

**North Carolina
Drinking Water State Revolving Fund
And
Bipartisan Infrastructure Law DWSRF
General Supplemental Funds
Intended Use Plan
Fiscal Year 2022-2023**

**Draft for Public Review
(Proposed changes underlined and highlighted in red)**

Division of Water Infrastructure

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1. Introduction

The Division of Water Infrastructure (Division) is part of the North Carolina Department of Environmental Quality (NCDEQ). The Division administers financial assistance programs to assist eligible public water supply systems in constructing projects that both benefit public health and improve the human environment. Most of the customers of public water supply systems are served by local government units (LGUs) across North Carolina.

In 2013 the North Carolina General Assembly created the State Water Infrastructure Authority (Authority) to determine projects eligible for certain water infrastructure funding programs, including the Drinking Water State Revolving Fund (DWSRF), consistent with federal law. The priorities reflected in this document have been approved by the Authority.

Specific to this document, the Division administers the DWSRF program as established by the 1996 Amendments to the Safe Drinking Water Act (SDWA), (P.L. 104-182), Section 1452. The DWSRF program offers loans to public water supply systems at interest rates lower than market rates for drinking water infrastructure. As a public water supply system repays the loan, the monies are again loaned out, hence the revolving nature of the program. All loan repayments must go back into the DWSRF. The Intended Use Plan (IUP) serves to explain how the capitalization grant will be used and the DWSRF will operate in accordance with Section 1452(b) of the SDWA.

The IUP is incorporated into the capitalization grant agreement and becomes the grant work plan. Combined, the operating agreement, grant agreement, IUP, SDWA, and state statutes set the program requirements for the DWSRF. The IUP identifies anticipated projects scheduled for loan commitments from the DWSRF. It also explains how the DWSRF will utilize a priority rating system to identify those projects that will address the greatest need and/or provide the greatest positive public health impact on the water resources in North Carolina.

2. Financial History

Congress appropriates an overall DWSRF funding level that is allocated to states based on an allocation method established in the SDWA. The allocation is updated every four years based on a needs survey for eligible projects applicable to DWSRF. Capitalization grants, including the required State match, enable increasing amounts of loan commitments. This is due to loan repayments being loaned again, thereby providing public benefits repeatedly through time. While providing substantial support, this infrastructure financing has only met a small percentage of the drinking water infrastructure need for public water supply systems in North Carolina. However, if capitalization grants continue (or are increased), the program will better be able to meet infrastructure financing needs for public water supply systems.

[Congress appropriated additional funds to the DWSRF in the Infrastructure Investment and Jobs Act of 2021, commonly referred to as the Bipartisan Infrastructure Law \(BIL\). The BIL appropriated additional funds for five fiscal years \(FY2022-FY2026\), referred to as the DWSRF General Supplemental Funding \(or BIL Supplemental DWSRF for short\), to supplement the base DWSRF program and its yearly appropriations. The BIL also appropriated funds specifically to address lead service line replacements and emerging contaminants issues, plans for which will be described in separate IUPs.](#)

3. Programmatic Goals

Pursuant to the SDWA, the State must identify the goals and objectives of the state loan fund (i.e., the DWSRF). The State has the following goals for its DWSRF program:

3.1. Overall DWSRF Program Goal

Provide funding for drinking water infrastructure while advancing the NCDEQ's mission to provide science-based environmental stewardship for the health and prosperity of ALL North Carolinians and to advance the public health goals of SDWA while targeting the most needy systems.

3.2. Short-Term Goal

Continue efforts to inform local government units of the availability of funds, benefits of the DWSRF program, and funding process improvements.

3.3. Long -Term Goals

Goal #1: Support the North Carolina goal of assuring safe and healthy drinking water for state residents and visitors with special emphasis on two subcategories of this goal:

- Provide loans to eligible public water supply systems to address acute health risks as a priority.
- Provide loans to eligible public water supply systems to allow consolidation of non-viable water systems with systems having adequate capacity.

Goal #2: Continue efforts to streamline the funding process to ensure the funds are used in an expeditious and timely manner in accordance with the SDWA and applicable State laws as required by Section 1452(g)(3)(A) of the SDWA.

Goal #3: Ensure the technical integrity of DWSRF projects through diligent and effective planning, design, and construction management.

Goal #4: Ensure the long-term viability of the DWSRF program through effective financial practices.

Goal #5: Ensure the priority system reflects the NCDEQ's and the Authority's goals.

Goal #6: Provide technical and financial assistance to public water supply systems in adapting to changing drinking water quality standards and maintaining the health objectives of the SDWA.

Goal #7: Implement a capacity development strategy that may use innovative strategies and solutions to help public water supply systems improve compliance.

4. Information on Activities to be Supported

North Carolina's program will continue to be one of low-interest loans, supplemented with principal forgiveness as allowed by federal law. The State intends to access 4% of the capitalization grant for the administrative costs associated with running the program. The Division administers the DWSRF. These activities include application review, engineering report and environmental document review, design review, loan processing, construction inspection, and repayment processing and accounting for funded projects.

In addition to funding water infrastructure projects, the SDWA also allows the use of capitalization grant funds for non-project purposes. The 1996 SDWA added significant new program responsibilities for states and provided for their funding through the set-asides from the DWSRF for non-project activities. Set-asides are uses of DWSRF money which are allowed by the SDWA to further the objectives of the Act, but are not construction related. These activities include the following:

- Program administration,
- Technical assistance to small systems,
- Administration of the Public Water Supply Supervision Program (State Program Management), and
- Local assistance and other state programs.

Non-project activities may be carried out directly by the Division, by the Public Water Supply (PWS) Section of the Division of Water Resources in the Department of Environment Quality and through contracts with other agencies and organizations. Please see Appendix A for more information about set-aside activities. The administrative set-aside is administered by the Division of Water Infrastructure. The Division reserves the right to utilize unused portions of set-asides for use at a later date.

The Division reserves the authority for BIL inter-SRF transfers and use the authority in later years from subsequent BIL appropriations.

The following table provides a summary of the projected funds available as a result of the Federal capitalization grant:

Sources and Uses For the Life of the Program

Historic Sources and Uses		(From DWNIMS)							
	Revenues					Expenditures			
FY	Federal Cap	State Match	Repayments Principle	Repayments Interest	Interest Earned	Project Disbursements	Set Asides	Net For FY	Cumulative Net
1997	\$46,114,100	\$9,222,820					\$68,769	\$55,268,151	\$55,268,151
1998	\$12,859,400	\$2,571,880			\$69,818		\$0	\$15,501,098	\$70,769,249
1999	\$13,477,900	\$2,695,580			\$586,959	\$2,890,560	\$227,671	\$13,642,208	\$84,411,457
2000	\$14,007,400	\$2,801,480	\$40,000	\$13,905	\$608,276	\$19,057,539	\$60,327	-\$1,646,805	\$82,764,652
2001	\$14,065,400	\$2,813,080	\$587,679	\$334,022	\$258,752	\$19,315,049	\$1,364,887	-\$2,621,003	\$80,143,649
2002	\$14,139,900	\$2,827,980	\$1,857,907	\$941,153	\$217,248	\$10,709,361	\$2,685,949	\$6,588,878	\$86,732,527
2003	\$14,054,900	\$2,810,980	\$2,813,351	\$1,813,069	\$278,383	\$10,532,591	\$2,624,738	\$8,613,354	\$95,345,881
2004	\$14,579,900	\$2,915,980	\$3,365,856	\$1,804,035	\$354,820	\$12,422,756	\$2,416,501	\$8,181,334	\$103,527,215
2005	\$14,549,900	\$2,909,820	\$3,685,215	\$1,551,588	\$439,722	\$18,129,295	\$2,297,637	\$2,709,313	\$106,236,528
2006	\$27,694,900	\$5,538,980	\$4,035,387	\$1,625,535	\$632,462	\$28,926,461	\$2,707,617	\$7,893,186	\$114,129,714
2007	\$27,695,000	\$5,539,000	\$5,672,644	\$3,212,341	\$1,050,313	\$35,286,029	\$3,874,151	\$4,009,118	\$118,138,832
2008*	\$93,039,000	\$5,482,800	\$5,750,737	\$2,452,052	\$1,466,071	\$21,651,882	\$4,012,022	\$82,526,756	\$200,665,588
2009	\$27,414,000	\$5,482,800	\$7,243,289	\$2,571,458	\$1,177,245	\$44,190,462	\$9,073,880	-\$9,375,550	\$191,290,038
2010	\$35,593,000	\$7,118,600	\$7,582,863	\$3,136,216	\$534,577	\$44,970,254	\$4,894,214	\$4,100,788	\$195,390,826
ARRA						\$0	\$1,565,000	-\$1,565,000	\$193,825,826
2011	\$24,698,000	\$4,939,600	\$12,948,194	\$4,555,083	\$398,693	\$61,697,071	\$4,869,229	-\$19,026,730	\$174,799,096
2012	\$17,467,080	\$3,493,416	\$13,892,422	\$5,731,451	\$412,375	\$28,272,589	\$5,185,910	\$7,538,245	\$182,337,341
2013	\$22,084,000	\$4,416,800	\$18,689,369	\$5,317,608	\$329,895	\$34,714,618	\$5,312,482	\$10,810,572	\$193,147,913
2014	\$20,695,000	\$4,139,000	\$22,863,929	\$4,684,687	\$367,832	\$39,613,194	\$5,043,749	\$8,093,505	\$201,241,418
2015	\$20,546,063	\$4,111,800	\$19,111,676	\$4,342,780	\$438,944	\$64,055,993	\$6,023,794	-\$21,528,524	\$179,712,894
2016	\$19,449,000	\$3,889,800	\$21,844,353	\$3,573,581	\$526,149	\$71,278,197	\$5,743,882	-\$27,739,196	\$151,973,698
2017	\$19,283,000	\$3,856,600	\$21,102,258	\$3,222,958	\$728,965	\$54,000,307	\$8,153,283	-\$13,959,809	\$138,013,889
2018	\$34,111,000	\$6,822,200	\$27,260,826	\$2,969,514	\$1,071,029	\$31,989,038	\$4,484,109	\$35,761,422	\$173,775,311
2019	\$33,792,000	\$6,758,400	\$25,631,573	\$2,755,014	\$2,065,733	\$31,161,867	\$6,380,022	\$33,460,831	\$207,236,142
2020	\$33,793,000	\$6,758,600	\$30,066,177	\$2,717,618	\$2,874,138	\$23,498,587	\$4,512,071	\$48,198,875	\$255,435,017
2021	\$33,782,000	\$6,756,400	\$58,739,317	\$2,584,670	\$1,131,720	\$28,318,673	\$10,255,830	\$64,419,604	\$319,854,621
2022	\$33,700,000	\$6,700,000							

2022 BIL	\$55,139,000	\$55,254,000							
Totals	\$738,253,843	\$123,437,396	\$256,045,705	\$59,325,668	\$16,888,399	\$736,682,373	\$103,837,724	\$320,232,621	
Projected Sources and Uses for FY 2022			<i>(Based on Availability Model)</i>						
			\$29,500,000	\$2,000,000	\$750,000	\$60,000,000	\$8,000,000	-\$35,750,000	
								\$284,482,621	
Projected Uses for Active Projects beyond FY 2022									
<i>(Does not take into account future funding rounds or revenues)</i>						\$450,000,000			
								-\$165,517,379	
<i>*Includes ARRA Appropriation</i>									

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5. Criteria and Methods for Distributing Funds

5.1. Project List and Prioritization

The Intended Use Plan Project Priority List may be supplemented or replaced based on applications received as a part of future funding cycles (see 5.2. below). Applications that are received in one cycle and are not selected for funding will be reconsidered in one more cycle (the next one) for funding. The State's ranking for construction loan projects will be based on the Priority Rating System (see Appendix D).

The Priority Rating System considers four elements of a project: (1) project purpose, (2) project benefit, (3) system management, and (4) affordability.

For project purpose, the Division places higher priority on projects that will consolidate nonviable systems, resolve issues associated with failed or failing infrastructure, will rehabilitate or replace infrastructure, or serve disadvantaged areas.

In terms of project benefits, priority is given to implementing public water supply regulations, addressing source water or emerging contaminants issues, interconnections between public water supply systems, lead service line replacements, projects that extend water lines to areas with contamination of private water sources, and projects that improve the resiliency of a public water supply system by creating operational redundancy or adding backup power.

In addition to addressing public health issues, the Division desires to support those public water supply systems that seek to be proactive in their system management, including prioritization points for source water protection programs, water conservation, water loss reduction, asset management plans, and appropriate operating ratios.

The Division also takes into account the ability of the applicant to afford projects. For example, those applicants who have a high poverty rate, high utility bills, lower population growth, lower median household incomes, and higher unemployment receive higher priority. Projects the benefit disadvantaged areas receive additional priority points.

5.2. Application and Project Deadlines

The DWSRF program operates on a priority basis and accepts funding applications semi-annually. Projects are allocated funding in priority order (as noted above) until available funds are exhausted and within special reserve requirements (e.g. Principal Forgiveness Reserve, etc. as described herein). Funding availability is determined based on the 2022 capitalization grant and associated state match. Results will be posted on the program's website. Project funding is contingent on adherence to the schedule below in accordance with § 159G-41 (**times listed are measured from Letter of Intent to Fund except as noted otherwise**):

- 5.2.1. Funding application and supporting information must be received by the application deadline to be considered for any given funding cycle.
- 5.2.2. After the Authority provides final project rank eligibilities, the DWSRF program will issue Letters of Intent to Fund (LOIF) based on the projects' prioritization and the amount of funds being made available in the cycle.
- 5.2.3. Within four months of the issuance of the LOIF, a complete Engineering Report / Environmental Information Document must be submitted to the DWSRF program.
- 5.2.4. Within nine months, the Engineering Report / Environmental Information Document must be approved.
- 5.2.5. Within 15 months, complete plans and specifications must be submitted with copies of all required permits, encroachments, etc., or evidence that applications for remaining required permits have been submitted to the respective permitting agency.
- 5.2.6. Within 19 months, the plans/specifications and all required permits must be approved/issued.
- 5.2.7. Within 23 months, the following events/items must be completed/received:
 - 5.2.7.1. Advertisement of the project for bids
 - 5.2.7.2. Receipt of bids
 - 5.2.7.3. Submission of bid information to DWSRF staff
 - 5.2.7.4. Obtainment of the Division's Authority to Award Construction Contracts.
- 5.2.8. Within 24 months, construction contracts must be executed.

Notes:

- 1) **The milestones in the timeline above are absolute for all projects in a particular cycle and will not be extended except based upon a demonstrated need for extension by the public water system. Projects may be able to meet these milestones ahead of schedule. However, in the event that any milestone noted above is not met, work by the DWSRF staff may be suspended and all documents returned to the Applicant until the proposed project is resubmitted for consideration during a future cycle.**
- 2) **If an Applicant desires DWSRF funding and the Applicant's project requires an Environmental Impact Statement (EIS), Division staff will manage the environmental review process. However, a funding application for the project will not be accepted in any funding cycle until a draft EIS has been sent to the State Clearinghouse (SCH). In the event that a fundable project is in process and the environmental review completed within the timeline results in the conclusion that an EIS is required, then the milestone deadlines for the project will be suspended until a draft EIS has been sent to the SCH. After the draft EIS is sent to the SCH, the project must adhere to the same time frames specified above.**

5.3. Detailed Loan and Project Funding Criteria

5.3.1. General

- 5.3.1.1. To be eligible for DWSRF funding, a project must be on the Intended Use Plan Project List.
- 5.3.1.2. Funding can be provided for any eligible projects as provided for in the Safe Drinking Water Act and NCGS 159G, including water treatment facilities, distribution systems, tanks, etc. that improve drinking water quality.
- 5.3.1.3. Funding will be provided in priority order based on project score, Authority determination, and the amount of funds made available with consideration of principal forgiveness reserve detailed below. Projects cannot be substantively changed once funding is allocated.
- 5.3.1.4. The maximum DWSRF loan amount will be established at \$20 million per applicant for each funding round.
- 5.3.1.5. The maximum DWSRF loan availability per applicant is not more than ~~\$100,000,000~~ \$200,000,000 in outstanding debt to the DWSRF program.
- 5.3.1.6. Notwithstanding the limits in Items 5.3.1.4., and 5.3.1.5., if availability of funds exceeds project demand, these limits may be exceeded to ensure all available funds are utilized. Exceeding the maximum provided in Item 5.3.1.4. will be considered prior to Item 5.3.1.5.
- 5.3.1.7. A project may be funded with a targeted interest rate if the project is eligible for principal forgiveness as described in 5.3.2 below. For projects that are eligible for 75% or more principal forgiveness, the targeted interest rate will be 0%. For projects that are eligible for 50% or 25% grant funding, the targeted interest rate will be 1% lower than the Division's base interest rate (but no less than zero percent).

5.3.2. Principal Forgiveness

- 5.3.2.1. Communities that are eligible to receive principal forgiveness are defined as disadvantaged communities. Based on the current proposed appropriation, approximately 20% of the base DWSRF Capitalization Grant and 49% of the BIL Supplemental DWSRF Capitalization Grant will be used to provide additional subsidization in the form of principal forgiveness to disadvantaged communities.

5.3.2.2. The Division will provide additional subsidization to projects in the categories provided in 5.3.2.2.1 – 5.3.2.2.2 in project priority order. The Division will provide principal forgiveness to a project using at-most one of the categories provided in 5.3.2.2.1 – 5.3.2.2.3.

5.3.2.2.1. Non-viable rescue: Projects that eliminate a non-viable system to benefit a disadvantaged community with a financial need consistent with the criteria in 5.3.2.2.2 and served by a public drinking water system will receive principal forgiveness for the full amount of the loan up to \$3,000,000. The disadvantaged community either meets the affordability criteria listed in 5.3.2.2.2 or is representative of the criteria.

5.3.2.2.2. Affordability: Projects that receive project purpose points when the applicant has less than 20,000 residential water connections, at least three (3) of five (5) LGU economic indicators (“LGU indicators”) worse than the state benchmark, an operating ratio (future) of less than 1.3, utility rates greater than the state median, and/or project cost per connection that project to increase the utility rates above the 70th percentile of state-wide utility rates will receive principal forgiveness following the affordability criteria grant percentage matrix found in Appendix E.

Projects that receive project purpose points when the benefiting system has been designated as distressed per § 159G-45, has utility rates greater than the state median, and/or project cost per connection that project to increase the utility rates above the 70th percentile of state-wide utility rates will receive principal forgiveness percentages following the affordability criteria grant percentage matrix found in Appendix E.

Principal forgiveness will range from 25% to 100% in increments of 25% up to \$500,000 per applicant per round with the targeted interest rate as described under 5.3.1.7 applied to the remaining portion of the loan

5.3.2.2.3. Disadvantaged Area: Project benefiting disadvantaged areas will receive principal forgiveness for 50% of the project costs of the loan up to \$500,000 limited to project costs benefiting disadvantaged areas.

Disadvantaged areas will be based on either North Carolina Department of Environmental Quality's determination of "Potentially Underserved Block Groups" or Tribal boundaries displayed on the NC DEQ Community Mapping System, or information provided in the application. Potentially Underserved Block Groups on the Community Mapping System are census block groups where the share of nonwhites and Hispanic or Latino (of any race) is over fifty percent or at least ten percent higher than the County or State share, AND the share of population experiencing poverty is over twenty percent or at least five percent higher than the County or State share. If the proposed project does not fall within a Potentially Underserved Block Group or Tribal boundary layer on the map, the applicant must provide information in the application explaining what factors would qualify the project area as disadvantaged (such as demographic, historical, cultural, linguistic, or low-wealth factors; existing contamination, or other considerations deemed relevant).

5.3.2.3. Notwithstanding the above limits in Items 5.3.2.2.2 and 5.3.2.2.3, if availability of principal forgiveness funds exceeds project demand, the limits may be exceeded in project priority order to ensure all available funds are utilized in the following order:

5.3.2.3.1. Affordability limit of \$500,000 in item 5.3.2.2.2 may be exceeded up to the grant percentage determined in the affordability grant percentage matrix found in Appendix E, and disadvantaged area limit of \$500,000 in item 5.3.2.2.3 may be exceeded up to 50% of the project costs benefiting the disadvantaged areas.

5.3.2.3.2. Affordability percentages determined in 5.3.2.2.2 and 5.3.2.2.3 may be exceeded by 10% not to exceed 100% for eligible projects in priority order. If funds remain after all eligible projects receive the percent increase, principal forgiveness percentages can be increased by additional 10% increments (not to exceed 100%) to eligible projects until principal forgiveness funds are utilized.

5.3.3. Small System Reserve

5.3.3.1. 40 CFR 35.3525(a)(5) requires that a minimum of 15% of the loan assistance be awarded to small systems.

- 5.3.3.2. Funding may bypass a higher priority project to satisfy the Small System Reserve. Any such bypassing will be shown in the Intended Use Plan Project Priority List.

5.3.4. Capacity Development Reviews

- 5.3.4.1. All public water supply systems receiving funding from the DWSRF must be reviewed to ensure that they can demonstrate adequate technical, financial, and managerial capacity [per NCAC 15A 18C .0307(c)] to operate the water system in compliance with the SDWA. A regulatory process was developed and has been approved by EPA as adequate to ensure technical, financial, and managerial capacity is demonstrated. This is measured by the issuance of an Authorization to Construct for the process occurring after capacity development criteria are reviewed and satisfied. A water system that lacks adequate capacity in one or more of these categories might remain eligible for funding if a strategy that would resolve the problem or issue can be developed and attached as a condition of the loan approval.

5.3.5. Miscellaneous Criteria/Provisions:

- 5.3.5.1. Davis-Bacon prevailing wage rates apply to loans as required by grant agreements/conditions.
- 5.3.5.2. American Iron and Steel provisions will apply to loans as required by Federal mandates.
- 5.3.5.3. Build America, Buy America requirements will apply to loans as required by US EPA and by Federal mandates.
- 5.3.5.4. The DWSRF loan interest rate is based on ½ of The Bond Buyer's 20-Bond Index except as specifically allowed herein. The maximum interest rate for each loan will be set at the time of application with a lower interest rate, if available, set at the time of the award offer.
- 5.3.5.5. Approval of a DWSRF loan is contingent on approval by the Local Government Commission (LGC).
- 5.3.5.6. DWSRF loan terms are set by the LGC.
- 5.3.5.7. The maximum DWSRF loan term is determined by State statute and federal requirements.

- 5.3.5.8. A 2% loan fee is required. The loan fee cannot be financed by the DWSRF fund.
- 5.3.5.9. Loan repayments are due in May (principal and interest) and November (interest only) of each year.
- 5.3.5.10. Interest begins accruing on date of completion in the Notice to Proceed.
- 5.3.5.11. The first loan repayment is due no sooner than six months after the completion date as established in the Notice to Proceed.

6. Programmatic Conditions

6.1. Assurances and Specific Proposals

Pursuant to SDWA, the State of North Carolina certifies that:

- 6.1.1. The State will enter into binding commitments for 120% of the amount of each payment received under the capitalization grant within one year after receipt of each payment.
- 6.1.2. The State will expend all funds in the DWSRF in an expeditious and timely manner.
- 6.1.3. The State will conduct environmental reviews of treatment works projects according to procedures set forth in its Operating Agreement between the State and US Environmental Protection Agency.

6.2. Federal Requirements

- 6.2.1. The State will ensure that all federal requirements are met as noted in the DWSRF Operating Agreement between the State and US Environmental Protection Agency and the Grant Agreement, including Single Audit, Disadvantaged Business Enterprise compliance, federal environmental crosscutters, and Federal Funding Accountability and Transparency Act (FFATA) reporting requirements.
- 6.2.2. The State will enter all required reporting information into respective federal databases including FFATA, DWSRF National Information Management System (NIMS), and the DWSRF Benefits Reporting (CBR) system.
- 6.2.3. The State will ensure that all applicants to the DWSRF program certify that they meet the fiscal sustainability planning requirements. Such certifications will be received by the time of loan offer.

6.3. Transfer between DWSRF and Clean Water State Revolving Fund

Transfer of funds between the DWSRF and the Clean Water State Revolving Fund are authorized by federal statutes. This IUP does not propose any such transfer of funds. However, the Division reserves the ability to make transfers in managing cash flow. If such transfer takes place, a subsequent transfer will be made by transferring that amount back from the receiving fund to the providing fund (i.e., no permanent transfers) as soon as possible.

7. Public Review and Comment

[Section pending completion of Public Comment Period]

8. Budget and Project Periods

- 8.1. The budget and project periods being requested for the capitalization grants is shown in Appendix B and on EPA Form SF 424.
- 8.2. The anticipated cash draw ratio will be 100% State and, after all state matching funds are withdrawn, 100% federal for disbursements made from the capitalization grant. Alternatively, the State may elect a cash draw ratio of 83.3% federal and 16.7% State for all withdrawals.
- 8.3. The source of State match funds is from appropriations. State match funds will be deposited into the DWSRF before drawing any federal funds.
- 8.4. Loan fees (2% of loan) on loans from the grant and fees from loans from repayment funds will be deposited into separate account centers. Fees will be used to administer the program. In addition, fees considered non-program income will also be used for other water quality purposes within the Divisions of Water Resources and Water Infrastructure, including funding for positions.

Appendix A Set-Aside Activity Description

A. Program Administration

Up to 4% of the capitalization grants will be used for program administration. Administration includes management of the program; financial management; development of yearly comprehensive project priority lists; engineering report and environmental document review; construction inspections for funded projects; conducting the DWSRF needs survey every four years; inventorying lead service lines; data management; data analysis; reporting; and records keeping; public engagement; etc. These funds will also be used to procure all equipment and training necessary for the adequate performance of staff on related duties.

B. Technical Assistance to Small Systems

The State will allocate up to 2% of the Capitalization Grants to provide technical assistance to small water systems. The PWS Section will provide funding support for staff in regional offices. In addition, the PWS Section provides a contract to the North Carolina Rural Water Association (NCRWA). The NCRWA contract will continue the support of one circuit rider. In addition, the Division will contract with organizations to assist small systems with inventorying lead service lines, water quality sampling, funding applications, and/or public engagement in disadvantaged areas. Assistance provided with these funds must be directed to benefit public water supply systems serving a population of less than 10,000. A list of some of the general activities to be performed and assistance to be provided using this money is as follows:

- Investigate MCL violations and identify corrective actions.
- Investigate and evaluate systems malfunctions or operational problems and advise regarding corrective actions.
- Inspect systems for compliance with required design standards and advise regarding needed modifications.
- Interpret sample results and advise regarding health risk.
- Interpret and advise concerning regulatory or monitoring requirements.
- Assist with sample siting plans.
- Provide emergency response to water outages and other serious conditions.
- Train operators and provide hands-on assistance when needed.
- Investigate and advise concerning source water contamination and water source selection.
- Assist in setting up pilot studies.
- Assist with capacity development and source water protection activities.
- Provide water system security assistance.
- Provide water systems with public notice assistance.
- Assist with asset management.
- Inventorying lead service lines.

- Water quality sampling to help small systems investigate the presence and concentrations of emerging compounds.
- Assisting small systems with applications for DWSRF funding.
- Assisting small systems in engaging with people in disadvantaged areas to identify potential projects and communicate impacts of capital projects.

C. Administration of the Public Water Supply Supervision Program (State Program Management)

Up to 10% of the Capitalization Grants will be used for this set-aside primarily to supplement the Public Water System Supervision Grant from EPA for salary and support for basic program implementation of the SDWA. The set-aside provides funding for staff plus any additional permanent, time-limited, or temporary positions, as resources allow, or contracts, as well as additional staff to cover additional resources needs due to new tasks or reduced state budgets.

D. Local Assistance and Other State Programs

Up to 15% of the Capitalization Grants will be used for Local Assistance and Other State Programs. Activities include wellhead protection, capacity development, water quality sampling, and lead service line inventory.

a. Wellhead Protection

The State will allocate a portion of this set-aside from the Capitalization Grant for the Wellhead Protection (WHP) Program and to implement efforts to protect source water, as per revisions to Section 1452(k) of the Safe Drinking Water Act. Valuable information, tools and interest for protecting public water supplies have been generated by the Source Water Assessment Program (SWAP), which was developed and implemented with funding from the FY 97 grant. Funding will be used for contracts, purchase of equipment and supplies, and to fund and support positions.

This set-aside also includes a contract for technical assistance for local wellhead protection efforts with NCRWA that supports one or more technicians to assist in the preparation of wellhead protection plans and to implement efforts to protect source water. Included also is funding for contractors, equipment and supplies to: (1) identify public water supply sources and potential contaminant source locations within source water protection areas, (2) update the system inventory, (3) computerize records, (4) conduct well inspections, and (5) protect source water in delineated areas. These funds will also provide for maintenance and necessary upgrade of the computer applications used to complete source water assessments. This includes software and hardware upgrades to allow for efficient operation of the applications and data conversions to allow expanded use of Global Positioning System (GPS) and Geographic Information System (GIS) data in analytical work. It also may include enhanced data management and internet access to system data through SDWIS State, or its subsequent replacement, such as SDWIS NextGen.

b. Capacity Development

Support for capacity development will be continued through allocation of a portion of the Capitalization Grants for these activities. Funding will be used for contracts, purchase of equipment and supplies, and to fund and support positions.

c. Water Quality Sampling

Support for water quality sampling will be provided to help systems investigate the presence and concentrations of emerging pollutants. Funding may be used for contracts to provide communities technical support to conduct water quality sampling to better assess the need and prioritization for capital projects potentially funded with the BIL DWSRF Emerging Pollutant Funds.

d. Lead Service Line Inventory

Support for lead service line inventory will be provided to help systems meet requirements established by Lead and Copper Rule. Funding will be used for contracts to provide communities technical support to conduct inventories and identify lead service lines in need of replacements to be potentially funded with BIL DWSRF Lead Service Line Replacement Funds.

DRAFT

Appendix B

Draft - Intended Use Plan Project Priority List for base DWSRF and BIL Supplemental DWSRF

Applicant Name	Project Name	Service Population	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	BIL Supplemental DWSRF Principal Forgiveness	BIL Supplemental DWSRF Loans	Priority Points	Estimated Binding Commitment
Spring 2022 Application Round Funded Projects (To be updated after fund allocation by the Authority)										

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Fall 2021 Application Round Funded Projects								
Elizabeth City, City of	Raw Water Reservoir Rehabilitation (Supplement)		Pasquotank	\$1,353,429	\$676,715	\$676,715	85	2/1/2023
Davie County Public Utilities	Water Supply Improvements Project		Davie	\$9,125,427		\$9,125,427	59	2/1/2023
Stovall, Town of	Water Tank, Water Main, and Associated Improvements (Reconsideration)		Granville	\$1,757,360			53	

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Scotland Neck, Town of	Phase 2 Water Improvements		Halifax	\$1,513,130	\$1,116,697	\$396,433	51	2/1/2023
Enfield, Town of	2021 Water Improvements Project Phase 7 - Distribution Lines and Appurtenances on Sherrod Heights, Branch Street, Whitfield Street & W. Burnette Avenue		Halifax	\$859,685			50	
Pilot Mountain, Town of	Water System Improvements		Surry	\$683,000			50	
Sharpsburg, Town of	Phase 3 Water System Improvements Project		Edgecombe / Nash / Wilson	\$928,000			48	
Sanford, City of	Sanford WTP Expansion		Lee	\$73,770,000	\$500,000	\$19,500,000	48	2/1/2023
Peachland, Town of	Phase 1 Water Improvements		Anson	\$1,719,105			46	
Fuquay-Varina, Town of	Sanford WTP Expansion		Wake	\$73,770,000		\$15,000,000	45	2/1/2023
Yanceyville, Town of	Waterline Replacement		Caswell	\$1,325,000			40	

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Siler City, Town of	Water Pressure Project in Homewood Acres Neighborhood		Chatham	\$826,355	\$206,589	\$619,766	40	2/1/2023
Winston-Salem, City of	Neilson WTP Modernization		Forsyth	\$41,870,000			39	
Lucama, Town of	2021 Water Line Replacement and Elevated Storage Tank		Wilson	\$1,405,000	\$500,000	\$905,000	38	2/1/2023
Lucama, Town of	2021 Phase 3 Water Line Replacement Spring / Campbell Streets and Little Rock Church Rd.		Wilson	\$500,000			38	
Orange Water and Sewer Authority	Jones Ferry Road TWP - Electrical Distribution Improvements		Orange	\$7,181,400			37	
Burgaw, Town of	Water Distribution System Rehabilitation Project		Pender	\$3,271,044			36	
Town of Franklin	Phase II WTP Improvements		Macon	\$8,889,000			36	

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Craven County	Craven County Water Telemetry / SCADA (Reconsideration)		Craven	\$5,499,221			35	
Junaluska Sanitary District	Oak Park Water Line Replacement		Haywood	\$3,961,316		\$3,961,316	35	2/1/2023
Franklin County	New Mays Crossroads Elevated Tank		Franklin	\$4,081,000			35	
Fayetteville Public Works Commission	PO Hoffer WTF Phase 3 Residuals		Cumberland	\$20,784,031			32	
Henderson, City of	Kerr Lake Regional Water Treatment Plant Upgrades		Vance	\$20,837,941			32	
Dunn, City of	Highway 301 South Elevated Tank (Reconsideration)		Harnett	\$2,950,000			31	
Cape Fear Public Utility Authority	Replacement of Water Mains, Valves and Water Services on S 5th Ave		New Hanover	\$1,758,300			30	
Elkin, Town of	West Zone Improvements (Reconsideration)		Surry / Wilkes	\$4,079,874			30	

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Wilkesboro, Town of	Wilkesboro DWSRF Water Plant and Intake Project		Wilkes	\$22,563,000			29	
Rocky Point Topsail Water and Sewer District	RO Water Treatment Plant and Associated Improvements		Pender	\$43,120,000			29	
Lenoir, City of	Finley Area Water System Improvements		Caldwell	\$5,750,000			26	
Ossipee, Town of	Elon Ossipee Road Waterline		Alamance	\$639,850			26	
Robbinsville, Town of	Tallulah Creek Water Treatment Plant Upgrades (Reconsideration)		Graham	\$2,118,750			26	
Stokes Water & Sewer Authority	Hinsdale Road Water Main Extension Project (Reconsideration)		Stokes	\$1,130,300			26	
Sampson County	Keener Groundwater Supply Well		Sampson	\$1,503,825			25	

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Graham, City of	10" Water Main Replacement from Treatment Plant to Northwest Graham		Alamance	\$10,092,000			23	
Sampson County	Governor Moore Road and South McCullen Road Water Main Extensions		Sampson	\$1,671,750			22	
Sampson County	Town of Harrells Interconnection		Sampson	\$2,762,800			22	
Mocksville, Town of	Madison Road BPS Renovation and North Elevated Tank		Davie	\$3,451,200			19	

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Spring 2021 Application Round Funded Projects								
Jamesville, Town of	Water Treatment Plant Replacement		Martin	\$1,847,934	\$500,000	\$1,347,934	60	8/1/2022

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Enfield, Town of	2021 Water Improvements Project Phase 7		Halifax	\$859,685			60	NA
Davie County Public Utilities	Water Supply Improvements Project		Davie	\$28,050,000		\$6,926,193	55	8/1/2022
Stovall, Town of	Water Tank, Water Main, and Associated Improvements		Granville	\$1,757,360			55	NA
Peachland, Town of	Phase I Water Improvements		Anson	\$1,719,105			48	NA
Burnsville, Town of	Burnsville Water Treatment Plant Improvement Project		Yancey	\$1,337,350	\$334,337	\$1,003,013	46	8/1/2022
Beech Mountain, Town of	2022 Water System Rehabilitation Project		Watauga	\$2,913,265		\$2,913,265	45	8/1/2022
Laurinburg, City of	Distribution System Improvement Phase 2		Scotland	\$4,515,000		\$4,515,000	44	8/1/2022
Sanford, City of	Sanford WTP Expansion		Lee	\$68,450,000	\$500,000	\$19,500,000	44	8/1/2022
Brevard, City of	Brevard WTP Improvements		Transylvania	\$4,929,000	\$500,000	\$4,429,000	43	8/1/2022

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Grifton, Town of	2021 Water System Improvements		Pitt	\$980,400	\$490,200	\$490,200	40	8/1/2022
Winston-Salem, City of	Neilson WTP Modernization		Forsyth	\$41,870,000		\$20,000,000	39	8/1/2022
Franklin, Town of	Phase II Water Treatment Plant Improvements		Macon	\$8,889,000	\$500,000	\$8,389,000	36	8/1/2022
Edgecombe County	2021 Kingsboro Industrial Park Water System Improvements		Edgecombe	\$1,533,200	\$500,000	\$1,033,200	36	8/1/2022
Lucama, Town of	2021 Water System Improvements Phase 3		Wilson	\$500,000			36	NA
Craven County	Craven County Water Telemetry/SCADA		Craven	\$5,499,221			35	NA
Lumberton, City of	2021 WTP Sludge Removal and Lagoon Modifications		Robeson	\$519,750			34	NA
Junaluska Sanitary District	Oak Park Water Line Replacement		Haywood	\$4,573,518			32	NA
Dunn, City of	Highway 301 South Elevated Tank		Harnett	\$2,950,000			31	NA

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Walstonburg, Town of	Water Line Improvement		Greene	\$216,954	\$54,238	\$162,716	30	8/1/2022
Rocky Point Topsail Water & Sewer District	RO Water Teratment Plant and Associated Improvements		Pender	\$43,120,000			29	NA
Cherryville, City of	Critical Water Mains Replacement		Gaston	\$2,713,200			28	NA
Robbinsville, Town of	Tallulah Creek Water Treatment Plant Upgrades		Graham	\$2,118,750			28	NA
Fuquay-Varina, Town of	Sanford WTP Expansion		Wake	\$63,495,000			27	NA
Lenoir, City of	Finley Area Water System Improvements		Caldwell	\$5,100,000			26	NA
Stokes Water & Sewer Authority	Hinsdale Road Water Main Extension Project		Stokes	\$1,130,300			26	NA
Cape Fear Public Utility Authority	5th Avenue Water Replacement		New Hanover	\$1,758,300			24	NA
Elkin, Town of	West Zone Improvements		Surry / Wilkes	\$4,079,874			23	NA
Sampson County	Keener Ground Water Supply Well		Sampson	\$2,283,000			23	NA

Applicant Name	Project Name	Service Population (to be determined)	County	Total Funding Request	Base DWSRF Principal Forgiveness	Base DWSRF Loans	Priority Points	Estimated Binding Commitment
Henderson, City of	Kerr Lake Regional Water Treatment Plant Upgrades		Vance	\$11,107,000			22	NA
Tuckaseegee Water & Sewer Authority	Water Treatment Plant - Clearwell and High Service Pump Replacement		Jackson	\$2,900,925			20	NA
Clayton, Town of	Elevated Storage Improvements Project		Johnston	\$2,987,500			20	NA
Sampson County	Town of Harrells Interconnection		Sampson	\$3,321,000			20	NA
Sampson County	Water Main Extensions		Sampson	\$987,000			20	NA
Clarkton, Town of	Clarkton Water Meter Replacement		Bladen	\$88,254			18	NA

Appendix C
2022 DWSRF Proposed Payment Schedule

(Dependent on timing of state match and award of federal grant)

<u>Payment Quarter</u>	<u>2022 DW Payment Amount</u>	<u>2022 BIL DWSRF General Allotment Payment Amount</u>
April 1, 2022 – June 30, 2022		
July 1, 2022 - September 30, 2022	TBD	\$55,254,000
October 1, 2022 - December 31, 2022		
January 1, 2023 - March 31, 2023		
April 1, 2023 - June 30, 2023		
July 1, 2023 - September 30, 2023		
October 1, 2023 - December 31, 2023		
January 1, 2024 - March 31, 2024		
April 1, 2024 - June 30, 2024		
Total	TBD	\$55,254,000

Appendix D
2022 PRIORITY RATING SYSTEM for Drinking Water Projects

DRAFT – 2022 PRIORITY RATING SYSTEM for Drinking Water Projects			
<p>Instructions: For each line item, mark “X” to claim the points for that line item. Be sure that your narrative includes justification for every line item claimed. At the end of each category, provide the total points claimed for each program in the subtotal row for that category. Then add the subtotals from each category and enter the Total of Points for All Categories in the last line. Note that some categories have a maximum allowed points that may be less than the total of individual line items.</p>			
Line Item #	Category 1 – Project Purpose (Points will be awarded for only one Project Purpose)	Claimed Yes/No	Points
1.A	Project will consolidate a nonviable drinking water or wastewater utility		25
1.B	Project will resolve failed <u>failed or failing</u> infrastructure issues		25 <u>22</u>
1.C	Project will rehabilitate or replace infrastructure, <u>including by a regionalization project</u>		12
1.C.1	Treatment units, pumps and/or pump stations to be rehabilitated or replaced are greater than 20 years old, OR lines, storage tanks, drinking water wells or intake structures to be rehabilitated or replaced are greater than 40 years old <u>OR lead service lines</u>		8
1.D	Project will expand infrastructure		2
1.D.1	Treatment units, pumps and/or pump stations to be rehabilitated or replaced are greater than 20 years old, OR lines, storage tanks, drinking water wells or intake structures to be rehabilitated or replaced are greater than 40 years old		8
1.E	<u>Project will provide service to disadvantaged areas</u>		<u>20</u>
<u>1.F –</u> <u>1.I</u>	Reserved for other programs		
Maximum points for Category 1 – Project Purpose			25
Subtotal claimed for Category 1 – Project Purpose			
Line Item #	Category 2 – Project Benefits	Claimed Yes/No	Points

DRAFT – 2022 PRIORITY RATING SYSTEM for Drinking Water Projects			
2.A	Reserved for other programs		
2.B	Project provides a specific public health benefit to a public water supply system by replacement, repair, or merger; includes replacing dry wells, addressing contamination of a drinking water source by replacing or additional treatment; or resolves managerial, technical & financial issues		20
2.B.1	<u>Project addresses dry wells or contamination of a drinking water source; or resolves managerial, technical & financial issues</u>		<u>20</u>
2.B.2	<u>Projects that eliminate lead service lines</u>		<u>10</u>
2.C	Reserved for other programs		
2.D	Project addresses promulgated but not yet effective regulations		10
2.E	Project directly addresses enforcement documents		
2.E.1	Project directly addresses an EPA Administrative Order for a local government Applicant located in a Tier 1 county, or addresses an existing or pending SOC, or a DEQ Administrative Order, OR		5
2.E.2	Project directly resolves a Notice of Violation or Notice of Deficiency		3
2.F	Project includes system merger or regionalization		
2.F.1	Project includes system merger OR		10
2.F.2	Project includes system regionalization		5
2.G	Project addresses documented low pressure		10
2.H	Project addresses contamination		
2.H.1	Project addresses acute contamination of a water supply source OR		15
2.H.2	Project addresses contamination of a water supply source other than acute OR		10
2.H.3	Project addresses an emerging compound without a MCL but above a health advisory level		7 10
2.I	Project improves treated water quality by adding or upgrading a unit process		3
2.J	Water loss in system to be rehabilitated or replaced		3

DRAFT – 2022 PRIORITY RATING SYSTEM for Drinking Water Projects			
	is 30% or greater		
2.K	Project provides a public water system interconnection		
2.K.1	Project creates a new interconnection between systems not previously interconnected OR		10
2.K.2	Project creates an additional or larger interconnection between two systems already interconnected which allows one system’s public health water needs to be met during an emergency OR		10
2.K.3	Project creates any other type of interconnection between systems		5
2.L – 2.M	Reserved for other programs		
2.N	Project provides resiliency for critical system functions		
2.N.1	Project relocates infrastructure from inside the 100-year floodplain to outside the 500-year floodplain OR		8
2.N.2	Project relocates infrastructure from inside the 100-year floodplain to outside the 100-year floodplain OR		5
2.N.3	Project relocates infrastructure from between the 100-year and 500-year floodplains to outside a 500-year floodplain OR		3
2.N.4	Project fortifies or elevates infrastructure within floodplain, OR		4
2.N.5	Project improves ability to assure continued operation during flood events OR		4
2.N.6	Project downsizes infrastructure related to buyouts OR		4
2.N.7	Project provides redundancy/resiliency for critical treatment and/or transmission/distribution system functions including <u>cybersecurity and/or</u> backup electrical power source		3
2.O – 2.S	Reserved for other programs		

DRAFT – 2022 PRIORITY RATING SYSTEM for Drinking Water Projects			
Maximum points for Category 2 – Project Benefits			35
Subtotal claimed for Category 2 – Project Benefits			
Line Item #	Category 3 – System Management	Claimed Yes/No	Points
3.A	Capital Planning Activities		
3.A.1	Applicant has implemented an Asset Management Plan as of the date of application OR		10
3.A.2	Applicant has a current Capital Improvement Plan (CIP) that spans at least 10 years and proposed project is included in the plan		2
3.B	System Operating Ratio is greater than or equal to 1.00 based on a current audit, or is less than 1.00 and unit cost is greater than 2.5% of MHI		5
3.C	Applicant has an approved Source Water Protection Plan and/or a Wellhead Protection Plan		5
3.D	Applicant has implemented a water loss reduction program		5
3.E	Applicant has implemented a water conservation incentive rate structure		3
Maximum points for Category 3 – System Management			15
Subtotal claimed for Category 3 – System Management			
Line Item #	Category 4 – Affordability	Claimed Yes/No	Points
4.A	Residential Connections		
4.A.1	Less than 10,000 residential connections OR		2
4.A.2	Less than 5,000 residential connections OR		4
4.A.3	Less than 1,000 residential connections		8
4.B	Current Monthly Combined Utility Rates at 5,000 Usage		
4.B.1	Greater than \$79 OR		4
4.B.2	Greater than \$90 OR		6
4.B.3	Greater than \$107 OR		8
4.B.4	Greater than \$129		10

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4.C	Local Government Unit (LGU) Indicators		
4.C.1	3 out of 5 LGU indicators worse than state benchmark OR		3
4.C.2	4 out of 5 LGU indicators worse than state benchmark OR		5
4.C.3	5 out of 5 LGU indicators worse than state benchmark		7
4.D	<u>Project benefits disadvantaged areas</u>		<u>5</u>
4.D <u>4.E –</u> <u>4.G</u>	Reserved for other programs		
Maximum points for Category 4 – Affordability			25
Subtotal claimed for Category 4 – Affordability			
Total of Points for All Categories			

Appendix E Grant Percentage Matrix

Table 4. Proposed Step 4 (Affordability Matrix)				
Percentile Ranges for grant eligibility categories	Combined Monthly Bills¹ based on 2020 data (\$/5000 gallons)	% Grant or PF	Combined Monthly Bills + Project cost per customer per month² based on 2020 data (\$/5000 gallons)	% Grant or PF
> 99 Percentile	> \$148	100%	> \$148	100%
95 - 99 Percentile	\$129 - \$148	100%	\$129 - \$148	75%
85 - 95 Percentile	\$107 - \$129	75%	\$107 - \$129	50%
70 - 85 Percentile	\$90 - \$107	50%	\$90 - \$107	25%
50 - 70 Percentile	\$79 - \$90	25%	\$79 - \$90	0%
0 - 50 Percentile	\$0 - \$79	0%	\$0 - \$79	0%
<p>1 Single utility providers may divide by 0.4 for water or 0.6 for sewer applicant for calculating a combined monthly bill.</p> <p>2 Project cost per customer per month calculated assuming 0% interest financing for 20 years.</p>				