



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**



Board for Financing Water Projects

February 19, 2025

9:00 AM

Location:

The Richard H. Bryan Building
Bonnie Conference Room
901 South Stewart Street, 1st Floor
Carson City, NV 89701

To Access Virtually

Microsoft TEAMS

Meeting ID: 217 857 347 762; Passcode: 2hB2af7K

Call in from Mobile/Phone (audio only): (775) 321-6111

Phone Conference ID: 339 450 839#



Jennifer Carr
Administrator

Danilo Dragoni
*Deputy
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**James A.
Settelmeyer**
Director



Nevada Department of
**CONSERVATION &
NATURAL RESOURCES**

Agenda 2:

Introductions



Agenda 3:

Public Comment

Those wishing to make public comment that are participating remotely may do so by calling in (775) 321-6111 and using meeting extension 339 450 839#, or by raising your hand through the TEAMS module so the moderator may call on you.

Members of the public will be invited to speak before the board; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three (3) minutes per person at the discretion of the chair. Additional comments may be submitted to the board for inclusion in the minutes.





Agenda 4:

*Approval of November 13, 2024
Board meeting minutes*



Nevada Department of
**CONSERVATION &
NATURAL RESOURCES**



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Item
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Capital Improvements Grant funding update as of February 5, 2025

Current Cash:	\$ 319,703.96¹
Reserved for Administration:	\$ 22,465.32
Estimated bond interest earnings:	\$5,425.70
Committed bond funds not yet disbursed:	\$ 266,225.17
Projects for Consideration:	\$ 0
Un-committed funds:	\$ 36,439.17²

¹From all sources including bond proceeds, administration fees, and treasurer's interest.

²Includes estimated bond interest earnings for remainder of calendar year 2024.



Nevada Department of
**CONSERVATION &
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Capital Improvements Grant funding update as of February 5, 2025

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Activity since bond issuance

Bond Series	2021B	
Legislative Authority	AB492 (81st Session) \$8,000,000	
Date of Issuance	December 07, 2021	
Initial Proceeds	\$	8,082,775.25
Treasurer's Interest²	\$	594,431.77
Total Proceeds	\$	8,677,207.02
6 months	\$ (81,028.81)	0.93%
12 months	\$ (81,028.81)	0.93%
18 months	\$ (83,699.34)	0.96%
24 months	\$ (645,672.63)	7.44%
30 months	\$ (2,531,723.28)	29.18%
36 months	\$ (8,345,709.05)	96.18%
42 months	\$ (8,345,709.05)	96.18%
48 months	\$ (8,379,968.38)	96.57%
Unspent Proceeds	\$ 297,238.64	3.43%





Capital Improvements Grant funding update as of February 5, 2025

Agenda Item 5

Status update		10/28/2024					
Entity	Contract	Date	Amount	Drawn	Outstanding	Last Draw Date	
Las Vegas Valley Water District-Big Bend	GP2103	1/20/2021	\$ 1,908,622.00	1,908,622.00	\$ -	Closed	
Alamo Sewer and Water GID	GP2104	8/2/2021	\$ 613,311.51	613,311.51	\$ -	Closed De-obligated 42,311.66	
Las Vegas Valley Water District-Big Bend	GP2201	4/19/2022	\$ 86,449.13	86,449.13	\$ -	Closed De-obligated 9,157.86	
Golconda GID	GP2202	8/2/2022	\$ 793,000.00	783,431.34	\$ 9,568.66	Pending 02/05/2024	
Topaz Ranch Estates GID	GP2203	5/17/2022	\$ 1,645,520.00	1,388,863.29	\$ 256,656.71	Pending 02/05/2024	
Beatty Water & Sanitation District	GP2502	7/2/2024	\$ 300,566.48	300,566.48	\$ -	Closed De-obligated 54,309.52	
Pershing County	GP2503	6/28/2024	\$ 550,500.00	550,500.00	\$ -	Closed	
Carlin, City of	GP2504	6/28/2024	\$ 1,783,360.00	1,783,360.00	\$ -	Closed	
Henderson, City of	GP2505	6/28/2024	\$ 1,824,000.00	1,824,000.00	\$ -	Closing held	
			\$ 9,505,329.12	\$ 9,239,103.75	\$ 266,225.37		





Capital Improvements Grant funding update as of February 5, 2025

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Governor's Executive Budget Recommendation.....\$33,900,000

Storey County	Storey County	\$6,900,000
Project is to replace the original Virginia City siphon that contains lead joins. The project is in design and being partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		
Golconda GID	Humboldt County	\$2,000,000
Project is to add a new storage tank for redundancy, replace distribution lines, meters, and electrical controls. Project is partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		
Hawthorne Utilities	Mineral County	\$6,000,000
Project is to add a new well for redundancy, replace transmission and distribution lines, meters, and electrical controls. Project is partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		
Walker Lake GID	Mineral County	\$4,000,000
Project is to add a new well for redundancy, install treatment, replace transmission and distribution lines, meters, and electrical controls. Project is partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		
Southern Nevada Systems Henderson, city of Las Vegas, city of North Las Vegas, city of Clark County Water Reclamation District	Clark County	\$15,000,000
Project is to fund septic-to-sewer conversions for water conservation and groundwater protection. Project is partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		



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DWSRF funding update as of February 5, 2025

Agenda Item 6



The DWSRF (and CWSRF) programs grant funding are currently being reviewed by the new federal executive branch administration for conformance with the presidential executive orders. As of this writing, (February 5, 2025, at 1200 hours), the Office of Financial Assistance (OFA) **has access to all of its grant funding.**

Program Cash Balances	DWSRF Base Program	DWSRF Emerging Contaminants	DWSRF Lead Service Lines	Total DWSRF Funding
Cash in the State Account	\$128,524,922.21	\$0.00	\$0.00	\$128,524,922.21
Less bond debt service reserves	(6,069,283)	0	0	(6,069,283)
Add Federal Cash Available for Loans	51,117,243	21,768,860	25,212,000	98,098,103
Add pending federal grants	0	0	0	0
Cash Available for Loans	\$173,572,882.21	\$21,768,860.00	\$25,212,000.00	220,553,742.21
Committed funds not yet disbursed	159,149,082	6,000,000	0	165,149,082
Add commitments for Board consideration	741,190	0	0	741,190
Total committed funds after Board Approval	159,890,272	6,000,000	0	165,890,272
Add projects in discussion with OFA	12,680,000	10,000,000	0	22,680,000
Total committed and potential project loans^A	\$172,570,272.00	\$16,000,000.00	\$0.00	\$188,570,272.00

^A Nevada evaluates cash over a three-year period to determine the amount of cash available for loan commitments. This practice is highly encouraged by EPA for effective use of funds management. Therefore, the amount committed to projects at any given time may be higher than the current cash available in the program accounts.





DWSRF funding update as of February 5, 2025

Agenda Item 6

Base program as of today

Values include federal grants received through October 1, 2024	Jul 01, 2024 Year 1	Jul 01, 2025 Year 2	Jul 01, 2026 Year 3	Jul 01, 2027 Year 4	Net Change
Cash balance forward	\$137,973,394	\$148,624,542	\$113,806,113	\$37,869,270	
Receipts from grants awarded	19,793,640	0	0	0	19,793,640
Transfer to the CWSRF program ²	0	0	(20,000,000)	0	(20,000,000)
Receipts from bonds issued	6,000,000	0	0	0	6,000,000
Receipts from treasurer's interest ³	4,062,445	2,968,427	2,080,806	1,210,134	10,321,812
Receipts from loan principal	14,526,120	13,522,074	12,918,277	12,963,734	53,930,205
Receipts from loan interest	3,367,111	3,107,540	2,796,898	2,497,451	11,769,000
Payments for debt service on bonds	(4,863,738)	(4,601,675)	(3,447,450)	(3,519,225)	(16,432,088)
Payments for loan recipients ³	(32,180,935)	(50,897,245)	(70,487,799)	(10,677,656)	(164,243,635)
Change in debt service reserves	(53,495)	1,082,450	202,425	679,725	1,911,105
Cash balance forward	\$148,624,542	\$113,806,113	\$37,869,270	\$41,023,433	
				Beginning Cash	\$137,973,394
				Ending Cash	\$41,023,433

²Transfer to CWSRF is dependent upon budget approval and EPA consent.

³Estimated at 2% A.P.R. on undisbursed cash in the fund. Subject to change.

Financial calculation basis for this chart:

- Federal funds already **awarded** to Nevada are **secure**.
- No future federal funds are awarded, including base capitalization grants.
- All Principal Forgiveness (PF) loans remain forgiven.





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DWSRF funding update as of February 5, 2025

Possible outcome to the review by the Office of Management and Budget

It is important to note that the DWSRF was originally designed to be self-supporting. The federal funds are not going to be appropriated in perpetuity, and each state will then need to manage the programs with state resources only.

- If the federal programs and grants are amended or rescinded, the amount available principal forgiveness funding will change. Additionally, the amount of funds available for future traditional loans are also unknown. At this time, OFA is not able to estimate the amount of funding that could be subject to amendment or rescission. The executive branch, working with Congress, could perform a variety of actions against the grant, including, but not limited to:
 - Remove the requirement for principal forgiveness loans for all future grants awarded.
 - Change the percentages that are required for principal forgiveness loans.
 - Reduce the amount of the federal awards to Nevada, thereby reducing the percentage available for principal forgiveness loans.
 - Rescind federal awards in an amount equal to the portion not committed in loan contracts.
 - Rescind federal awards entirely.
 - Do nothing.





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DWSRF funding update as of February 5, 2025

Program Cash Balances for Principal Forgiveness (PF) Loans ^B	DWSRF Base Program	DWSRF Emerging Contaminants	DWSRF Lead Service Lines	Total DWSRF Funding
Required amount to commit to PF loans	41,523,580	21,768,860	12,353,880	75,646,320
Add pending federal grant requirements				0
Total Required PF Loan Balance	41,523,580	21,768,860	12,353,880	75,646,320
Committed funds not yet disbursed	21,383,234	6,000,000	0	27,383,234
Commitments for Board consideration	799,960	0	0	799,960
Add projects in discussion with OFA				0
Remaining Authority ^B	\$19,340,386	\$15,768,860	\$12,353,880	\$47,463,126

^B Cash available for PF loans is included in the Program Cash Balance table above. This table reflects the federal requirements for Nevada to distribute a portion of the available cash as PF loans.

The DWSRF program is authorized to issue principal forgiveness funding per federal statutes and grant appropriations. It is based upon a **percentage of the funding awarded** in the grants. If grants are not awarded, or the amount awarded changes, then OFA cannot offer principal forgiveness funding.





DWSRF funding update as of February 5, 2025

Agenda Item 6

Possible outcome to the review by the Office of Management and Budget

Values remove all federal grants that have not been spent by February 5, 2025	Jul 01, 2024	Jul 01, 2025	Jul 01, 2026	Jul 01, 2027	Net Change
	Year 1	Year 2	Year 3	Year 4	
Cash balance forward	\$113,219,500	\$104,077,008	\$69,258,579	\$13,321,736	
Receipts from grants awarded	0	0	0	0	0
Transfer to the CWSRF program ²	0	0	0	0	0
Receipts from bonds issued	6,000,000	0	0	0	6,000,000
Receipts from treasurer's interest ³	4,062,445	2,968,427	2,080,806	1,210,134	10,321,812
Receipts from loan principal	14,526,120	13,522,074	12,918,277	12,963,734	53,930,205
Receipts from loan interest	3,367,111	3,107,540	2,796,898	2,497,451	11,769,000
Payments for debt service on bonds	(4,863,738)	(4,601,675)	(3,447,450)	(3,519,225)	(16,432,088)
Payments for loan recipients ³	(32,180,935)	(50,897,245)	(70,487,799)	(10,677,656)	(164,243,635)
Change in debt service reserves	(53,495)	1,082,450	202,425	679,725	1,911,105
Cash balance forward	\$104,077,008	\$69,258,579	\$13,321,736	\$16,475,899	(\$96,743,601)
				Beginning Cash	\$113,219,500
				Ending Cash	\$16,475,899

²Transfer to CWSRF removed for this scenario

³Estimated at 2% A.P.R. on undisbursed cash in the fund. Subject to change.

Financial calculation basis for this chart:

- Federal funds already **awarded** to Nevada are **rescinded**.
- No future federal funds are awarded, including base capitalization grants.
- \$14.5 million in PF loans (65.6%) could be converted to traditional loans.



Nevada Department of
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Gardnerville Ranchos General Improvement District

Well 5 Arsenic Treatment PER and ER

\$55,200 (\$69,000 total project)

Existing Infrastructure –

- GID supplied by seven (7) wells each with its own chlorinator
- Two (2) steel water storage tanks
- One (1) booster station
- Transmission and distribution pipelines

System Needs –

- GID is technically in compliance with *Running Annual Average* (RAA) but exceeded MCL last two quarters of 2024 at their blending station
- Well 5 currently exceeds Arsenic MCL (10 micrograms per liter) and is a significant and necessary producer for redundant and emergency source capacity

Proposed PER and ER –

- Preliminary Engineering Report (PER) will address possible alternatives for arsenic treatment at Well 5 to bring it up to drinking water standards
- Funding will also include the Environmental Review (ER) necessary to advance the project to construction





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Gardnerville Ranchos General Improvement District Well 5 Arsenic Treatment PER

	DWSRF	Other Sources	Total
Planning	\$55,200	\$13,800	\$69,000
Total	\$55,200	\$13,800	\$69,000

Unrestricted cash
\$3,819,545

Days cash on hand
1,150

**Operating income
(before depreciation)**
\$423,450

Current Ratio
7.26

Debt Service Coverage
1.17

- Water Meters: Gardnerville Ranchos GID system is fully metered for all residential users.
- User rates were approved in 2006 and are sufficient to cover current needs. GRGID is proposing a rate increase for FY26.
- GRGID is working with Lumos & Associates to complete a current Asset Management Plan.
- GRGID does have a reserve account that was set up previously to meet DWSRF standards on a previous project. The reserve balance was at \$2,707.69 as of December 31, 2024. GRGID is aware of the DWSRF standards for the reserve account.





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Gardnerville Ranchos General Improvement District Well 5 Arsenic Treatment PER

Total Commitment \$55,200	Recommendation The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) approve a loan commitment to Gardnerville Ranchos General Improvement District for Well 5 Arsenic Treatment Preliminary Engineering Report and Environmental Report.	
Amount	Resolution	Program and Terms
\$55,200	D07-0225	DWSRF Principal Forgiveness Loan

DWSRF Loan Conditions

- A 20% match for each disbursement request is required.
- The PER must meet the conditions of NDEP's guidance documents and the Rural Utilities Services Bulletin 1780-2. The ER must address the chosen project(s) area of impact to move the project into the design phase for funding. Should the document not meet these conditions, the funding awarded to create the document must be repaid to the NDEP Office of Financial Assistance (OFA).
- OFA will request planning meetings with borrowers and their selected engineering professional to discuss the status of the document. OFA may reimburse eligible expenses in connection with these meetings throughout the creation of the documents.





Silver Knolls Mutual Water Company

Arsenic Treatment Additional Funds

\$410,000

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Existing Infrastructure –

- Zirconium hydroxide adsorption/filtration system for arsenic treatment (SRF funded 2021)
- Too expensive to operate
- High cost of chemicals and proprietary filters
- Not able to run the system for more than a few weeks without replacing filter cartridges – unaffordable.

System Needs –

- Proposed and funded arsenic treatment will use iron-based adsorptive media, Bayoxide E-33
- Onsite pilot test successful - no breakthrough
- Used successfully in small water systems throughout Nevada for over a decade

Exacerbating Factors –

- September 2024 solicitation produced single bid exceeding Engineer's Estimate by \$170,581
- The additional funding has been further increased due to delays, re-bidding, inflation, material escalation, construction administration, and project management
- Total additional funding requested is \$410,000



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Silver Knolls Mutual Water Company

Arsenic Treatment Additional Funds

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	Original Budget	Add Funding October 2023	Requested Funding February 2025	Total Budget
Planning	\$10,000	\$0	\$0	\$10,000
Design and Engineering	\$42,500	\$182,500	\$89,956	\$314,956
Equipment & Construction	\$482,123	(\$78,909)	\$289,630	\$692,844
Administration	\$10,000	\$0	\$0	\$10,000
Contingency	\$0	\$32,409	\$20,414	\$52,823
Total	\$544,623	\$136,000	\$400,000	\$1,080,623

Unrestricted cash

\$44,133

Days cash on hand

114

Operating income (before depreciation)

\$341

Current Ratio

2.88



Nevada Department of
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Silver Knolls Mutual Water Company

Arsenic Treatment Additional Funds

Agenda Item 8

Total Commitment \$670,600	Recommendation The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) approve a loan commitment to Gerlach General Improvement District for Garden Spring Rehabilitation.	
Amount	Resolution	Program and Terms
\$670,600	D08-1124	DWSRF principal forgiveness loan

DWSRF Loan Conditions

- 100% of the principal will be forgiven.
- Review user rates at least every three (3) years for the life of the loan.
- Develop and maintain an asset management plan that is reviewed by the governing board at least every five (5) years.
- Maintain a capital replacement reserve account that is funded at least annually and re-evaluated every five (5) years.
- The recipient agrees to draw funds available in this contract within three (3) years from the date of this contract. Funds will be subject to de-obligation and/or review after this time period by the Division.





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Humboldt County

Nitrate Well Project Modification

Project –

- Original project committed December 2022
- Construct a new production well and transmission main
- New well to mitigate nitrate levels

Background –

- Original resolution experienced setbacks preventing NDEP's ability to issue a loan
- Requirements for design, environmental review, and easements necessary before construction loan
- NDEP can provide short-term loans for planning, exploratory drilling and design – separate from construction loan
 - This aligns with the County's current needs

Proposed Modification –

- This modification would change the scope of the existing funding and adjust the amount that would be available for the project so a loan contract can be committed to accommodate the county's current needs





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Humboldt County

Nitrate Well Project Modification

	Original Budget	Change	Updated Budget	SRF Amount
Test hold Drilling	\$0	\$243,850	\$243,850	\$195,080
Design and Engineering	\$150,000	\$117,150	\$267,150	\$267,150
Land Acquisition	\$50,000	\$200,000	\$250,000	\$250,000
Equipment and Construction	\$1,100,000	(\$1,100,000)	\$0	\$0
Administration	\$50,000	(\$50,000)	\$0	\$0
Contingency	\$0	\$0	\$0	\$0
Total	\$1,350,000	(\$589,000)	\$761,000	\$712,230

Humboldt County purchased Gold Country Water System in September 2023 (FY24). Financials specific to Gold Country are unavailable due to the timing of the sale. Once Humboldt County completes its FY24 audit they will provide DWSRF with the updated financials. Gold Country did satisfy DWSRF financial capacity at the time of purchase. Humboldt County has been maintaining fiscal oversight of operations and rates since then. DWSRF continues to support the project financially.





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Humboldt County

Nitrate Well Project Modification

Revised Commitment \$712,230	Recommendation	
	The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) amend the funding commitment in Resolution D8A-1222 loan commitment to Humboldt County for the development of a new production well to mitigate nitrates.	
\$1,350,000	D8A-1222	Original resolution adopted December 6, 2022
(\$589,000)	D09-0225	DWSRF Principal Forgiveness Loan change

DWSRF Loan Conditions

- 100% of the principal will be forgiven.
- Review user rates at least every three (3) years for the life of the loan.
- Develop and maintain an asset management plan that is reviewed by the governing board at least every five (5) years.
- Maintain a capital replacement reserve account that is funded at least annually and re-evaluated every five (5) years.
- The recipient agrees to draw funds available in this contract within three (3) years from the date of this contract. Funds will be subject to de-obligation and/or review after this time period by the Division.





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Town of Jackpot

Well and Tank Rehabilitation Design

\$423,760

Existing Infrastructure –

- Source water requirements historically provided by four (4) wells
- Water system equipped with two (2) welded steel storage tanks
- The system is near both production and storage capacity – new source and storage tank critically needed

System Needs –

- Proposed design will resolve engineering concerns about the limited water supply and storage
- Design will address a current Technical Treatment Violation of the Ground Water Rule (Safe Drinking Water Act regulations)

Proposed Work –

- This project would be for phase 1 design, hydrological modeling, surveying, and geoen지니어ing for future phase 2 construction of production well and storage tank.
- Phase 1 tasks to include well-site selection, drilling, cathodic protection, SCADA, and construction administration





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Town of Jackpot Well and Tank Rehabilitation

	DWSRF	Other Sources	Total
Design and Engineering	\$423,760	\$171,840	\$595,600
Equipment & Construction	\$0	\$44,770	\$44,770
Administration	\$0	\$19,230	\$19,230
Total	\$423,760	\$235,840	\$659,600

Unrestricted cash
\$1,750,641

Days cash on hand
3,766

**Operating income
(before depreciation)**
\$268,957

Current Ratio
33.67

Debt Service Coverage
4.29

- Water Meters: The City of Jackpot's system is about 90% metered for residential users.
- User rates were approved in 2010 based on flat rates and are sufficient to cover current needs. Jackpot plans to implement meters once project is completed. They intend to update rates based on usage once all meters are installed and ready for use.
- The City of Jackpot is working to complete a current Asset Management Plan.
- The City of Jackpot does have a reserve account. The balance on 6/30/23 was at \$88,366 and is projected to be \$183,211 on 6/30/25 for FY25 close.





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Town of Jackpot

Well and Tank Rehabilitation

Total Commitment \$423,760	Recommendation The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) approve a loan commitment to the Town of Jackpot for design and geoengineering for a new well and a tank.	
Amount	Resolution	Program and Terms
\$423,760.00	D10-0225	DWSRF Principal Forgiveness Loan

DWSRF Loan Conditions

- 100% of the principal will be forgiven.
- Review user rates at least every three (3) years for the life of the loan.
- Develop and maintain an asset management plan that is reviewed by the governing board at least every five (5) years.
- Maintain a capital replacement reserve account that is funded at least annually and re-evaluated every five (5) years.
- The recipient agrees to draw funds available in this contract within three (3) years from the date of this contract. Funds will be subject to de-obligation and/or review after this time period by the Division.





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Weed Heights Development

Back Up Power Supplies

\$500,000

Existing Infrastructure –

- Two (2) wells
- Arsenic Treatment and a Chlorinator
- One (1) two-million-gallon storage tank
- Two (2) booster pump stations
- Transmission and distribution pipelines

System Needs –

- Four (4) Backup Power Generators
 - One for each of two (2) wells
 - One for each of two (2) booster pump facilities
- Health and safety risk for residents
- High probability of NV Energy rolling blackouts (*during high wind and high fire danger events*)
- Satisfies NAC 445A.6705.2 a & b requirements

Proposed Improvements –

- Project includes the acquisition and installation of four (4) backup power sources





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Weed Heights Development Back Up Power Supplies

	DWSRF	Other Sources	Total
Equipment & Construction	\$435,400	\$0	\$435,400
Contingency	\$64,600	\$0	\$64,600
Total	\$500,000	\$0	\$500,000

Unrestricted cash
\$718,040

Days cash on hand
196

**Operating income
(before depreciation)**
\$201,908

Current Ratio
6.28

Debt Service Coverage
N/A

- Weed Heights is a Development company and does not have individual meters for residents.
- User rates are allocated from monthly rental fees. As of 3/1/23 a \$60 water fee is allocated toward all water usage.
- Weed Heights Development has an Asset Management Plan updated as of June 2023.
- Weed Heights does have a reserve account with a current balance of \$109,308. They are aware of the DWSRF requirements for the account.





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Weed Heights Development Back Up Power Supplies

Total Commitment \$500,000	Recommendation The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) approve a loan commitment to Weed Heights Development for back-up power supplies.	
Amount	Resolution	Program and Terms
\$500,000	D11-0225	DWSRF Principal Forgiveness Loan

DWSRF Loan Conditions

- 100% of the principal will be forgiven.
- Review user rates at least every three (3) years for the life of the loan.
- Develop and maintain an asset management plan that is reviewed by the governing board at least every five (5) years.
- Maintain a capital replacement reserve account that is funded at least annually and re-evaluated every five (5) years.
- The recipient agrees to draw funds available in this contract within three (3) years from the date of this contract. Funds will be subject to de-obligation and/or review after this time period by the Division.





Language Access Plan

Agenda Item 12

Senate Bill 318 (SB318), signed into law during the 2021 Nevada Legislative Session, requires all state agencies to create a Language Access Plan (LAP) to improve access to government services, programs, and information for Nevadans with Limited English Proficiency (LEP).

According to the Governor's Office of New Americans, approximately 300,000 Nevadan's are considered LEP.

The policy is intended to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English.





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Language Access Plan

NDEP is inviting comment on the attached LAP for the Board.

- The proposed LAP follows the template developed by the Nevada Initiative for Language Access. It contains the following elements:
 - Purpose and authority for the document
 - General policy
 - Profile of the Board's LEP clients
 - LAP services and procedures
 - LAP implementation
 - LAP evaluation
- The Language Access Coordinator would be the Advisor to the Board.
- Staff will track the languages preferred for communication among the individuals with business before the Board.
- Staff will utilize one of the active statewide contracts for translation and interpreter services offered by the state.
- The LAP will be reviewed every six months for changes or updates.

The LAP is due to the Governor's Office at the end of FY 2025 (June 30, 2025).

- NDEP will post the LAP for 60 days for public comment.
- NDEP will present the LAP at the May 21, 2025 Board meeting for adoption. NDEP will transmit the LAP to the Governor's Office on the Board's behalf.
- NDEP will prepare the necessary budget adjustments to ensure funds are available to satisfy the requirements in the policy.





Capital Improvements Grant Program

Governor's Executive Budget Recommendation.....\$33,900,000

Director Settlemeyer, along with the Governor's Finance Office, are asking to have commitments in place for projects moving forward, prior to the bonds being issued.

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Staff recommends the following:

- Splitting the issuance of the authorization between two years.
- Inform potential recipients of the program to submit a Letter of Intent in NIFS.

For Year One Funding

- Staff would present the Letter of Intent to the Board for approval through a resolution at the **May 21, 2025** meeting.
 - Existing Nevada Administrative Code has two-step approval process for a grantee. The first step is for the Board to approve the Letter of Intent (NAC 349.485).
 - The resolution would contain language indicating that bonding should be requested to support the project, and the grant application must be submitted to NDEP no later than **July 3, 2025**.
- Present the Grant Applications to the Board for approval through a resolution at the **August 20, 2025** meeting.
 - Contracts would be contingent upon bond sale.





Capital Improvements Grant Program

Governor's Executive Budget Recommendation.....\$33,900,000

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For Year Two Funding

- Staff would present the Letter of Intent to the Board for approval through a resolution at the **February 2026** meeting. (Deadline to NDEP is around the first of the year).
 - The resolution would contain language indicating that bonding should be requested to support the project, and the grant application must be submitted to NDEP no later than early **April 2026**.
- Present the Grant Applications to the Board for approval through a resolution at the **May 2026** meeting.
 - Contracts would be contingent upon bond sale.

Moving Forward

This process would be used for requesting the amount of bond issuances. It would not restrict the Board from adding, amending, or de-obligating projects.

Staff would like to entertain a Board Policy that would allow the Letter of Intent and Grant Application to be presented simultaneously, should it be in the best interest of the project and program.



Nevada Department of
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Capital Improvements Grant Program

Director Settlemeyer is encouraging the Board to consider more language in the grant contracts to ensure funds are spent timely, or provide authority to manage the cash quickly, should the project experience delays. This will protect the program against arbitrage or lack of support for more funding.

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Staff Recommends

- Grant funding agreements would only be for a three-year timeframe, with extensions only granted by the Board under certain circumstances.
- Requiring recipients to agree to a draw timeline at the beginning that becomes binding in the contract.
 - Should the timeline not be met over two consecutive quarters, or sooner depending upon the project specific situations, staff would be able to bring the project before the Board for review, and possible de-obligation of funding.
- Allowing the director the authority to increase contracts beyond the amount not-to-exceed by 30% or \$2,000,000, whichever is less, without further Board action.



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Legislative Discussion

Assembly Bill (A.B.)104 Revises Provisions Relating to Water

- Section 16 proposes amendments to NRS 349.981:
 - An eligible recipient:
 - ~~[Recovery]~~ *Recovering* or recycling ~~[of]~~ wastewater or tailwater
 - ~~[Measurement]~~ *Measuring* or metering ~~[of]~~ the use of water
 - Improving the efficiency of irrigation operations; ~~[and]~~
 - *(7) Removing grass and replacing grass with water-efficient landscaping, if the removal of the grass is secured by a conservation easement; and*
 - *(8) Permanently retiring groundwater rights pursuant to section 4 of this act to:*
 - (I) Protect the natural resources of this State;*
 - (II) Bring groundwater basins that have been overpumped back in hydrographic balance;*
 - (III) Address conflicts with existing rights or with protectable interests in existing domestic wells; or*
 - (IV) Prevent overappropriated basins from becoming overpumped.*
 - An eligible recipient to pay the following costs associated with connecting a domestic well or well with a ~~[temporary]~~ *revocable* permit to a municipal water system, if the well was in existence on or before October 1, 1999, and the well is located in an area designated by the State Engineer pursuant to NRS 534.120 as an area where the groundwater basin is being depleted.





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Legislative Discussion

Assembly Bill (A.B.)104 Revises Provisions Relating to Water

- Section 17 proposes amendments to NRS 349.981:
 - (3) Each recipient of a grant pursuant to ~~[paragraph (a) of subsection 1 of]~~ NRS 349.981 shall provide an amount of money for the same purpose. The Board shall develop a scale to be used to determine that amount, but the recipient must not be required to provide an amount less than 15 percent or more than 75 percent of the total cost of the project for which the grant is awarded. The scale must be based upon the average household income of the customers of the recipient and provide adjustments for the demonstrated economic hardship of those customers, the existence of an imminent risk to public health and any other factor that the Board determines to be relevant.



Legislative Discussion

Senate Bill (S.B.)78 Revises Provisions Relating to boards, commissions, councils and similar bodies

- *Section 7 proposes amendments to NRS 232:*

- (1) The Office shall periodically conduct a review of each board, commission, council and similar body in this State within the Executive Department of the State Government which is not provided for in the Nevada Constitution or established by an executive order of the Governor to determine whether the board, commission, council or similar body should be terminated, modified, consolidated with another board, commission, council or similar body or continued.*
- (2) A review conducted pursuant to subsection 1 must include, without limitation:*
 - a) An evaluation of the:*
 - 1. Effectiveness and relevance of the board, commission, council or similar body.*
 - 2. Usefulness and performance of the board, commission, council or similar body.*
 - 3. Cost and resource utilization of the board, commission, council or similar body.*
 - 4. Amount and quality of stakeholder and public engagement of the board, commission, council or similar body.*
 - b) A comparative analysis between the board, commission, council or similar body and other comparable boards, commissions, councils or similar bodies.*
- 3) A board, commission, council or similar body shall cooperate with the Office in the conducting of a review pursuant to subsection 1 and shall submit to the Office, upon request, any information the Office deems necessary for the conducting of the review.*
- 4) A board, commission, council or similar body subject to a review by the Office has the burden of proving that its continuing existence is justified.*



Legislative Discussion

Senate Bill (S.B.)78 Revises Provisions Relating to boards, commissions, councils and similar bodies

- *Section 8 proposes amendments to NRS 232:*
 - (1) *The Office shall establish a schedule for conducting reviews pursuant to section 7 of this act. The schedule must provide for conducting a review of any advisory body that is subject to termination pursuant to a provision of state legislation described in section 29 of this act before the date on which the board, commission, council or similar body is set to terminate.*
- *Section 9 proposes amendments to NRS 232:*
 - (1) *Except as otherwise provided in subsection 2, at the conclusion of a review conducted pursuant to section 7 of this act, the Deputy Director shall submit to the Governor a recommendation as to whether the board, commission, council or similar body should be terminated, modified, consolidated with another board, commission, council or similar body or continued. The Governor shall, if necessary, request the drafting of a legislative measure pursuant to NRS 218D.175 to effectuate the recommendation.*





Agenda 15:

Board Discussion



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Agenda 16:

Public Comment

Those wishing to make public comment that are participating remotely may do so by calling in (775) 321-6111 and using meeting extension 339 450 839#, or by raising your hand through the TEAMS module so the moderator may call on you.

Members of the public will be invited to speak before the board; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three (3) minutes per person at the discretion of the chair. Additional comments may be submitted to the board for inclusion in the minutes.





Future Board Meetings

Status	Date of Meeting	Loan Applications Due Date
Completed	Wednesday, February 19, 2025	Friday, January 3, 2025
Confirmed	Wednesday, May 21, 2025	Friday, April 4, 2025
Confirmed	Wednesday, August 20, 2025	Thursday, July 3, 2025
Confirmed	Wednesday, November 19, 2025	Friday, October 3, 2025

