

446A.073 TOTAL MAXIMUM DAILY LOAD GRANTS.

Subdivision 1. **Program established.** When money is appropriated for grants under this program, the authority must make grants up to a maximum of \$3,000,000 to governmental units to cover up to one-half the cost of wastewater treatment or stormwater projects made necessary by wasteload reductions under total maximum daily load plans required by section 303(d) of the federal Clean Water Act, United States Code, title 33, section 1313(d).

Subd. 2. **Grant application.** Application for a grant must be made to the authority on forms prescribed by the authority for the total maximum daily load grant program, with additional information as required by the authority, including a project schedule and cost estimate for the work necessary to comply with the point source wasteload allocation. The Pollution Control Agency shall:

- (1) in accordance with section 116.182, calculate the essential project component percentage, which must be multiplied by the total project cost to determine the eligible project cost; and
- (2) review and certify to the authority those projects that have plans and specifications approved under section 115.03, subdivision 1, paragraph (f).

Subd. 3. **Project priorities.** When money is appropriated for grants under this program, the authority shall accept applications during the month of July and reserve money for projects expected to proceed with construction by the end of the fiscal year in the order listed on the Pollution Control Agency's project priority list, provided the project is included in a total maximum daily load plan that has been approved by the United States Environmental Protection Agency at the time the appropriation became law and in an amount based on the cost estimate submitted to the authority in the grant application or the as-bid costs, whichever is less.

Subd. 4. **Grant approval.** The authority must make a grant to a governmental unit, as defined in section 116.182, subdivision 1, only after:

- (1) the commissioner of the Pollution Control Agency has certified to the United States Environmental Protection Agency a total maximum daily load plan for identified waters of this state that includes a point source wasteload allocation;
- (2) the Environmental Protection Agency has approved the plan;
- (3) a governmental unit affected by the plan has submitted the as-bid cost for the wastewater treatment or storm water projects necessary to comply with the point source wasteload allocation;
- (4) the Pollution Control Agency has approved the as-bid costs and certified the grant eligible portion of the project; and

(5) the authority has determined that the additional financing necessary to complete the project has been committed from other sources.

Subd. 5. **Grant disbursement.** Disbursement of a grant must be made for eligible project costs as incurred by the governmental unit and in accordance with a project financing agreement and applicable state and federal laws and rules governing the payments.

History: 2005 c 20 art 1 s 39; 2006 c 251 s 12,13; 2007 c 96 art 1 s 7