loan funds.

The town will use the grant and loan funding to replace aged and failing infrastructure and improve reliability of the existing solids handling system by providing redundant units.

ARPA of 2021 is a $1.9 trillion economic stimulus bill passed by the 117th United States Congress and signed into law by President Biden on March 11, 2021, to speed up the United States' recovery from the economic health effects of the COVID-19 pandemic and the resultant recession. The Act defines eligible uses of the state and local funding, including responding to public health emergencies, responding to workers performing essential work during the COVID-19 emergency, providing revenue relief to states and making investments in water, sewer, and broadband infrastructure. This is an allowable use of ARP FRF funds under Section 602 (c)(1)(D) to make necessary investments in water, sewer, or broadband infrastructure.

In accordance with the final rule from the US Treasury Department for water and wastewater infrastructure investments, project eligibility is aligned with the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF). This project is an eligible CWSRF infrastructure project.

The Supplemental (final) loan amount will be based upon the total CWSRF funds disbursed and may be less than $3,454,700. Under federal capitalization grant requirements, this loan includes principal forgiveness of up to $345,470. Currently, there is $102,077,520 available to loan after this request.

In the event that funds become no longer available, general funds will not be requested to support this program. This grant agreement has been approved by the Attorney General's Office as to form, substance and execution.

We respectfully request your approval of this item.

Robert R. Scott,
Commissioner