

MUNICIPAL FACILITIES REVOLVING LOAN FUND  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF LOUISIANA



FINANCIAL STATEMENT AUDIT  
ISSUED SEPTEMBER 17, 2008

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LOUISIANA LEGISLATIVE AUDITOR  
STEVE J. THERIOT, CPA

July 8, 2008

Independent Auditor's Report  
on the Financial Statements

**MUNICIPAL FACILITIES REVOLVING LOAN FUND**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**STATE OF LOUISIANA**  
Baton Rouge, Louisiana

We have audited the accompanying financial statements of the Louisiana Department of Environmental Quality - Municipal Facilities Revolving Loan Fund, as of and for the year ended June 30, 2007, as listed in the table of contents. These financial statements are the responsibility of management of the Municipal Facilities Revolving Loan Fund program. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As discussed in note 1, the accompanying financial statements present only the Municipal Facilities Revolving Loan Fund, and do not purport to, and do not, present fairly the financial position of the State of Louisiana or the Louisiana Department of Environmental Quality and its changes in financial position, including cash flows, in conformity with accounting principles generally accepted in the United States of America.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Louisiana Department of Environmental Quality - Municipal Facilities Revolving Loan Fund as of June 30, 2007, and its changes in financial position, including cash flows, for the year then ended in conformity with accounting principles generally accepted in the United States of America.

During August and September of 2005, the State of Louisiana suffered considerable damage from two major hurricanes, Katrina and Rita, resulting in the President of the United States declaring Louisiana a major disaster area. Because of the severity of these two separate events and the resulting losses sustained, it is unknown exactly what economic impact recovery will have on state and local governmental operations in Louisiana. While there was no direct impact on the Municipal Facilities Revolving Loan Fund, the long-term effects of these events directly on the fund cannot be determined at this time.

In accordance with *Government Auditing Standards*, we have also issued a report dated July 8, 2008, on our consideration of the Municipal Facilities Revolving Loan Fund's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, and contracts, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in assessing the results of our audit.

In addition, we have issued a report dated July 8, 2008, on our consideration of the Municipal Facilities Revolving Loan Fund's internal control over compliance with certain laws and regulations, and our tests of its compliance with those laws and regulations, in accordance with the *Environmental Protection Agency Audit Guide for Clean Water and Drinking Water State Revolving Fund Programs*.

Respectfully submitted,



Steve J. Theriot, CPA  
Legislative Auditor

LCW:EM:THC:dl

MFRLF07

**MUNICIPAL FACILITIES REVOLVING LOAN FUND  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF LOUISIANA  
PROPRIETARY FUND - ENTERPRISE FUND**

**Statement of Net Assets, June 30, 2007**

**ASSETS**

Current assets:

|                                        |               |
|----------------------------------------|---------------|
| Cash in state treasury (note 2)        | \$129,348,832 |
| Receivables - due from others (note 3) | 1,973,002     |
| Current loans receivable (note 4)      | 11,129,654    |
| Total current assets                   | 142,451,488   |

|                                               |             |
|-----------------------------------------------|-------------|
| Noncurrent assets - loans receivable (note 4) | 221,557,974 |
| Total assets                                  | 364,009,462 |

**LIABILITIES**

|                                                             |        |
|-------------------------------------------------------------|--------|
| Current liabilities - accounts payable and accrued expenses | 30,555 |
|-------------------------------------------------------------|--------|

|                                  |                      |
|----------------------------------|----------------------|
| <b>NET ASSETS - unrestricted</b> | <b>\$363,978,907</b> |
|----------------------------------|----------------------|

The accompanying notes are an integral part of this statement.

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**MUNICIPAL FACILITIES REVOLVING LOAN FUND  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF LOUISIANA  
PROPRIETARY FUND - ENTERPRISE FUND**

**Statement of Revenues, Expenses, and  
Changes in Fund Net Assets  
For the Fiscal Year Ended June 30, 2007**

**OPERATING REVENUES**

|                                           |                   |
|-------------------------------------------|-------------------|
| Interest earned on loans receivable       | \$7,235,413       |
| Interest earned on cash in state treasury | 5,990,581         |
| Total operating revenues                  | <u>13,225,994</u> |

**OPERATING EXPENSES**

|                                  |                |
|----------------------------------|----------------|
| Administrative expenses (note 8) | 399,177        |
| Bond issue cost                  | 58,296         |
| Total operating expenses         | <u>457,473</u> |

|                         |            |
|-------------------------|------------|
| <b>OPERATING INCOME</b> | 12,768,521 |
|-------------------------|------------|

|                       |                  |
|-----------------------|------------------|
| Capital contributions | <u>9,866,034</u> |
|-----------------------|------------------|

|                             |            |
|-----------------------------|------------|
| <b>CHANGE IN NET ASSETS</b> | 22,634,555 |
|-----------------------------|------------|

|                                       |                    |
|---------------------------------------|--------------------|
| <b>NET ASSETS - BEGINNING OF YEAR</b> | <u>341,344,352</u> |
|---------------------------------------|--------------------|

|                                 |                             |
|---------------------------------|-----------------------------|
| <b>NET ASSETS - END OF YEAR</b> | <u><u>\$363,978,907</u></u> |
|---------------------------------|-----------------------------|

The accompanying notes are an integral part of this statement.

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**MUNICIPAL FACILITIES REVOLVING LOAN FUND  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF LOUISIANA  
PROPRIETARY FUND - ENTERPRISE FUND**

**Statement of Cash Flows  
For the Fiscal Year Ended June 30, 2007**

**CASH FLOWS FROM OPERATING ACTIVITIES:**

|                                                       |                   |
|-------------------------------------------------------|-------------------|
| Cash received from borrowers                          | \$22,544,142      |
| Cash received from interest on cash in state treasury | 5,882,221         |
| Cash payments for administrative expenses             | (361,858)         |
| Cash payments to borrowers                            | (17,157,121)      |
| Net cash provided by operating activities             | <u>10,907,384</u> |

**CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:**

|                                                      |                   |
|------------------------------------------------------|-------------------|
| Capital contributions                                | 10,445,778        |
| Proceeds from sale of bonds                          | 3,942,342         |
| Interest and fees paid on bonds                      | (638)             |
| Principal paid on bonds                              | (4,000,000)       |
| Net cash provided by noncapital financing activities | <u>10,387,482</u> |

Net increase in cash 21,294,866

Cash at beginning of the year 108,053,966

Cash at end of the year \$129,348,832

**RECONCILIATION OF OPERATING INCOME TO NET CASH  
USED BY OPERATING ACTIVITIES:**

|                                                       |              |
|-------------------------------------------------------|--------------|
| Operating income                                      | \$12,768,521 |
| Bond issuance costs and related fees                  | 58,296       |
| Changes in assets and liabilities:                    |              |
| (Increase) in loans receivable                        | (1,742,543)  |
| (Increase) in due from others and accounts receivable | (181,388)    |
| Increase in accounts payable and accrued expenses     | 4,498        |

**NET CASH PROVIDED BY OPERATING ACTIVITIES** \$10,907,384

The accompanying notes are an integral part of this statement.

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## INTRODUCTION

The Louisiana Department of Environmental Quality (DEQ) is a department of the State of Louisiana. DEQ was created in accordance with Louisiana Revised Statute (R.S.) 30:2011 as a part of the executive branch of government. DEQ is charged with environmental protection within the State of Louisiana.

The Municipal Facilities Revolving Loan Fund (MFRLF) program was established pursuant to Title VI of the Clean Water Act, as amended in 1987 (the Act). The MFRLF program presently operates under R.S. 30:2078-2089. These statutes establish a state revolving loan fund capitalized by federal grants (Capitalization Grants for Clean Water State Revolving Funds, CFDA 66.458), by state funds when required or available, and by any other funds generated by the operation of the clean water revolving loan fund. DEQ is authorized to engage in activities regarding the sums on deposit in, credited to, or to be received by the state revolving loan fund. The Financial Services and Waste Permits Divisions within DEQ are responsible for the operations of the MFRLF program in the State of Louisiana. These divisions within DEQ provide assistance to municipalities in the development, financing, and implementation of wastewater treatment management plans and plants. Engineering oversight, design review and inspection services as well as environmental assessment services are provided by the Waste Permits Division and grant management, program administration and financial services are provided by the Financial Services Division on eligible wastewater treatment projects. All efforts are directed toward improving water quality by assisting communities in providing wastewater treatment processes that meet established effluent limits and achieve the goals of the Clean Water Act.

The MFRLF does not have any full-time employees. However, time spent on the MFRLF program by employees of DEQ is captured and the MFRLF subsequently reimburses DEQ for salaries and benefits and other operating expenses of the fund.

### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### A. BASIS OF PRESENTATION

The accompanying financial statements have been prepared on the full accrual basis in accordance with accounting principles generally accepted in the United States of America as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting principles and reporting standards. These principles are found in the *Codification of Governmental Accounting and Financial Reporting Standards*, published by the GASB. Management of the fund applies all GASB pronouncements as well as Financial Accounting Standards Board (FASB) statements and interpretations issued on or before November 30, 1989, unless those pronouncements conflict with or contradict GASB pronouncements. Management has elected to follow GASB statements issued after November 30, 1989, rather than the FASB statements.

**B. REPORTING ENTITY**

GASB Codification Section 2100 establishes criteria for determining the governmental reporting entity and has defined the governmental reporting entity to be the State of Louisiana. The accompanying financial statements represent activity of a fund of the State of Louisiana that is administered by DEQ, a department within state government. The MFRLF is part of the primary government of the State of Louisiana.

Annually, the State of Louisiana issues a comprehensive annual financial report, which includes the activity contained in the accompanying financial statements. Those basic financial statements are audited by the Louisiana Legislative Auditor.

**C. FUND ACCOUNTING**

For the purposes of this report, the MFRLF uses a single proprietary (enterprise) fund. Proprietary funds are used to account for operations that are (a) financed and operated in a manner similar to private business enterprises where the intent of the governing body is that costs of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

**D. BASIS OF ACCOUNTING**

Basis of accounting refers to when revenues and expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied. The transactions of the MFRLF are accounted for on a flow of economic resources measurement focus. With this measurement focus, all assets and liabilities associated with the operations are included on the Statement of Net Assets.

The MFRLF uses the accrual basis of accounting. Revenues are recognized in the accounting period when they are earned and expenses are recognized when the related liability is incurred.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and/or producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the MFRLF are interest earnings. Operating expenses include the administrative expenses of the program and bond issuance and related costs, as applicable. Any revenues and expenses not meeting this definition would be reported as nonoperating revenues and expenses.

## **E. BUDGETS AND BUDGETARY ACCOUNTING**

The MFRLF is budgeted annually by the Louisiana Legislature through the Ancillary Appropriations Act. The Ancillary Appropriations Act (Act 48 of the 2007 Regular Session as amended) authorized expenditures of \$45,000,000 for the loan program for fiscal year 2006-2007 and allows the fund to retain resources to fund future loans and eligible program activities. Because the fund is an enterprise fund, a budgetary comparison is neither required nor presented in the financial statements.

## **F. LOANS RECEIVABLE**

The MFRLF is operated as a direct loan program. The program provides loans and other financial assistance to municipalities for the purpose of planning, constructing publicly owned treatment works, implementing nonpoint source pollution management programs, and developing and implementing estuary conservation and management plans.

The program lends federal and state monies directly to municipalities. For every \$5 provided by the federal government, the state is required to provide a matching share of \$1. The effective match share reflects a federal rate of 83.33% and a state rate of 16.67%. Recycling of principal and interest repayments from borrowing municipalities allows the program to operate in perpetuity thereby benefiting other municipalities wishing to borrow in the future. Borrowers pay principal and interest directly to the loan program, and all monies are deposited directly to the program. Principal repayments can only be used to make additional loans to municipalities. Interest earnings on investments and loans can also be used to make additional loans. In addition, with Environmental Protection Agency (EPA) approval, interest earnings on investments and loans are used to pay off revenue bonds sold to capitalize the program by providing state matching funds.

The loans made by the MFRLF must be made at or below market interest rate with a repayment period not exceeding 20 years plus an interim construction-financing period. A variable rate based on the Baa 20-year bond rate listed in the "Bond Buyer Index" one week prior to loan closing was introduced during fiscal year 2005. The .50% administrative fee was added to this rate to determine the total rate charged. The rate was adjusted annually in accordance with the rates forecast by the "Index" at the closing date. This rate allowed a lower rate during the early construction years and has been used on all loans closed beginning with fiscal year 2005 until October 1, 2006, when the rate of 2.95% was implemented.

The present permanent finance charge on all loans is 2.95% and is stated in loan documents as 2.45% interest plus a .50% administrative fee charged only on loan monies drawn. The present rate was set by the secretary of the department on October 11, 2006.

As evidence of its obligations to pay principal and interest on the loans, each borrower must establish a dedicated source of revenue for repayment of the loan [33 USC 1383(d)(1)(C)]. For substantially all of these loans, the loan recipient issues bonds that

are purchased by DEQ, as administrator of the MFRLF, to secure the repayment of the principal loaned. Principal and interest on the bonds are paid to the MFRLF and upon repayment of the loan, the bonds are returned to the loan recipient. Minimum required coverage ratios are established depending on the nature of the bonded indebtedness issued by the loan recipient as follows:

For limited tax bonds, the principal and interest due in any year on the amount borrowed shall not exceed 75% of the revenues estimated to be received from the levy of the pledged millage in the year in which the indebtedness is issued (R.S. 39:742.2).

For sales tax bonds, the total amount of principal and interest falling due in any year, together with principal and interest falling due in such year on any previously issued sales tax bonds, shall never exceed 75% of the amount of sales tax revenues estimated by the governing authority of the issue to be received by it in the calendar year in which the bonds are issued (R.S. 39:698.4).

For revenue bonds, the requirements for coverage are established contractually in the loan documents (R.S. 39:1019). Expected coverage ratios might range from 110% to 130% or more. The MFRLF goal for collections of the dedicated revenues for repayment of the loan secured by revenue bonds is 125%; however, many factors can create deviation from this goal. It is customary to use the same minimum required coverage ratio as was previously established for outstanding debt of the loan recipient.

For general obligation bonds, the requirements for coverage are statutorily set. The governing authority of the issuer is required to impose and collect annually, in excess of all other taxes, a tax on all property subject to taxation by the issuer sufficient in amount to pay the interest and the principal falling due each year, or such amount as may be required for any sinking fund necessary to retire said bonds at maturity (R.S. 39:569). Typically, the bond millage is adjusted each year so as to generate enough revenues to pay debt service in the ensuing calendar year. No coverage requirements or debt service reserves exist because the tax can be adjusted each year *without any limitation whatsoever* to collect the appropriate amount each year.

In the case of sales tax bonds and revenue bonds, each loan recipient is also required to set up a debt service reserve fund equal to 10% of the loan amount or one year's principal and interest for the purpose of paying principal and interest should the dedicated revenues be insufficient for that purpose. The requirement to maintain a debt service reserve fund is not statutorily required but is usual and customary for these kinds of indebtedness.

Because of the reserve requirements and the absence of any delinquent loans, there is no provision for uncollectible amounts.



**G. NET ASSETS**

Net assets comprise the various net earnings from operations, nonoperating revenues, and contributions of capital. Net assets generally are classified in the following components:

Invested in capital assets, net of related debt consists of all capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.

Restricted net assets consist of net assets subject to external constraints placed on net asset use by creditors, grantors, contributors or law or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.

Unrestricted net assets consist of all other net assets that are not included in the other categories previously mentioned.

**H. CAPITAL CONTRIBUTIONS**

The funds drawn for loans from the EPA capitalization grants authorized by Title VI of the Clean Water Act, as amended in 1987, are recorded as capital contributions.

**I. CAPITAL ASSETS**

The MFRLF has no capital assets or long-term obligations at June 30, 2007.

**J. COMPENSATED ABSENCES**

The MFRLF has no full-time employees. The fund pays a portion of the salary of various employees of DEQ for administrative services. Therefore, no compensated absences, pension benefits, or postretirement benefits are provided by the fund.

**K. ESTIMATES**

The preparation of financial statements requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

**2. CASH**

As reflected on Statement A, the MFRLF has cash totaling \$129,348,832 at June 30, 2007. All monies of the fund are deposited with the State Treasurer's Office. Cash balances are held and controlled by the state treasurer and are secured from risk by the state treasurer through separate custodial agreements, and the risk disclosures required by accounting principles generally accepted in the United States are included within the State of Louisiana's financial statements.

**3. DUE FROM OTHERS**

As shown on Statement A, the MFRLF has a total due from others of \$1,973,002. This total is comprised of the following:

|                                                   |                           |
|---------------------------------------------------|---------------------------|
| Due from municipalities for interest due on loans | \$1,413,954               |
| Due from state treasury                           | 531,086                   |
| Due from federal government                       | <u>27,962</u>             |
| Total due from others                             | <u><u>\$1,973,002</u></u> |

**4. LOANS RECEIVABLE**

The MFRLF makes loans to qualified political subdivisions of the State of Louisiana for projects that meet the eligibility requirements of the program. Loans are financed by capitalization grants, state match, and revolving funds. Effective interest rates on loans vary between 2.95% and 5.5% and are generally repaid over 20 years starting within one year after the project is completed. Details of loans receivable as of June 30, 2007, are as follows:

|                        |                             |
|------------------------|-----------------------------|
| Completed projects     | \$149,167,899               |
| Projects in progress   | <u>83,519,729</u>           |
| Total loans receivable | <u><u>\$232,687,628</u></u> |

Loans mature at various intervals through September 1, 2028. The scheduled principal payments on loans maturing in subsequent years are as follows:

|                      | <u>Projects in<br/>Progress</u> | <u>Completed<br/>Projects</u> | <u>Total</u>                |
|----------------------|---------------------------------|-------------------------------|-----------------------------|
| Year ending June 30: |                                 |                               |                             |
| 2008                 | \$1,296,000                     | \$9,833,654                   | \$11,129,654                |
| 2009                 | 1,926,000                       | 10,196,942                    | 12,122,942                  |
| 2010                 | 2,013,071                       | 10,727,384                    | 12,740,455                  |
| 2011                 | 4,273,000                       | 11,065,984                    | 15,338,984                  |
| 2012                 | 4,438,000                       | 11,423,745                    | 15,861,745                  |
| Thereafter           | <u>69,573,658</u>               | <u>95,920,190</u>             | <u>165,493,848</u>          |
| Total                | <u><u>\$83,519,729</u></u>      | <u><u>\$149,167,899</u></u>   | <u><u>\$232,687,628</u></u> |

**Encumbered Balances**

Approximately 53% of cash and undrawn capitalization grants are encumbered as follows:

Funds Encumbered

|                                         |                      |
|-----------------------------------------|----------------------|
| 1. Cash and cash equivalents            | \$129,348,832        |
| 2. Undrawn capitalization grants        | 29,579,869           |
| 3. Total cash and undrawn grants        | <u>\$158,928,701</u> |
| 4. Loan in progress - encumbered        | <u>25,690,271</u>    |
| 5. Loans (4) as percentage of total (3) | 16.16%               |

The Loans in Progress - Encumbered represents the projects that are under construction and have only drawn a portion of the total approved loan amount. This figure consists of the total approved principal less the principal loaned to date.

**Loans to Local Governments**

As of June 30, 2007, the MFRLF had made loans to 22 municipalities that, in aggregate, exceeded or equaled \$4.5 million for each municipality. The outstanding balances of these loans represent approximately 93% of the total loans receivable as follows:

| <u>Local Government</u>              | <u>Authorized<br/>Loan Amount</u> | <u>Balance on Loans<br/>Outstanding</u> |
|--------------------------------------|-----------------------------------|-----------------------------------------|
| Shreveport                           | \$71,200,372                      | \$48,025,887                            |
| Monroe                               | 48,000,000                        | 35,363,439                              |
| St. Charles Parish                   | 47,300,000                        | 15,695,000                              |
| Ruston                               | 24,137,282                        | 12,538,692                              |
| New Iberia                           | 24,000,000                        | 18,669,966                              |
| Natchitoches                         | 19,169,136                        | 3,054,150                               |
| Lafayette                            | 18,113,260                        | 11,015,000                              |
| Kenner                               | 12,890,678                        | 6,680,000                               |
| Bogalusa                             | 12,499,105                        | 8,329,105                               |
| Opelousas                            | 11,897,396                        | 8,925,726                               |
| Bossier City                         | 9,211,922                         | 7,127,792                               |
| Crowley                              | 8,850,000                         | 5,498,973                               |
| Slidell                              | 7,998,177                         | 6,045,000                               |
| Bastrop                              | 7,500,000                         | 4,290,000                               |
| Gonzales                             | 7,294,064                         | 4,084,064                               |
| Walker                               | 6,888,527                         | 5,450,527                               |
| Jennings                             | 6,500,000                         | 3,410,000                               |
| Rayne                                | 6,450,000                         | 3,700,000                               |
| Springhill                           | 6,279,304                         | 3,315,000                               |
| Caddo-Bossier Port Commission        | 6,250,329                         | 3,265,000                               |
| East Baton Rouge Sewerage Commission | 5,671,062                         |                                         |
| Leesville                            | <u>4,710,000</u>                  | <u>1,155,000</u>                        |
| Total                                | <u>\$372,810,614</u>              | <u>\$215,638,321</u>                    |

**5. REIMBURSEMENTS DUE TO MUNICIPALITIES FOR CONSTRUCTION**

At June 30, 2007, no approved loan disbursement requests are in process.

**6. LONG-TERM OBLIGATIONS**

The MFRLF is allowed by statute to incur indebtedness but not allowed to issue bonds directly. To provide state matching funds when direct cash appropriations were not available, DEQ received approval from the EPA to borrow matching funds. The secretary of DEQ, through a Resolution by Executive Order pursuant to R.S. 30:2078 *et seq.*, was authorized, for state matching purposes, to borrow through the issuance of the department's note to the Louisiana Public Facilities Authority (LPFA), a conduit issuer of serial bonds for the department and the state.

The first serial bond issue was called Louisiana Public Facilities Authority Taxable Revenue Bonds (MFRLF Match Project) Series 1995. This indebtedness was secured solely from the pledge of a portion of the revenues received by the department from loans made by the program. The LPFA is a public trust and public corporation organized and existing for the benefit of the State of Louisiana. In accordance with the \$15,000,000 Loan Agreement between the LPFA and the department and in accordance with the \$15,000,000 Indenture of Trust between the LPFA and First National Bank of Commerce, the trustee, the LPFA issued serial bonds for \$15,000,000 and was repaid the \$15,000,000 by June 30, 1999. As of June 30, 2007, a total of \$14,654,221 had been generated for matching fund purposes by the issuance of these serial bonds.

The second serial bond titled Louisiana Public Facilities Authority Revenue Bonds (MFRLF Match Project) Series 2001 was issued during the fiscal year ending June 30, 2002. The Loan Agreement between the LPFA and DEQ was for a total of \$12,000,000 of which \$3,000,000 was issued during the fiscal year ending June 30, 2002. An additional \$6,000,000 was issued during the fiscal year ending June 30, 2003. No bonds were issued during the fiscal years ending June 30, 2004, and June 30, 2005. An additional \$3,000,000 was issued during the fiscal year ending June 30, 2006. The \$12,000,000 Indenture of Trust was issued between the LPFA and Hancock Bank of Louisiana. As of June 30, 2007, a total of \$11,757,295 was generated for matching fund purposes by the issuance of these serial bonds.

The third serial bond was called Louisiana Public Facilities Authority Revenue Bonds (MFRLF Match Project) Series 2007 and was issued during the fiscal year ending June 30, 2007. The Loan Agreement between the LPFA and DEQ was for a total of \$10,000,000 of which \$4,000,000 was issued during the fiscal year ending June 30, 2007. The \$10,000,000 Indenture of Trust was issued between the LPFA and Hancock Bank of Louisiana. As of June 30, 2007, a total of \$3,941,704 was generated for matching fund purposes by the issuance of these serial bonds. Additional issuance from this series may be issued as needed for future state matching purposes. All debt issued has been repaid; therefore, no liability exists at June 30, 2007.

## 7. CAPITAL CONTRIBUTIONS, MATCHING, AND NET ASSETS

The MFRLF has been awarded 18 federal grants from the EPA. These grants are available through the EPA's Automated Clearing House Payment System (ACH) and the Automated Standard Application for Payments (ASAP). These grants are authorized by Title VI of the Clean Water Act, as amended in 1987 and require matching funds from the state. As of June 30, 2007, the EPA has awarded grants of \$285,815,768 to the state, of which \$256,235,899 has been drawn for loans and administrative expenses. The state has provided matching funds of \$57,106,806. The following summarizes the grants awarded, amounts drawn on each grant as of June 30, 2007, and balances available for future loans:

| Year | Grant Amount         | Cumulative<br>Dollar Drawn<br>as of<br>June 30, 2006 | Current Fiscal<br>Year Draws | Cumulative<br>Dollars Drawn<br>as of<br>June 30, 2007 | Remaining<br>Grant Dollars<br>Available<br>as of<br>June 30, 2007 |
|------|----------------------|------------------------------------------------------|------------------------------|-------------------------------------------------------|-------------------------------------------------------------------|
| 1988 | \$12,000,000         | \$12,000,000                                         |                              | \$12,000,000                                          |                                                                   |
| 1989 | 10,368,765           | 10,368,765                                           |                              | 10,368,765                                            |                                                                   |
| 1990 | 10,725,264           | 10,725,264                                           |                              | 10,725,264                                            |                                                                   |
| 1991 | 22,560,714           | 22,560,714                                           |                              | 22,560,714                                            |                                                                   |
| 1992 | 21,359,349           | 21,359,349                                           |                              | 21,359,349                                            |                                                                   |
| 1993 | 21,129,174           | 21,129,174                                           |                              | 21,129,174                                            |                                                                   |
| 1994 | 13,110,372           | 13,110,372                                           |                              | 13,110,372                                            |                                                                   |
| 1995 | 13,540,230           | 13,540,230                                           |                              | 13,540,230                                            |                                                                   |
| 1996 | 22,179,267           | 22,179,267                                           |                              | 22,179,267                                            |                                                                   |
| 1997 | 6,820,400            | 6,820,400                                            |                              | 6,820,400                                             |                                                                   |
| 1998 | 22,190,138           | 22,190,138                                           |                              | 22,190,138                                            |                                                                   |
| 1999 | 14,804,064           | 14,804,064                                           |                              | 14,804,064                                            |                                                                   |
| 2000 | 14,753,871           | 14,753,871                                           |                              | 14,753,871                                            |                                                                   |
| 2001 | 14,736,260           | 14,736,260                                           |                              | 14,736,260                                            |                                                                   |
| 2003 | 14,655,200           | 14,655,200                                           |                              | 14,655,200                                            |                                                                   |
| 2004 | 15,000               | 15,000                                               |                              | 15,000                                                |                                                                   |
| 2004 | 14,545,000           | 11,421,797                                           | \$3,123,203                  | 14,545,000                                            |                                                                   |
| 2005 | 14,853,200           |                                                      | 6,742,831                    | 6,742,831                                             | \$8,110,369                                                       |
| 2006 | 21,469,500           |                                                      |                              |                                                       | 21,469,500                                                        |
|      | <u>\$285,815,768</u> | <u>\$246,369,865</u>                                 | <u>\$9,866,034</u>           | <u>\$256,235,899</u>                                  | <u>\$29,579,869</u>                                               |

The state has provided its required matching share of federal grant awards through General Fund and state capital outlay appropriations totaling \$26,753,586. Tobacco Settlement monies of \$3,000,000 were deposited in the fund in the 2000 fiscal year. In addition, part of the required matching share has been provided through the issuance of Revenue Match Bonds secured by revenue of the fund. Beginning in fiscal year 1995, revenue bonds of \$15,000,000 were authorized. In fiscal year 2002, \$12,000,000 in revenue match bonds was authorized, and in fiscal year 2007, \$10,000,000 in revenue bonds was authorized. As of June 30, 2007, bonds totaling \$31,000,000 have been issued and repaid resulting in net proceeds of \$30,353,220 being used as state matching funds. Additional match bonds will be negotiated as needed to cover future capitalization grants. As of June 30, 2007, matching contributions are as follows:

## MUNICIPAL FACILITIES REVOLVING LOAN FUND

|                         | Cumulative<br>State Match<br>as of<br>June 30, 2006 | 2007<br>Contributions | Cumulative<br>State Match<br>as of<br>June 30, 2007 |
|-------------------------|-----------------------------------------------------|-----------------------|-----------------------------------------------------|
| State cash contribution | \$26,753,586                                        |                       | \$26,753,586                                        |
| Revenue bond proceeds   | 26,411,516                                          | \$3,941,704           | 30,353,220                                          |
| Total                   | <u>\$53,165,102</u>                                 | <u>\$3,941,704</u>    | <u>\$57,106,806</u>                                 |

| <u>Components of Net Assets</u>       | <u>Amount</u>        |
|---------------------------------------|----------------------|
| Capital contributions (cash only):    |                      |
| Environmental Protection Agency       | \$256,235,899        |
| State of Louisiana match              | 26,753,586           |
| Total cash contributions              | <u>282,989,485</u>   |
| Administrative fee deposit            | 260,911              |
| Cumulative loan interest earnings     | 64,884,820           |
| Cumulative treasury interest earnings | 26,958,167           |
| Cumulative administrative expenses    | (10,467,696)         |
| Cumulative bond costs                 | <u>(646,780)</u>     |
| Total                                 | <u>80,989,422</u>    |
| Total net assets - unrestricted       | <u>\$363,978,907</u> |

### 8. OPERATING EXPENSES

#### Administrative Expenses

Four percent of the federal grant amounts awarded by the EPA are allocated to fund the administrative cost of operating the revolving loan fund. The following schedule presents each grant, the 4% amount allocated from each grant, the cumulative expenses incurred and drawn in administering the program, and the amount available to be drawn from the EPA for future administrative expenses.

| <u>Federal Grant Year</u> | <u>Available 4%<br/>Set-Aside</u> | <u>State<br/>Fiscal Year</u> | <u>Expenses<br/>Incurred</u> | <u>Available for<br/>Administration</u> |
|---------------------------|-----------------------------------|------------------------------|------------------------------|-----------------------------------------|
| 1988                      | \$480,000                         |                              |                              | \$480,000                               |
| 1989                      | 414,751                           | 1989                         | \$1,597                      | 893,154                                 |
| 1990                      | 429,011                           | 1990                         | 11,634                       | 1,310,531                               |
| 1991                      | 902,429                           | 1991                         | 37,322                       | 2,175,638                               |
| 1992                      | 854,374                           | 1992                         | 467,803                      | 2,562,209                               |
| 1993                      | 845,167                           | 1993                         | 531,698                      | 2,875,678                               |
| 1994                      | 524,415                           | 1994                         | 549,953                      | 2,850,140                               |
| 1995                      | 541,609                           | 1995                         | 592,145                      | 2,799,604                               |
| 1996                      | 887,171                           | 1996                         | 605,514                      | 3,081,261                               |
| 1997                      | 272,816                           | 1997                         | 612,299                      | 2,741,778                               |
| 1998                      | 887,606                           | 1998                         | 724,915                      | 2,904,469                               |
| 1999                      | 592,163                           | 1999                         | 817,220                      | 2,679,412                               |
| 2000                      | 590,155                           | 2000                         | 777,592                      | 2,491,975                               |
| 2001                      | 589,450                           | 2001                         | 778,657                      | 2,302,768                               |
| 2002                      |                                   | 2002                         | 890,958                      | 1,411,810                               |
| 2003                      | 586,208                           | 2003                         | 901,185                      | 1,096,833                               |
| 2004                      | 582,400                           | 2004                         | 872,551                      | 806,682                                 |
| 2005                      | 594,128                           | 2005                         | 535,781                      | 865,029                                 |
| 2006                      | 473,832                           | 2006                         | 359,695                      | 979,166                                 |
| 2006 (Supplement)         | 385,068                           | 2007                         | 399,177                      | 965,057                                 |
| Total                     | <u>\$11,432,753</u>               |                              | <u>\$10,467,696</u>          |                                         |

## Bond Issuance Costs

Bond issuance costs were absorbed by bond proceeds and are therefore not required to be charged against the 4% administrative costs ceiling, in accordance with 40 CFR 35.3120(g)(2).

## 9. ADMINISTRATIVE FEES

Annually, the MFRLF assesses a .5% administrative fee on all outstanding loan balances. Federal law allows the state to charge additional fees to supplement the 4% allowed from the fund itself to cover future excess administrative costs. These funds are deposited in the state treasury and accounted for outside the State Revolving Fund and are therefore 100% available for use. As of June 30, 2007, administrative fees are as follows:

|                                          |                     |
|------------------------------------------|---------------------|
| Cash in state treasury, June 30, 2006    | \$10,266,191        |
| Current year receipts:                   |                     |
| .5% administrative fees                  | 1,155,455           |
| Treasury interest on administrative fees | 550,124             |
| Current year disbursements               | <u>(266,969)</u>    |
| Cash in state treasury, June 30, 2007    | <u>\$11,704,801</u> |

**10. LITIGATION AND CLAIMS**

Losses arising from judgments, claims, and similar contingencies are paid through the state's self-insurance fund operated by the Office of Risk Management, the agency responsible for the state's risk management program, or by legislative appropriation. The MFRLF has no lawsuits outstanding at June 30, 2007.



**OTHER REPORTS REQUIRED BY  
GOVERNMENT AUDITING STANDARDS AND THE  
ENVIRONMENTAL PROTECTION AGENCY AUDIT GUIDE  
FOR CLEAN WATER AND DRINKING WATER  
STATE REVOLVING FUND PROGRAMS**

The following pages contain reports on internal control over financial reporting and on compliance and other matters as required by *Government Auditing Standards*, issued by the Comptroller General of the United States, and on internal control and compliance with requirements applicable to the Capitalization Grants for Clean Water State Revolving Funds in accordance with the *Environmental Protection Agency Audit Guide for Clean Water and Drinking Water State Revolving Fund Programs*.





LOUISIANA LEGISLATIVE AUDITOR  
STEVE J. THERIOT, CPA

July 8, 2008

Report on Internal Control Over Financial Reporting and on  
Compliance and Other Matters Based on an Audit of Financial Statements  
Performed in Accordance With Government Auditing Standards

**MUNICIPAL FACILITIES REVOLVING LOAN FUND  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF LOUISIANA  
Baton Rouge, Louisiana**

We have audited the financial statements of the Louisiana Department of Environmental Quality - Municipal Facilities Revolving Loan Fund as of and for the year ended June 30, 2007, and have issued our report thereon dated July 8, 2008. Our report was modified to include an emphasis of a matter regarding the impact of hurricanes Katrina and Rita. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

**Internal Control Over Financial Reporting**

In planning and performing our audit, we considered the Louisiana Department of Environmental Quality - Municipal Facilities Revolving Loan Fund's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Louisiana Department of Environmental Quality - Municipal Facilities Revolving Loan Fund's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Louisiana Department of Environmental Quality - Municipal Facilities Revolving Loan Fund's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's

financial statements that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the entity's internal control.

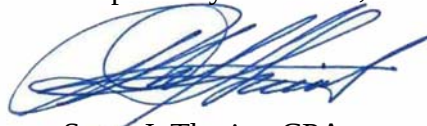
Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Louisiana Department of Environmental Quality - Municipal Facilities Revolving Loan Fund's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of management of the Department of Environmental Quality, others within the entity, the federal awarding agency, and the Louisiana Legislature and is not intended to be and should not be used by anyone other than these specified parties. Under Louisiana Revised Statute 24:513, this report is distributed by the Legislative Auditor as a public document.

Respectfully submitted,



Steve J. Theriot, CPA  
Legislative Auditor

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LOUISIANA LEGISLATIVE AUDITOR  
STEVE J. THERIOT, CPA

July 8, 2008

Report on Compliance With Requirements Applicable to the Capitalization  
Grants for Clean Water State Revolving Funds and on  
Internal Control Over Compliance in Accordance With the  
*Environmental Protection Agency Audit Guide for  
Clean Water and Drinking Water State Revolving Fund Programs*

**MUNICIPAL FACILITIES REVOLVING LOAN FUND  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF LOUISIANA  
Baton Rouge, Louisiana**

**Compliance**

We have audited the compliance of the Louisiana Department of Environmental Quality - Municipal Facilities Revolving Loan Fund with the types of compliance requirements that are applicable to the Capitalization Grants for Clean Water State Revolving Funds (CFDA 66.458) for the year ended June 30, 2007, as specified by the *Environmental Protection Agency Audit Guide for Clean Water and Drinking Water State Revolving Fund Programs*. Compliance with the requirements of laws, regulations, contracts, and grants applicable to this federal program is the responsibility of management of the Louisiana Department of Environmental Quality. Our responsibility is to express an opinion on the Municipal Facilities Revolving Loan Fund's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the *Environmental Protection Agency Audit Guide for Clean Water and Drinking Water State Revolving Fund Programs*. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on the program occurred. An audit includes examining, on a test basis, evidence about the Municipal Facilities Revolving Loan Fund's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of the Municipal Facilities Revolving Loan Fund's compliance with those requirements.

In our opinion, the Louisiana Department of Environmental Quality - Municipal Facilities Revolving Loan Fund complied, in all material respects, with the requirements referred to previously that are applicable to its Capitalization Grants for Clean Water State Revolving Funds for the year ended June 30, 2007.

### **Internal Control Over Compliance**

Management of the Department of Environmental Quality - Municipal Facilities Revolving Loan Fund is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to this federal program. In planning and performing our audit, we considered the Department of Environmental Quality - Municipal Facilities Revolving Loan Fund's internal control over compliance with requirements that could have a direct and material effect on its Capitalization Grants for Clean Water State Revolving Funds (CFDA 66.458), in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Department of Environmental Quality - Municipal Facilities Revolving Loan Fund's internal control over compliance.

A control deficiency in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of management of the Department of Environmental Quality, others within the entity, the federal awarding agency, and the Louisiana Legislature and is not intended to be and should not be used by anyone other than these specified parties. Under Louisiana Revised Statute 24:513, this report is distributed by the Legislative Auditor as a public document.

Respectfully submitted,



Steve J. Theriot, CPA  
Legislative Auditor

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