

Louisiana

INTENDED USE PLAN



FEDERAL FISCAL YEAR 2022

STATE FISCAL YEAR 2023

CAPITALIZATION GRANT ALLOTMENT

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I. INTRODUCTION

A. State of Louisiana's Drinking Water Revolving Loan Fund

In 1996, Congress passed federal amendments to the Safe Drinking Water Act (SDWA) establishing the Drinking Water State Revolving Fund (DWSRF) program. The State of Louisiana is eligible for a \$10,489,000 grant for federal fiscal year (FFY) 2022.

This document is the State of Louisiana's Intended Use Plan (IUP) detailing how the State will utilize this allotment of funds available to its Drinking Water Revolving Loan Fund (DWRLF) Program as authorized under the Drinking Water Revolving Loan Fund Act (R.S. 40:2821 et seq). The IUP must describe the use of a state's

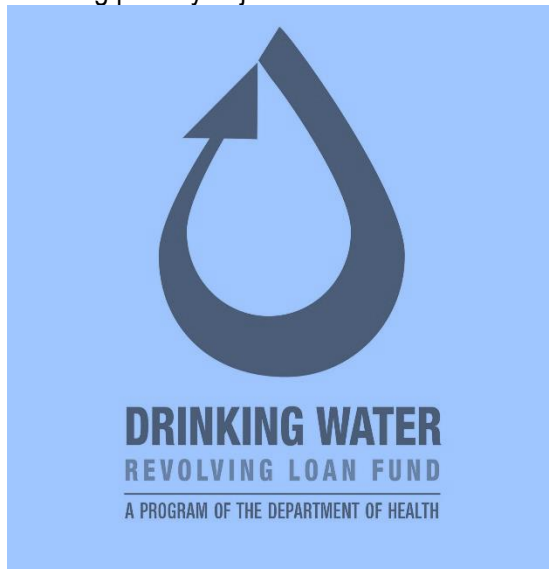
capitalization grant, state match funds, principal and interest from loan repayments, other interest earnings of the DWRLF, bond proceeds, funds designated for set-aside activities, and any other monies deposited into the DWRLF.

Our IUP is the central component of our DWRLF grant application and communicates our plans to stakeholders who include: public water systems, the public, EPA, and other state departments. This IUP provides specific details on key aspects of the program including our state's short- and long-term goals, the priority setting process we use to rank projects and the list of projects eligible to receive funding from available DWRLF funding.

B. Program Overview

This IUP provides details on our plans for all funds available in the DWRLF. This plan is based on receiving a capitalization grant award totaling \$10,489,000 from EPA. This IUP also addresses the use of our required 20% state match of \$2,755,000. We have established the following primary objectives for the DWRLF:

- Provide technical and financial assistance to eligible public water systems confronted with the most serious drinking water public health risks.
- Ensure that the assistance provided will help systems come into or maintain compliance with the SDWA.
- Operate the DWRLF as a permanent funding program to provide low-cost assistance to eligible systems into the foreseeable future.



To meet these objectives we will offer low-interest loans below market interest rates and other forms of financial aid, as described throughout this IUP to public water systems for the construction of facilities that will provide affordable, safe drinking water to the public. We also intend to use part of the federal capitalization grant as "set-aside" funding, to address other non-infrastructure activities which have public health benefits and assist in compliance with the SDWA. The major facets of the DWRLF program are summarized below.

Low-Interest Loans

We will provide low-interest loans to public water systems in the order of priority determined by the DWRLF Project Priority System. The total funding available for loans from the FFY22 grant is \$9,831,800. (This includes \$10,489,000 Federal dollars minus \$2,755,000 for set asides leaving \$7,734,000 for loans plus \$2,097,800 State match) The DWRLF finance charge and administrative charge on loans for eligible projects is set by the Secretary of LDH and results in below-market rate loans. The rates will be reviewed periodically by the DWRLF staff and if an adjustment is deemed appropriate, will be requested from the Secretary of LDH. The DWRLF staff members are in contact with the responsible parties of water systems on a

continual basis. They question them about the market rates that are available to them. Their responses have ranged from 4% to 12% with variables such as credit worthiness, corporate structure, size, existing debt, etc. as the reasons for the variations. DWRLF staff members also attend the monthly bond commission meetings at the state legislature to glean the market rates of bond issuances for similar type projects. Finally, the DWRLF is contracted with bond attorneys who advise them as to the current market rates and make recommendations therein. As a result, the rates are reviewed monthly by the staff, and the date of the last review was May 2022. Loans are made for up to 100% of the eligible costs with long-term financing of up to thirty years.

Disadvantaged Community System Assistance

The maximum funding available for this type of financial aid will be \$3,671,150 or 35% of \$10,489,000. To the extent that there is not adequate demand for the full 35%, monies not used for the disadvantaged community system assistance may be made available to eligible applicants on the Comprehensive/Fundable list in accordance with procedures in section VI.C of this document. To the extent that there are sufficient applications, at least \$1,258,680 or

12% up to \$3,671,150 or 35% of \$10,489,000 shall be used to provide additional subsidy to eligible disadvantaged communities.



Refinancing

Louisiana may buy or refinance local debt obligations of municipal, inter-municipal, or interstate agencies where the debt obligation was incurred and the project was initiated after July 1, 1993. Projects must have met the eligibility requirements under section 1452 of the Act and 40 CFR Part 35.3523 to be eligible for refinancing. Privately owned systems are not eligible for refinancing. To date the DWRLF has refinanced one loan (Town of Slaughter) in the amount of \$1,355,000.



Set-Asides

The SDWA allows states to use part of the federal capitalization grant to support various drinking water programs commonly known as set-asides. Louisiana proposes to use \$1,966,788 of this grant and use \$788,212 of the unspecified funds from prior grants to pay for set-aside activities for a total of \$2,755,000 (26.26% of FFY 22 Capitalization Grant) to help ensure compliance with the SDWA regulations and to address public health priorities. Set-aside funded activities will include the following:

- ◆ DWRLF program administration
- ◆ Technical assistance to small systems
- ◆ Implementation of the state's capacity development strategy
- ◆ Strengthen and enhance the administering of the Public Water Supply Supervision (PWSS) program
- ◆ Assist OPH with implementing an operator certification program
- ◆ Assistance to individual systems in capacity development

Transfer Process

CFR Part 35.3530 (c) (6) states The Governor of a State, or a State official acting pursuant to authorization from the Governor, may transfer an amount equal to 33 percent of a fiscal year's DWSRF program capitalization grant to the CWSRF program or an equivalent amount from the CWSRF program to the DWSRF program. To date, Louisiana has not had the need to transfer funds between the programs.

Cross-Collateralization Process

The State of Louisiana has not used fund assets for either the Clean Water or Drinking Water programs as security for bond issues to enhance the lending capacity of either program. Consequently, no cross-collateralization process exists.

C. Public Input, Review and Comment Procedures

To ensure that the public had an opportunity to review our proposed plans for the DWRLF, the draft IUP will be made available 30 days prior to the public hearing held on June 8, 2022.

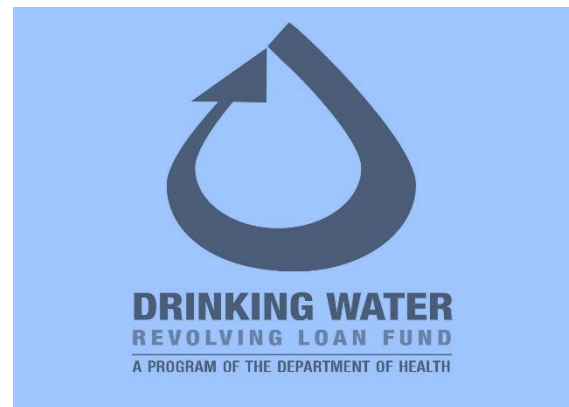
The written notice was placed in the Baton Rouge Advocate on April 26, 2022 stating that the Louisiana Department of Health, Office of Public Health is applying for the Federal Fiscal Year 2022 allotment of the US EPA Drinking Water State Revolving Loan capitalization grant

fund for its Drinking Water Revolving Loan Fund Program.

We welcome input on all elements of the IUP at the public meeting. The meeting is designed to provide a forum for discussing the overall purpose, format, and content of the IUP including the amount of the grants and the state match required, the priority system used to rank individual projects, and the proposed list of projects to receive funding from FFY22 funds. A comment period will remain open during the 30 days prior to the meeting. A summary of the results of these public participation activities is included in Attachment 3.

II. DWRLF LONG-TERM and SHORT TERM GOALS

In establishing the national Drinking Water State Revolving Fund program, Congress gave Louisiana and other states the flexibility to design a program that can be tailored to meet the needs of local public water systems. The long and short term goals developed for the DWRLF are presented next.



A. Long-Term Goals

1. Assist water systems throughout the State in achieving and maintaining the health and compliance objectives of the Safe Drinking Water Act by providing below-market rate loans to fund infrastructure needs in a prioritized manner.
2. Promote the efficient use of all funds, and ensure that the Fund corpus is available in perpetuity for providing financial assistance to public water systems.
3. Use the DWRLF set-aside funds strategically and in coordination with the program loans to maximize the DWRLF loan account's impact on achieving affordable compliance and public health protection.
4. Promote the development of the technical, managerial, and financial capability of all public water systems to maintain or come into compliance with state drinking water and federal SDWA requirements.
5. Provide needed investment in green and energy efficient technology.
6. Make the water systems throughout the state more water efficient to ensure the continued availability of sufficient quantities of safe drinking water for future generations of the state.

7. Invest in infrastructure that will provide long term economic and environmental benefits to public water systems.

B. Short-Term Goals

1. Develop policy and procedures that help expedite project draws to expend this FFY22 grant within 2 years of the award.
2. It is anticipated that approximately 7 binding commitments will be entered into by the end of State fiscal year (SFY) 2023 totaling \$10,155,242
3. Louisiana hopes to close 7 loans totaling approximately \$10,155,242 during SFY 2023. The population total for these projects is approximately 32,700.
4. Louisiana intends to maintain our fund utilization rate at 85%.
5. To provide at least 35% of the available DWRLF loan funds in SFY 2022 to assist public water systems which regularly serve fewer than 10,000 persons to the extent that there are sufficient projects eligible and ready to receive such assistance.
6. To promote the benefits of the program to as many water systems as possible to assure equitable distribution of available financing resources.
7. Apply for FFY24 capitalization grant before the close of state fiscal year 2022.
8. To provide expedited financial aid to those systems qualifying as disadvantaged community systems.
9. Continue to partner with other funding agencies by jointly funding projects to assist public water systems.
10. Maximize our principal forgiveness funds to ensure that as many communities as possible across the state can be helped in the current economic environment.



III. STRUCTURE OF THE DWRLF

The DWRLF consists of three accounts that will be used to provide assistance to accomplish its goals.

A. DWRLF Loan Fund Account

This account will provide assistance for the planning, design, and construction of improvements to publicly and privately owned community water systems and nonprofit, non-community water systems. Federally owned facilities are not eligible for funding. This account will consist of all federal funds used for infrastructure loan assistance, all state match funds transferred in, bond proceeds, loan repayments, and interest earnings of the Fund. The types of projects that can be funded under the loan account include the following:

- ◆ Construction or upgrade of treatment facilities
- ◆ Replacement of contaminated sources with new water sources
- ◆ Installation or upgrade of disinfection facilities
- ◆ Restructuring or acquisition and interconnection of systems to address technical, financial, and managerial capacity issues
- ◆ Planning and engineering associated with eligible projects
- ◆ Replacement of aging infrastructure
- ◆ Transmission lines and finished water storage
- ◆ Distribution system replacement/rehabilitation

- ◆ Acquisition of land that is integral to an SRF eligible project
- ◆ Refinancing eligible projects where debt was incurred after July 1, 1993
- ◆ Other projects necessary to address compliance and enforcement issues



Limitations of the DWRLF Loan Fund Account

The SDWA allows states to buy or refinance debt obligations of municipal, inter-municipal, or interstate agencies where the debt obligation was incurred and the project was initiated after July 1, 1993. We will only consider these applications after all projects addressing public health protection and compliance have been considered. Funds in the loan fund account will be invested in interest bearing accounts; however, funds will not remain in the account primarily to earn interest.

The federal DWRLF rules and regulations (CFR 40:35.3520) specifically lists the following projects that cannot be funded through the DWRLF:



- ◆ Dams, or rehabilitation of dams
- ◆ Water rights, except if the water rights are owned by a system that is being purchased through consolidation as a part of a capacity development strategy
- ◆ Reservoirs, except finished water reservoirs and those reservoirs that are part of the treatment process and are on the property where the treatment facility is located
- ◆ Laboratory fees for monitoring
- ◆ Operation and maintenance expenses
- ◆ Projects needed primarily for fire protection
- ◆ Projects for systems that lack adequate technical, financial, and managerial capacity, unless assistance will ensure compliance
- ◆ Projects for systems in significant noncompliance, unless funding will ensure compliance
- ◆ Projects primarily intended to serve future growth

B. DWRLF Set-Aside Account

This account will provide assistance for set-aside activities funded through the DWRLF. The types of projects to be funded by the DWRLF set-aside account include, for example, technical assistance to small systems, enhancement of the Administration of the Public Water Supply Supervision (PWSS) Program, implementation of the capacity development program, and enhancement of the operator certification program. A complete description of set-aside activities is provided in Section V.

Each set-aside activity will have a separate sub-account that will be tracked separately in the state accounting and financial reporting system. Sub-account reports will provide expenditures to date for tracking purposes and will be a source of

reporting for the DWRLF annual report required by the SDWA. Sub-accounts have been established for the following set-asides:

- ◆ *Small system technical assistance*—for assistance to small systems through state personnel or agreements with third party assistance providers.
- ◆ *State Program Management*—for PWSS program support, capacity development strategy implementation, and operator certification program support.
- ◆ *Administration*—for reasonable costs of administering the DWSRF program
- ◆ *Local Assistance and other state programs*—for providing assistance, including technical and financial assistance, to public water systems as part of a capacity development strategy.

C. DWRLF Administrative Fee Fund Account

Fund resources from this account will be used to support the state operation and management of the DWRLF. This account will hold the 0.5% fee charged on the outstanding loan balances

collected by the State of Louisiana from applicants. Funds in this account will be used to ensure the long-term operation and administration of the program. This fund currently contains approximately \$10,887,129 and is accounted for separately outside of the loan fund.

IV. FINANCIAL STATUS OF THE DWRLF

This section reports on all sources of funding available to the DWRLF program and indicates their intended uses. This section also describes the financial assistance terms available through the program.



A. Sources and Uses of Funds

The total amount of funds in the DWRLF available and the intended allocation to each activity is presented in Attachment 2-Sources & Uses of Funds. It reflects the allotment of funds from the federal capitalization grant for FFY21 to the state of Louisiana and identifies Louisiana's total funding sources. \$740,304,869 in cumulative resources is estimated to be available to the State of Louisiana's DWRLF in SFY23, including capitalization grants for FFY 97 through FFY22, ARRA funds, loan repayments, and state matching funds. Of the cumulative available resources, \$50,077,638 (as amended) has been

specified for set-aside activities, \$60,850,000 of interest collected has been used to retire state match bonds, and \$502,372,076 has been loaned to water systems. The result is \$156,896,955 available for new loans.

Appendix A demonstrates how the State of Louisiana plans to disperse these available funds for qualifying projects. It depicts projects which are working through the loan process toward closing a loan. All of these projects will be used for equivalency reporting purposes.

B. State Match Source

In order to receive each of the EPA capitalization grants (excluding the ARRA grant), the federal capitalization grant must be matched with either state funds or a letter of credit like instrument equal to at least 20 percent of the grant payments. To meet this requirement, the DWRLF secures its state match through a bond issuance. The bonds are structured as a non-revolving line

of credit secured by the revenue of the loan portfolio. The interest collected on the existing loan portfolio is used to retire the state match revenue bonds. State match totaling \$3,200,000 will be provided through the sale of revenue bonds to match the FFY 22 federal funds deposited into the DWRLF.

FFY 22 Capitalization Grant breakdown is as follows:

Capitalization Grant	\$10,489,000
<u>20% State Match</u>	<u>\$ 2,097,800</u>
Total Funds	\$12,586,800
Set-Asides (Specified)	\$2,755,000

The EPA Administrator, or his/her duly authorized representative, and the State of Louisiana shall jointly establish a schedule of payments under which the EPA Administrator, or his duly authorized representative, will pay to the State of Louisiana the amount of each grant to be made to the State. This payment schedule is based on Louisiana's projection of binding commitments (these commitments take place when the loan is closed) and use of set-aside funds as stated in this IUP. States must take all

payments within the earlier of 8 quarters after grant award or 12 quarters of the allotment. Louisiana reserves the right to request grant payment amounts on an accelerated basis; however, the total grant payment amounts will not exceed the amounts shown in the following schedule unless the following grant payment schedule is amended in accordance with EPA regulations. The draw ratio for the FFY 22 capitalization grant is 78.66% federal funds and 21.34% state funds.

The FFY 22 Capitalization Grant Payment Schedule is as follows:

Federal Fiscal Year Quarter	Grant Payment Amount
Fourth Quarter 2022	\$10,489,000

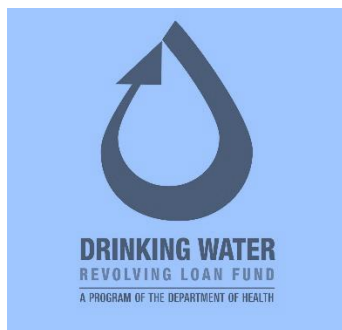
The FFY 22 Capitalization Grant draw ratio: 78.66% Federal 21.34% State

C. Financial Terms of Loans

The SDWA allows states to charge interest rates ranging from 0 percent to the market rate for DWRLF loans. The secretary of LDH sets the interest rate for the DWRLF. The interest rate has been set at 1.95% with the ability to raise it or lower it as the market dictates. An administrative fee of 0.5% of the outstanding balance is charged on all loans. The DWRLF provides interim construction financing to eligible recipients. Loan proceeds are disbursed to the recipient periodically as project expenses are

incurred and after corresponding invoices are approved by LDH. During the construction of the project, interest and administrative fees are due every six months. Once the project is complete, the loan is written down to the actual amount needed for the project and a final debt service schedule is provided for the recipient. Interest and administrative fees are due every six months for the life of the loan. Principal payments are due annually for the life of the loan, not to exceed twenty, twenty five or thirty years.

D. Disadvantaged Community Systems



Disadvantaged Community Project:

A disadvantaged community project is one which assistance is necessary to correct an imminent threat to public health as a result of a noncompliance issue with the SDWA resulting in an Administrative Order. This determination will be made by the Louisiana LDH utilizing one of the following requirements:

- The public water system is located in a state where the median household income is below the national median household income of the United States according to the U.S. Census Bureau.
- Assistance is necessary to resolve noncompliance issues with the SDWA that have resulted in being placed on the EET list or has received an Administrative Order being issued against the water system.
- The public water system serves a community with a population under 10,000.

Disadvantaged Community Additional Subsidy Authority

The SDWA now mandates that states use at least 12 percent but no more than 35 percent of the capitalization grant amount for additional subsidy for state-defined disadvantaged communities. Before AWIA, the floor was zero percent and the ceiling was 30 percent. This requirement begins with capitalization grants awarded by the EPA to states after October 23, 2018. For most states, this is the federal fiscal year 2020 grant. This subsidy authority has existed since the DWSRF's inception, yet this is the first time Congress has mandated its use. States must establish or continue to implement their Disadvantaged Community Program and solicit applications from water systems. Note that, by law, additional subsidy provided from this authority must be in the form of a loan (e.g., a

loan including principal forgiveness or negative interest rates) and not a grant. 35% or \$3,671,150 of the FFY 2022 Drinking Water Capitalization Grant dollars will be targeted for additional subsidies to any eligible recipient. To the extent that funds are available, the additional subsidy will be in the form of principal forgiveness of at least 30% of the loan principal, with a maximum amount of 100% loan principal forgiveness per project. Principal forgiveness will be specified in the DWRLF Loan & Pledge Agreement for the amount forgiven. Priority for these funds will be given to projects that resolve Administrative Orders for noncompliance with the SDWA and consolidation projects across the state that would eliminate public water systems that are not in compliance with the SDWA requirements and pose a threat to public health.

E. Financial Terms for Refinancing Local Debt

Debt obligations of municipal, inter-municipal, or interstate agencies where the debt obligation was incurred and the project was initiated after July 1, 1993 may be refinanced by the DWRLF. The

terms of the loans made to refinance debt will be the same as those of other loans made by the DWRLF as stipulated in section IV.B of this IUP.

V. SET-ASIDE ACTIVITIES

The SDWA allows each state to set-aside up to 31% of its federal capitalization grant to support various drinking water programs including administration, technical assistance, state program management, and special activities. The State of Louisiana is specifying \$1,966,788 of this grant to fund set-aside activities and using \$788,212 of previously unspecified funds from prior grant years to fund set-aside activities for a total of \$2,755,000 (26.26% of FFY22 Capitalization Grant) (Attachment 1). We will continue to operate under the existing detailed work plans and submit new ones this year to fund

these activities which are further described in the next sections. Attachment 5 depicts those set-asides previously specified and those spent to date. We will report the progress of the set-aside activities to EPA in the annual report. There is \$693,900 in new unspecified funds from the FFY22 grant. We will retain the ability to take these and previously unspecified monies from a future capitalization grant to fund set-aside activities in the future. We will transfer any set-aside funding that is unused back to the DWRLF loan fund account.

A. DWRLF Administrative Expenses (SDWA reference - 1452(g)(2), Option: *1 /5 percent of the current valuation of the fund-* \$652,008 of FFY22 grant)

The loan program is administered by the Louisiana Department of Health–Office of Public Health (LDH-OPH). The administration set-aside will be used to pay salaries and associated expenses of new and existing personnel of LDH-OPH devoting time to the administration of the program. Administration set-aside funds can also be used to procure supplies and training necessary for the adequate performance of the staff.

The State reserves \$652,008 (1/5 percent of the audited current valuation of the fund at June 30th

2021 which is \$326,003,916 from the FFY22 cap grant to fund the administration set-aside. Louisiana specifies \$652,008 of the FFY22 cap grant and reclaims \$597,992 of previously unspecified dollars for a total of \$1,220,000 to fund these activities. The cumulative remaining balance of unspecified funds of \$1,250,000 will be retained to take from a future capitalization grant to fund administrative activities in future years. (Attachment 1) The expenses associated with this set-aside for SFY '23 will be funded from this capitalization grant and any unexpended funds from previous years.

B. Small System Technical Assistance (SDWA)

reference - 1452(g) (2), Max allowed: 2%; up to \$209,780 of FFY22 grant)



These funds will be used to accomplish the goal of providing technical assistance to public water supplies serving fewer than 10,000 people. Louisiana uses this set-aside to fund personnel and assistance providers. Personnel and the contracted assistance providers provide specific activities such as the following:

- ◆ Assisting small systems in meeting SDWA compliance: The State of Louisiana's major SDWA compliance problem is bacteriological maximum contaminant level (MCL) violations occurring in small PWSs under the Total Coliform Rule. Louisiana is addressing the prevention of bacteriological MCL violations in two ways: (1) holding quarterly Safe Drinking Water Compliance Training Schools and (2) conducting on-site visits with the

owners/operators of systems experiencing compliance problems.

- ◆ Review of source water problems and drinking water needs; identification and evaluation of technical options.
- ◆ Assisting small systems in preparing the applications for DWRLF assistance.
- ◆ Assisting small systems in complying with all cross cutting requirements of the DWRLF and other state requirements.
- ◆ Assisting small systems with locating and procuring sources of funding in addition to the DWRLF to meet their needs at the lowest possible cost.

The State reserves \$209,780 (2.0% of \$10,489,000) from the FFY22 cap grant dollars to fund the small system technical assistance set-aside. Louisiana specifies \$209,780 of the FFY22 cap grant and reclaims \$190,220 from previously unspecified dollars for a total of \$400,000 to fund these activities. The cumulative remaining balance of unspecified funds of \$1,964,010 will be retained to take from a future capitalization grant to fund small system technical assistance activities in future years. (Attachment 1) The expenses associated with this set-aside for SFY '24 will be funded from any unexpended funds from previous years.

C. State Program Management
(SDWA reference - 1452(g)(2), Max allowed: 10%; up to \$1,048,900 of FFY22 grant)

These funds will be used to enhance the State's administration of its Public Water Supply Supervision (PWSS) program outlined by the SDWA, to implement the capacity development strategy, and to implement an operator certification program. The State reserves \$1,048,900 (10% of \$10,489,000) from the FFY22 cap grant to fund the state program management set-aside. Louisiana specifies

\$355,000 from this grant and classifies the remaining \$693,900 as unspecified. The cumulative unspecified funds of \$15,303,032 will be retained to take from a future capitalization grant to fund state program activities in future years. (Attachment 1) The expenses associated with this set-aside for SFY '24 will be funded from this capitalization grant and any unexpended funds from previous years.

This set-aside no longer requires a one to one state match beyond the 20 percent state match for federal capitalization grants.

Sub-Category of State Programs Set-Aside	Amount Budgeted
Public Water Supply Supervision	355,000.00
Capacity Development	-
Operator Certification	
Total Specified Set-Aside Funds	355,000.00

PWSS Program

Louisiana will use the state program management set-aside funds to support PWSS activities. This activity provides funding to accomplish augmentation of the PWSS Grant

and assist in administration of the PWSS program activities. We will assist the PWSS program to accomplish its goals and objectives.

Capacity Development Program

Louisiana can use a portion of the State Program Management set-aside funds to support its capacity development program. Staff positions and outside contractors will be funded to provide public water systems with the tools and financial assistance they need to obtain and maintain the technical, financial, and managerial capacity needed to ensure a supply of safe drinking water for Louisiana citizens. The goal of the program is to identify the technical, financial, and managerial impediments confronted by water systems in

their efforts to provide safe and sustainable drinking water. After identifying the impediments we will be able to more appropriately determine and accomplish solutions to capacity problems. Such solutions could include technical or financial assistance or encouragement of consolidation, collaboration, regionalization, and contract operations and maintenance cooperatives. LDH agrees to demonstrate compliance with the capacity development authority and the capacity development strategy.

Operator Certification Program

Louisiana can use the state program management set-aside funds to support its operator certification program. If needed due to budget constraints, we will assist the operator

certification program accomplish its goals and objectives with funding. LDH agrees to demonstrate compliance with the operator certification program provisions.

D. Local Assistance and Other State Programs (SDWA reference - 1452(g)(2), Max allowed: 10% for any one activity; overall up to 15% or \$1,573,350 of FFY22 grant)

Louisiana will use \$750,000 of this set-aside fund as shown in Attachment 5 to provide assistance, including technical, managerial, and financial assistance, to public water systems as part of its

capacity development strategy in SFY '23. Louisiana will use \$750,000 of these set-aside funds from the FFY22 grant.

VI. CRITERIA AND METHOD FOR DISTRIBUTION OF FUNDS

A. Distribution of Funds

The SDWA provides each state with flexibility to determine how much of their grant should be used for infrastructure loans, disadvantaged assistance, and set-aside activities. However, with this flexibility comes responsibility to determine how to best direct funds to address the problems in our state. We believe it is critical to evaluate and understand the impact of our decisions in order to ensure that assistance will be available in the future. There is a direct relationship between set-aside funding and the long-term loan capacity of the DWRLF. This impact is significant and might suggest that we should limit our set-aside use. After consultation with the stakeholders, we determined to use 26.26 percent of the FFY22 funds for set-aside activities. Many of the activities conducted under the set-asides can have a direct impact on preventing future problems in the public water systems. Ensuring that operators are properly

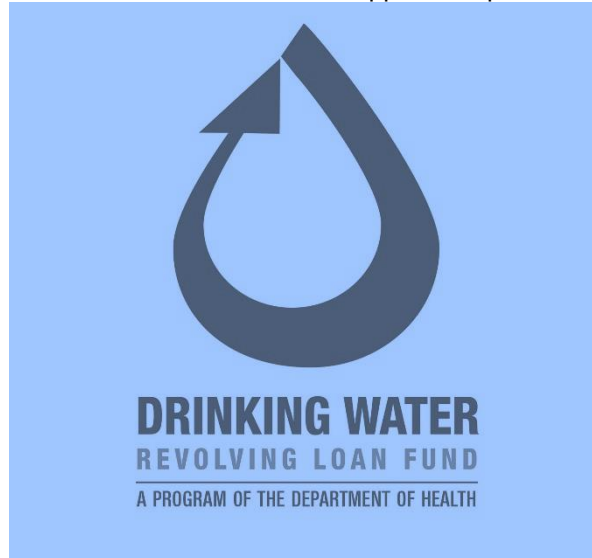
trained and enhancing the technical, financial and managerial capacity of small water systems can also reduce the need for costly infrastructure improvements. We will reevaluate our use of set-asides on an annual basis as we develop the IUP to determine whether set-asides levels should be reduced or increased in the future.

Section 1452 authorizes the establishment of a drinking water revolving loan fund to provide financial assistance to eligible water systems. . The Federal allotment for FFY22, including the state match, is \$12,586,800. Louisiana reserved 26.26% or \$2,755,000 of the grant for set-aside activities, specified \$1,966,788 and reclaims \$788,212 in funds from previously unspecified set-asides, resulting in \$2,755,000 (26.26%) specified for the set-aside activities described previously. This results in \$9,831,800 available for loans through the drinking water revolving loan fund program, for this funding cycle.

B. Capacity Assessment 1452 (a) (3) (A)

The SDWA requires that a public water system applying for a DWRLF loan must show that it has the technical, financial, and managerial capacity to ensure compliance. If a system does not have adequate capacity, assistance may only be provided if it will help the system to achieve

capacity. The goal of this requirement is to ensure that DWRLF assistance is not used to create or support non-viable systems. The Business Plan and the System Improvement Plan are completed as part of the DWRLF loan application process.



Technical Capacity

To demonstrate technical capacity, DWRLF loan applicants must show that drinking water sources are adequate, that the system's source, treatment, distribution and storage infrastructure are adequate and that personnel have the technical knowledge to efficiently operate and maintain the system. As part of reviewing a loan applicant's System Improvement Plan, Louisiana reviews the system's records to assure that the system is being properly operated and

maintained. The water system must not have outstanding water compliance problems unless the DWRLF project is intended to correct those problems. The engineering reports, plans, and specifications for the proposed DWRLF-funded project and the system's System Improvement Plan will all be evaluated during the loan application process for technical capacity compliance.

Financial Capacity

To demonstrate financial capacity, the applicant must show that the system has sufficient and dedicated revenues to cover necessary costs

and demonstrate credit worthiness and adequate fiscal controls. Louisiana reviews the applicant's business plan, which includes 5-year projections,

the project budget, the three (3) most recent annual financial reports, and/or audits, and other

financial information to ensure adequate financial capacity of the applicant.

Managerial Capacity

To demonstrate managerial capacity, the water system must have personnel with expertise to manage the entire water system operation. Louisiana reviews the applicant's managerial capacity via the Business Plan and supporting documentation to assure that management is involved in the day to day supervision of the water system, is responsive to all required regulations, is available to respond to

emergencies, and is capable of identifying and addressing all necessary capital improvements and assuring financial viability. The water system must have a qualified water operator in accordance with the state's operator certification program. The management personnel of the water system are strongly encouraged to attend a state approved 4-hour management training session.

Long-Term Capacity

Louisiana will assess whether each water system has a long-term plan to undertake feasible and appropriate changes in operations necessary to develop adequate capacity. In making these assessments, Louisiana will consult with local public health units and review any available Water Resource Management Strategies, Comprehensive Studies, the Drinking Water Needs Survey and other available engineering

reports in an effort to improve the overall capacity of systems requesting assistance. Louisiana will encourage consolidation efforts when two or more systems can benefit and also encourage other options, such as contract management or partnerships with other communities in their area. The priority-ranking criterion provides additional points to encourage this objective.



C. Establishing Project Priority

The Project Priority System developed and utilized by Louisiana meets the requirements of the SDWA (Attachment 4). Projects will be ranked against all other projects competing for funds. Single projects will be limited to a total of 30% of the capitalization grants available unless

- ◆ Elimination of adverse public health effects
- ◆ Unacceptable/undesirable physical conditions
- ◆ Environmental criteria
- ◆ Affordability criteria

The first step in developing the Comprehensive Project Priority List is a determination of project eligibility. Systems eligible for assistance are community water systems, both publicly and privately owned and non-profit non-community water systems. Once projects are determined to be eligible, they will be rated in six (6) categories to determine their project priority ranking for funding under the DWRLF. These specific categories are:

- ◆ *Compliance History* - This is evaluated by reviewing the SDWA MCL violations assessed in the last eight (8) quarterly reports.
- ◆ *System Consolidation* - This area examines the population that is proposed to be absorbed into the subject system from other public water systems.
- ◆ *Affordability* - If the service area lies within a census tract where the Median Household Income is 25% or more below the State average the system is awarded priority points.
- ◆ *Physical Conditions* - Priority points will be awarded for certain specific, existing physical conditions **IF** the proposal would correct the identified condition.
- ◆ *Sanitary Code Violations* - priority points may be awarded to the system for

adequate projects are not available to commit all available funds. The LDH may waive this maximum amount depending upon the number of applications. The principal elements addressed by the project priority system are:

violations of each of the Sanitary Code sections, which would be, corrected by/under the proposal.

◆ *Other Considerations* - Additional priority points (or penalty points) may be awarded (or subtracted) for a variety of other factors. They are:

- Additional points if the proposal represents part of a new multi-year, multi-phase project or a project that has received prior DWRLF funding and is a loan in good standing.
- Additional points if the project has also secured a partial project funding commitment from another source (e.g., Rural Development Grant, a grant and/or loan from the Rural Utilities Service, Community Development Block Grant, etc.)
- The system's priority rating may be reduced by points if the proposal addresses problems which could be resolved by normal repair and maintenance.
- The system's priority rating may also be reduced by points if the proposal includes work that is not necessary to address the stated public health problem.

The DWRLF has a policy in place to provide the Deputy Chief Engineer of the State's Safe Drinking Water Program a copy of the Selected Plan Description from any potential loan project's System Improvement Plan (SIP). The Deputy Chief Engineer then provides the SIP's Selected Plan Description to the SDWP Enforcement Section and the SDWP's District and Regional Offices in which the project is located for their review concerning any significant enforcement issues that may need to be addressed as part of the proposed project. Additionally, the SIP must contain a 'Compliance Status' section that contains a copy of the system's latest Sanitary Survey, a list of all violations received within the last 3 years, and a list of all Administrative Orders/Boil Notices received/issued within the last 3 years. These are then verified by the reviewing DWRLF Project Engineer and

considered as part of the SIP review process in order to determine if there are any significant enforcement issues that should be dealt with through the use of the funds. Lastly, the application contains a Project Priority Criteria Worksheet which includes providing additional priority points for selecting projects that have and are addressing current or potential future enforcement issues. Amendments to the Project Priority System will be considered, as appropriate, to reflect the changing character of the program. Projects are identified through a solicitation of all eligible water systems. Once the systems have submitted pre-applications, the projects are rated. They are ranked based on assigned priority points and two lists are compiled. Those two lists are referred to as the Comprehensive Priority List and the Fundable List. These lists are as follows:

The Comprehensive Priority List includes all the public water systems, which have submitted a completed DWRLF Application. The proposed projects are listed and ranked on this list in priority order based upon the priority ranking system. (Appendix A)

The Fundable List is the estimated projects that will close during the fiscal year. This list is only an estimate and is not binding toward which projects actually receive funds. The DWRLF closes loan on a 'ready to proceed' basis. (Appendix B)

The systems on either of the lists described above will be given six months to submit a complete loan application package. The basic components of the complete loan application package include a loan application form, approved environmental review checklist, resolution, site certificate for easement or title to project site(s), agreements for professional services, approved business plan, and an approved System Improvement Plan (SIP) (including an Environmental Impact Document). A project on the Fundable List may be bypassed and removed from consideration during the funding year because of failure to meet all program requirements.

Once one or more systems on the Fundable List have been bypassed, the agency will then turn its attention to those projects existing on the Comprehensive Priority List. Any system(s) on

the Comprehensive Priority List which have submitted a complete loan application will then be advanced up into the Fundable List based upon their priority order until the available funding is consumed.

Information for listing projects will be accepted by OPH on a continuous basis. However, deadlines for projects in a particular FFY IUP will be established each year. New projects will be ranked and added to the Comprehensive Priority List as they are identified by applicants interested in DWRLF Financing.

Any project that has had no written communication with the Drinking Water Revolving Loan Fund staff for a period of two (2) years and has presented no other evidence of progress toward completion of items that are prerequisites to funding during the two-year period shall be deemed to be a dormant project

and may be removed from the DWRLF Comprehensive Priority List. To maintain an up to date Comprehensive List for public review, the DWRLF keeps a constantly

revised list posted on our website at www.dhh.louisiana.gov/index.cfm/page/430

D. Small System Funding

Louisiana will review the Fundable and Comprehensive Lists to determine if at least 15 percent of the projected funding amount will be for public water systems that regularly serve fewer than 10,000 people, as required by the SDWA. Due to various non-controllable time lags, some projects proceed toward loan closing faster than others. Additionally, large projects are usually phased in resulting in multiple loans over multiple

years. LDH can also limit the amount borrowed by systems exceeding the population requirements when necessary to meet the requirements of the Act. Consequently, these lists will not be adjusted at this time, but constant monitoring of projects proceeding through the loan process will be accomplished to maintain the required 15 percent funding for small systems.

E. Tie Breaking Procedure

When two or more projects other than emergency projects and disadvantaged community system projects score equally under the project priority systems a tie breaking procedure will be used.

The project with the smallest number of existing customers served will receive higher ranking.

F. Bypass Procedure/Readiness to Proceed

The LDH reserves the right to allow lower priority projects to bypass higher priority projects for funding if, in the opinion of the DWRLF Program Manager, a higher priority project has not taken the necessary steps to expeditiously prepare for funding and is not ready to proceed with construction. Where it becomes evident to the OPH-DWRLF Program Manager that a project on the Fundable List is not proceeding to construction within the specified time during the current funding year, he may remove the project from the Fundable List and return it to the Comprehensive Priority List.

If a project must be by-passed because it has been delayed, this may affect the project's priority ranking in the following year. The LDH may also, in cases of a public health or environmental emergency, (e.g., source contamination, flood, hurricane, etc.) raise the priority of a project currently on the Comprehensive Priority List above that of a project on the Fundable List.

G. Refinancing Existing Loans

The DWRLF may be used to buy or refinance debt obligations for DWRLF projects. The long-term debt must have been incurred after July 1, 1993 to be eligible for refinancing. Consideration for these applications will be entertained only

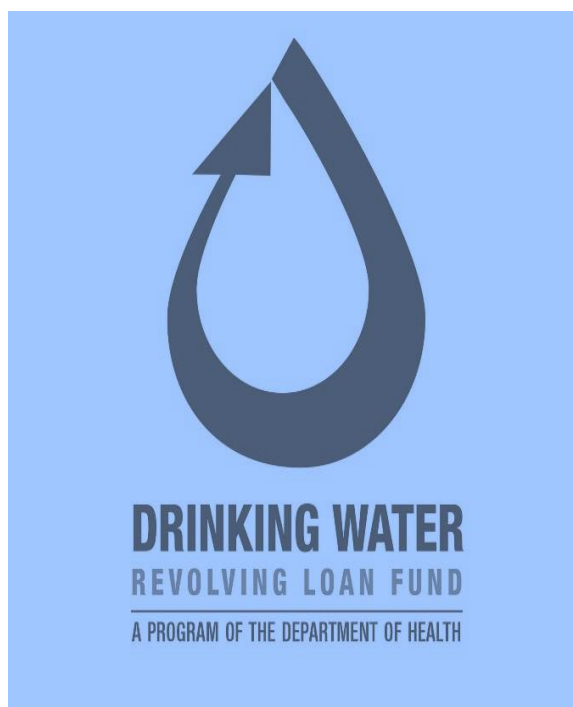
after projects addressing public health protection and compliance have been considered and the loan term cannot exceed the useful life of the project.

VII. FFY 23 PROGRAM REQUIREMENTS

A. Green Project Reserve (GPR)

For federal fiscal year 2022, funds may, at the discretion of each state, be used to address green infrastructure improvements. As the GPR is not mandatory for the FFY 2022 grant, the Louisiana DWRLF will not set aside funds specifically for projects deemed 'green' based on EPA's established definition.

In the past, the Louisiana DWRLF has advertised/solicited Green Projects through public announcement and targeted emails to water systems and consulting engineers, has met with the Louisiana Department of Natural Resources (LDNR) to discuss energy efficiency projects, has discussed potentially jointly funding green projects with the Louisiana CWSRF, has requested from the Louisiana Safe Drinking Water Program a list of non-metered water systems, and has called non-metered water systems to solicit potential green projects. The Louisiana DWRLF is also continuing to review current project applications for green potential eligibility, contacting and working with consulting engineers to find potential green components in existing applications for projects, continuing to work with LDNR to find and possibly jointly fund potential energy efficiency projects, and working with consulting engineers of current projects with identified green components to develop business cases for EPA approval.



B. Additional Subsidy Funds- Public Health Water Infrastructure Consolidation Initiative

The FY2022 Appropriation Bill also contains an additional subsidies provision. The provision states that not less than 14 percent of the funds made available under this capitalization grant shall be used to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these). To fulfill this requirement, Louisiana will start a Public Health Water Infrastructure Consolidation Initiative. This initiative will provide 100% principal forgiveness loans for consolidation projects across the state that would eliminate public water systems that are not in compliance with the SDWA requirements and pose a threat to public health.

Fourteen percent or \$1,468,460 of the FFY 2022 Drinking Water Capitalization Grant dollars will be targeted for additional subsidies to any recipient that is willing to consolidate a system that is not in SDWA compliance. The additional subsidy will be in the form of 100% principal forgiveness of the loan principal. Principal forgiveness will be specified in the DWRLF Loan & Pledge Agreement for the amount forgiven.

C. Build America, Buy America Requirement

The 2021 Infrastructure Investment and Jobs Act (IIJA) Bill includes a "Build America, Buy America Act" requirement that requires Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) assistance recipients to use iron, steel, manufactured products, and construction materials products that are produced in the United States for

projects including the construction, alteration, maintenance, or repair of a public water system or treatment works if the project is funded through an assistance agreement. At this time, EPA is developing certain circumstances under which EPA may waive Build America, Buy America requirements in certain circumstances.

D. Davis-Bacon Requirements

For this fiscal year, the requirements of section 1450(e) of the Safe Drinking Water Act (42 U.S .C. 300j-9(e)) shall apply to any construction project carried out in whole or in part with assistance made available by a drinking water treatment revolving loan fund as authorized by section 1452 of that Act (42 U.S .C . 300j-12). In order to comply with this provision, the Louisiana DWRLF must include in all assistance agreements, whether in the form of a

loan, bond purchase, grant, or any other vehicle to provide financing for a project, executed on or after October 30, 2009 (date of enactment of P .L. 111-88), for the construction of any works under the DWSRF, a provision requiring the application of Davis-Bacon Act requirements for the entirety of the construction activities financed by the assistance agreement through completion of construction, no matter when construction commences .Although, no application of the

Davis-Bacon Act requirements where such a refinancing occurs for a project that has

completed construction prior to October 30, 2009.

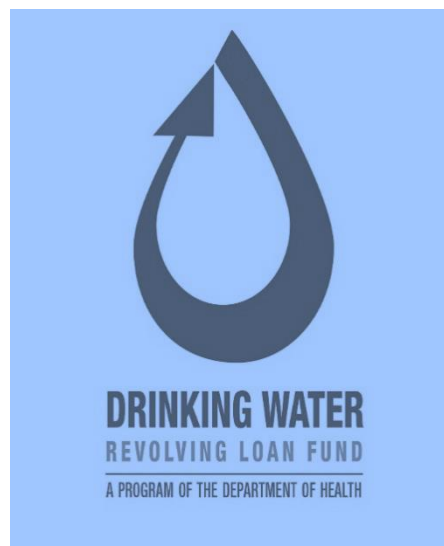
E. Sustainability Policy

EPA has developed a Sustainability Policy that “encouraging communities to develop sustainable systems that employ effective utility management practices to build and maintain the level of technical, financial and managerial capacity necessary to ensure long-term sustainability.” The Louisiana DWSRF program maintains a strong capacity development program which includes a comprehensive review of each loan applicant for technical, financial and managerial capacity. This program is the platform for Louisiana’s sustainability program because it already incorporates the three tiered review. Applicants are evaluated through detailed technical reviews, financial audits and managerial checklists. The Louisiana Capacity

Development Program, funded through the use of set-asides provides communities that lack the technical, managerial, and financial capacity technical assistance free of charge to help these communities reach the overall goal of sustainability. An annual Capacity Development Report is provided to EPA each year, prior to September 30th, detailing all of the activities which are incorporated into the ongoing strategy for ensuring sustainability for public water supply systems. The report provides information on Louisiana’s efforts through enforcement, permitting, operator certification, source water assessment, Area-Wide Optimization Program, small system technical assistance program and the PWS Sanitary Survey Program.

F. Self-Certification for Certain Systems Serving 500 or Fewer Persons

The Water Infrastructure Improvements for the Nation Act (Public Law 114-322) requires DWSRF assistance recipients serving 500 or fewer persons to consider publicly-owned wells (individual, shared or community) as an option for their drinking water supply. Any applicable project involving the construction, replacement or rehabilitation of a drinking water system which is not already using a publicly-owned well for the source are required to self-certify. If the community already uses a publicly-owned well (including a privately owned well for a public water system) and the project does not involve a new water source, then the self-certification is not needed. The self-certification is only for projects which do not involve a publicly-owned well source to ensure that this was one of the water supply options considered but not selected as the best alternative.



G. Reporting Requirements

Louisiana must report in the SRF Data System (40 CFR 35.3545(b)). This information will also need to be included in the Annual Report. Quarterly reporting shall include use of the funds for the GPR and additional subsidization, as well as information on the environmental benefits of SRF assistance. All projects that submit an application and are put on Comprehensive Priority List must comply with all Federal Crosscutters; Single Audit Act; and follow federal requirements to comply with the Disadvantaged Business Enterprise Program to receive funding thru the DWRLF. Louisiana must also report

into The FFATA Sub award Reporting System (FSRS) under the Federal Funding Accountability and Transparency Act (FFATA) of 2006. The intent of FFATA is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is www.USASpending.gov. The FSRS is the reporting tool federal prime awardees (i.e. prime contractors and prime grants recipients) use to capture and report sub award and executive compensation data regarding their first-tier sub awards to meet the FFATA reporting requirements.

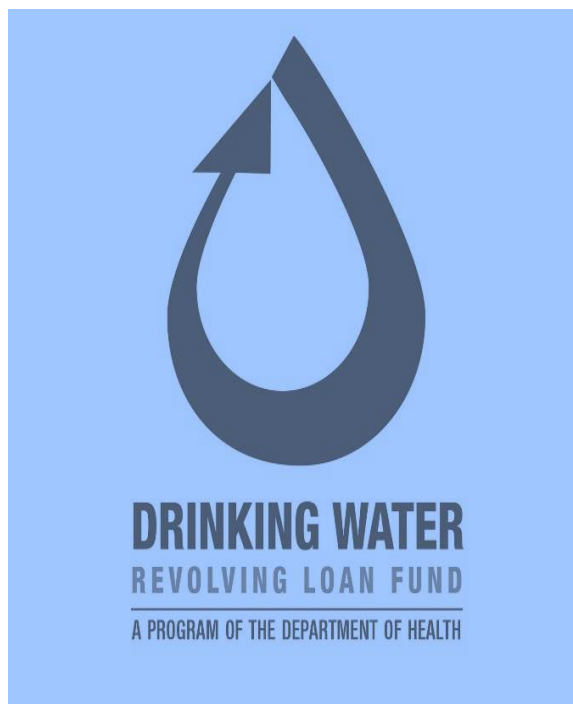
H. American Iron and Steel Requirement

The FFY 2021 Appropriation Bill includes an "American Iron and Steel (AIS)" requirement that requires Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) assistance recipients to use iron and steel products that are produced in the United States for projects including the construction, alteration, maintenance, or repair of a public water system or treatment works if the project is funded through an assistance agreement. The appropriation language sets forth certain circumstances under which EPA may waive American Iron and Steel requirements. Furthermore, the act exempts projects where engineering specifications and plans were approved by a state agency prior to January 17, 2014. However, if the recipient can justify a claim made under one of the categories below, a waiver may be granted. Until a waiver is granted by the EPA, the AIS requirement must be adhered to as described in the act. A waiver may be provided if EPA determines the following

items; applying these requirements would be inconsistent with the public interest; iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

VIII. INTENDED USE PLAN AMENDMENT PROCEDURES

The DWRLF will keep EPA updated on the status of this situation and provide any amendments to this IUP that are necessary. Revisions to this Intended Use Plan (IUP) that are determined material will require public notice and EPA notification and approval. Revisions to this IUP that are determined not to be material shall be made by DWRLF with notification to EPA or through EPA's required annual reporting.



Attachments

Attachment 1-Set Asides			NEW SET-ASIDES RESERVED						SPECIFIED FUNDS				RECLAIMED SPECIFIED			
GRANT	GRANT	GRANT	4%	2%	10%	15%	TOTAL	%	4%	2%	10%	15%	4%	2%	10%	15%
2009	12	11,540,000	461,600	230,800	1,154,000		1,846,400	16.00%	461,600		1,154,000		138,400		146,000	
2010	13	25,649,000	1,025,960	512,980	2,564,900		4,103,840	16.00%	525,000	100,000	1,800,000					
2011	14	17,798,000	711,920	355,960	1,779,800	415,000	3,262,680	18.33%	450,000	100,000	1,600,000	415,000				
2012	15	16,962,000	678,480	339,240	1,696,200	425,000	3,138,920	18.51%	475,000	125,000	1,696,200	425,000			153,800	
2013	16	15,914,000	636,560	318,280	1,591,400	425,000	2,971,240	18.67%	520,000	250,000	1,591,400	425,000			183,600	
2014	17	12,127,000	485,080	242,540	1,212,700	475,000	2,415,320	19.92%	485,080	242,540	1,212,700	475,000	29,920	7,460	162,300	
2015	18	12,047,000	481,880	240,940	1,204,700	425,000	2,352,520	19.53%	70,056	235,000	453,574	425,000				
2016	19	11,396,000	455,840	227,920	1,139,600	425,000	2,248,360	19.73%	300,000	227,920	350,000	425,000		22,080		
2017	20	11,299,000	490,941	225,980	1,129,000	675,000	2,520,921	22.31%	490,941	225,980	385,000	675,000	344,059	199,020		
2018	21	16,625,000	520,646	332,500	1,662,500	600,000	3,115,646	18.74%	520,646	332,500	380,000	600,000	779,354	67,500		
2019	22	16,470,000	549,746	329,400	1,647,000	525,000	3,051,146	18.53%	549,746	329,400	325,000	525,000	750,254			
2020	23	16,480,000	587,083	329,600	1,648,000	675,000	3,239,683	19.66%	587,083	329,600	375,000	675,000	612,917	20,400		
2021	24	16,465,000	624,905	329,300	1,646,500	675,000	3,275,705	19.89%	624,905	329,300	355,000	675,000	595,095	20,700		
2022	25	10,489,000	652,008	209,780	1,048,900	750,000	2,660,688	25.37%	652,008	209,780	355,000	750,000	597,992	190,220		
Totals		368,906,700	\$14,668,477	7,378,134	36,889,770	8,641,201	\$67,577,582	18.32%								
FS99698-			TOTAL SET-ASIDES SPECIFIED						NEW UNSPECIFIED FUNDS*				CUMULATIVE AVAILABLE UNSPECIFIED			
GRANT	GRANT	GRANT	4%	2%	10%	15%	TOTAL	%	4%	2%	10%	15%	4%	2%	10%	15%
2009	12	11,540,000	600,000		1,300,000		1,900,000	16.46%		230,800			2,492,809	1,533,990	6,709,506	10,736,305
2010	13	25,649,000	525,000	100,000	1,800,000		2,425,000	9.45%	500,960	412,980	764,900		2,993,769	1,946,970	7,474,406	12,415,145
2011	14	17,798,000	450,000	100,000	1,600,000	415,000	2,565,000	14.41%	261,920	255,960	179,800		3,255,689	2,202,930	7,654,206	13,112,825
2012	15	16,962,000	475,000	125,000	1,850,000	425,000	2,875,000	16.95%	203,480	214,240	-		3,459,169	2,417,170	7,500,406	13,376,745
2013	16	15,914,000	520,000	250,000	1,775,000	425,000	2,970,000	18.66%	116,560	68,280			3,575,729	2,485,450	7,316,806	13,377,985
2014	17	12,127,000	515,000	250,000	1,375,000	475,000	2,615,000	21.56%					3,545,809	2,477,990	7,154,506	13,178,305
2015	18	12,047,000	70,056	235,000	453,574	425,000	1,183,630	9.83%	411,824	5,940	751,126		3,957,633	2,483,930	7,905,632	14,347,195
2016	19	11,396,000	300,000	250,000	350,000	425,000	1,325,000	11.63%	155,840		789,600		4,113,473	2,461,850	8,695,232	15,270,555
2017	20	11,299,000	835,000	425,000	385,000	675,000	2,320,000	20.53%			744,900		3,769,414	2,262,830	9,440,132	15,472,376
2018	21	16,625,000	1,300,000	400,000	380,000	600,000	2,680,000	16.12%			1,282,500		2,990,060	2,195,330	10,722,632	15,908,022
2019	22	16,470,000	1,300,000	329,400	325,000	525,000	2,479,400	15.05%			1,322,000		2,239,806	2,195,330	12,044,632	16,479,768
2020	23	16,480,000	1,200,000	350,000	375,000	675,000	2,600,000	15.78%			1,273,000		1,626,889	2,174,930	13,317,632	17,119,451
2021	24	16,465,000	1,220,000	350,000	355,000	675,000	2,600,000	15.79%			1,291,500		1,031,794	2,154,230	14,609,132	17,795,156
2022	25	10,489,000	1,250,000	400,000	355,000	750,000	2,755,000	26.27%			693,900		433,802	1,964,010	15,303,032	17,700,844
Totals		368,906,700	14,234,675	5,414,124	21,587,638	8,641,201	49,877,638	13.52%								

* Difference between the "new set-asides reserved" and the "specified funds"

ATTACHMENT #2 - SOURCES & USES OF FUNDS

SOURCES OF FUNDS AVAILABLE @ 06/30/22

Federal Grants	\$357,767,700	
State Matching Funds	\$66,028,340	
Repayments-principal	\$249,464,681	
Interest repayments	\$65,544,148	
Investment earnings	\$1,500,000	
Total		\$740,304,869

ANTICIPATED SFY 23 REVENUES

FFY 22 Federal Grant	10,489,000	
Associated State Match	\$2,097,800	
Repayments-Principal	\$12,000,000	
Interest repayments	\$5,200,000	
Investment earnings	\$105,000	
Total		\$29,891,800

TOTAL SOURCES	\$770,196,669
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LESS COMMITMENTS:

Set- Asides:(specified)		
Administration	\$14,434,675	
Technical Assistance	\$5,414,124	
State Programs	\$21,587,638	
Local Programs	\$8,641,201	
Total Set-Asides		\$50,077,638
Retire Bonds (Interest earned)		\$60,850,000 *
Loans closed to date net of write-downs		\$502,372,076

TOTAL USES	\$613,299,714
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<u>AVAILABLE FOR ADDITIONAL LOANS</u>	<u>\$156,896,955</u>
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* All interest earned is used to retire state match bonds

APPENDIX A depicts the needs of those systems applying for funding to be :	\$172,601,542
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ATTACHMENT #3

PUBLIC HEARING –June 8, 2022 @10am

DHH Building at 628 North 4th Street, Room 130, Baton Rouge, LA

Good Morning. My name is Joel McKenzie and I am the Program Manager for the Drinking Water Revolving Loan Fund Program. The Program falls under Engineering Services of the Office of Public Health, Department of Health and Hospitals. Each time we apply for a Capitalization Grant from the United States Environmental Protection Agency, we are required to hold a public hearing giving the public the opportunity to make any comments regarding the State's proposed uses of the funds being applied for. This public hearing is being conducted in conjunction with our application to EPA for the Federal Fiscal Year 2022 Capitalization Grant. The document that describes the proposed uses of the grant funds, the Intended Use Plan, has been available in draft form for public inspection for 30 days here at 628 North 4th Street in room 130 and on our website. I ask that each of you present sign the roll sheet to document to EPA and other interested parties your attendance here today.

I will now give a brief synopsis of the Intended Use Plan.

Do we have any comments or questions from the floor?

The comment period will remain open until close of business today or 4:30 CT. Any comments, questions, or lack thereof will be documented. This documentation, the roll sheet, and the proof of advertisement will be included in the final Intended Use Plan submitted to EPA as part of the formal application for the Capitalization Grant discussed today.

There being no further discussion, this public hearing is closed.

Synopsis of the Intended Use Plan

The Intended Use Plan includes proposed uses for the FFY22 Capitalization Grant. The FFY Grant amount available to Louisiana is \$10,489,000. The State is required to provide a 20% match to obtain these grant funds and notify EPA of their method of providing this match. The State of Louisiana intends to negotiate another bond sale for the required match for this grant as well as any future grants that the State Legislature does not provide match for. The amount of state match required for the FFY22 Grant is \$2,097,800. The total amount of funds available to the program from this grant, including Federal and State money, is \$12,586,800.

In its Draft Intended Use Plan, Louisiana proposes to utilize \$9,831,800 for making loans to Public Drinking Water Systems. Up to 31% of the funds are allowed to be set-aside for other uses; Louisiana intends to reserve these funds, which means that they can be drawn from future grants received from EPA. However, 26.26% or \$2,755,000 has been specified for set-aside use from the FFY22 Grant.

Louisiana previously solicited applications from public water systems interested in obtaining loans from the program. These projects were ranked based upon their public health need, those with the most need at the top of the list. Appendix A of the IUP lists those projects that can be funded utilizing the funds available for loans. The draft has been amended to correct typographical and mathematical errors discovered during the 30-day public inspection period.

The Fundable list-Appendix B does not depict only projects that will be funded, because if a system on this list does not proceed through the loan process, it can be by-passed so that the funds are available to a system further down on the list that is proceeding appropriately.

Federal Fiscal Year 2022 Capitalization Grant-

PUBLIC HEARING – June 8, 2022- 10am

LDH Building at 628 North 4th Street, Room 130, Baton Rouge, LA

NAME	AFFILIATION
Joel McKenzie	Manager, DWRLF

ATTACHMENT #4

LOUISIANA DWRLF PROJECT PRIORITY CRITERIA WORKSHEET

Water System: _____	PWSID: _____	
Owner Name: _____	Parish: _____	
Person Completing Worksheet: _____	Date: _____	
Water Supply Source:	Water Supply Type:	Organizational Structure:
<input type="radio"/> Ground	<input type="radio"/> Community	<input type="radio"/> Governmental Entity
<input type="radio"/> Surface	<input type="radio"/> Non-Community	<input type="radio"/> Private for Profit
<input type="radio"/> Purchased	<input type="radio"/> Non-Transient	<input type="radio"/> Private Non-Profit
<input type="radio"/> Combination	Non-Community	
Describe: _____		Population Served: _____

ADMINISTRATIVE CRITERIA

Violations (SDWA Violations in Last 8 Quarters)

Number of Total Coliform MCL Violations	_____	x 2 pt each =	_____
Number of Acute Coliform MCL Violations	_____	x 6 pt each =	_____
Number of IESWTR Violations (Turbidity, C.T.)	_____	x 6 pt each =	_____
Number of Chemical MCL Violations (i.e. THM, HAA5)	_____	x 2 pt each =	_____
Number of Acute Chemical MCL Violations (i.e. nitrates, nitrites)	_____	x 6 pt each =	_____
Number of Secondary MCL Exceedances (i.e. iron, taste, odor)	_____	x 1 pt each =	_____

Consolidation (population absorbed from other PWSs)

Identify the size & number of other community and non community systems to be tied into this system

Population greater than 10,000	No. of Systems	_____	x 4 pt each =	_____
Population of 3,301 to 10,000	No. of Systems	_____	x 3 pt each =	_____
Population of 100 to 3,300	No. of Systems	_____	x 2 pt each =	_____
Population less than 100	No. of Systems	_____	x 1 pt each =	_____

Affordability

Service area lies within a census tract where the Median Household Income is 25% or more below the State average.	<input type="radio"/> Yes <input type="radio"/> No	If Yes, 4 pts	_____
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Other

New multi-year, multi-phase project or project has received prior DWRLF funding	10 pt	_____
Project has funding commitment from another source	5 pt	_____
Proposal includes work to address pending federal/state rules and regulations (i.e. Arsenic rule, LT1ESWT rule, Filter Backwash Recycling rule)	5 pt	_____
Project includes adding fluoride	2 pt	_____
Identified problems may be resolved by routine maintenance	-5 pt	_____

Total Points on this Page =	_____
Total Points from Page #2 =	_____

TOTAL PRIORITY POINTS = _____

LOUISIANA DWRLF PROJECT PRIORITY CRITERIA WORKSHEET

Page 2

Water System: _____	PWSID: _____
Owner Name: _____	Parish: _____
Person Completing Worksheet: _____	Date: _____

PHYSICAL CRITERIA

For each YES answer to the questions below, provide the appropriate number of points in the blank.

Physical Conditions

System Condition	Condition to be Addressed	Pts	
Pressure less than 35 psi (but greater than 15 psi)	O Yes O No	1	
Leaks/Water Loss of 15% to 25% of production	O Yes O No	1	
Leaks/Water Loss greater than 25% of production	O Yes O No	2	
Dead Ends will be eliminated	O Yes O No	2	
Asbestos Cement Pipe or Lead Pipe (replacement)	O Yes O No	2	
No disinfection-PWS has a variance from mandatory disinfection	O Yes O No	3	
Production less than 85% of potable (non-fire) demand	O Yes O No	3	
Storage less than 2 day potable demand	O Yes O No	2	
No meters or non-functioning meters	O Yes O No	5	
Source capacity inadequate	O Yes O No	2	
Industrial activity, Agricultural activity, Oil/Gas Spills, etc. are within source recharge area	O Yes O No	3	
Directly impacted by point source discharge	O Yes O No	2	
Unprotected Watershed	O Yes O No	2	
Will serve area not on community sewerage	O Yes O No	2	
Proposed system will replace private wells	O Yes O No	2	
Project includes system redundancy	O Yes O No	2	
Components exceeding design life to be replaced	O Yes O No	4	

NOTE: None of the above physical conditions are violations of the Louisiana Administrative Code, Title 51, Chapter XXII shown below.

Sanitary Code Violations

Louisiana Administrative Code Section Violated (Formerly Chapter 12 of the LA State Sanitary Code)	Violation to be Corrected	Pts	
LAC 51:XII.309 (formerly 12:003-2) Plant Supervision and Control	O Yes O No	1	
LAC 51:XII.327 (formerly 12:008-1 thru -17) Ground Water Supplies	O Yes O No	1	
LAC 51:XII.331 (formerly 12:010) Well Abandonment	O Yes O No	1	
LAC 51:XII.333 (formerly 12:011-1 thru -5) Reservoir Sanitation	O Yes O No	1	
LAC 51:XII.335 (formerly 12:012-1 thru -4) Distribution	O Yes O No	1	
LAC 51:XII.337 (formerly 12:013-1 thru -4) Storage	O Yes O No	1	
LAC 51:XII.355 (formerly 12:021-1) Mandatory Disinfection	O Yes O No	1	

Total Points on this Page =

Grant Year	Grant #	Reserved	Specified	Unspecified (cumulative)	Expended	Specified Available
1997	FS-9969801	\$816,812	\$700,403	\$116,409	\$700,403	\$0
1998	FS-9969802	\$397,968	\$397,968	\$116,409	\$397,968	\$0
1999	FS-9969803	\$417,108	\$415,737	\$117,780	\$415,737	\$0
2000	FS-9969804	\$433,496	\$425,511	\$125,765	\$425,511	\$0
2001 & 2002	FS-9969805	\$757,392	\$0	\$883,157	\$0	\$0
2003	FS-9969806	\$320,164	\$290,000	\$913,321	\$290,000	\$0
2004	FS-9969807	\$332,124	\$400,000	\$845,445	\$400,000	\$0
2005	FS-9969808	\$331,420	\$230,000	\$946,865	\$230,000	\$0
2006	FS-9969809	\$466,344	\$0	\$1,413,209	\$0	\$0
2007	FS-9969810	\$466,360	\$0	\$1,879,569	\$0	\$0
2008	FS-9969811	\$461,600	\$500,000	\$1,841,169	\$500,000	\$0
2009	ARRA	\$1,105,040	\$315,000	\$2,631,209	\$315,000	\$0
2009	FS-9969812	\$461,600	\$600,000	\$2,492,809	\$600,000	\$0
2010	FS-9969813	\$1,025,960	\$525,000	\$2,993,769	\$525,000	\$0
2011	FS-9969814	\$711,920	\$450,000	\$3,255,689	\$450,000	\$0
2012	FS-9969815	\$678,480	\$475,000	\$3,459,169	\$475,000	\$0
2013	FS-9969816	\$636,560	\$520,000	\$3,575,729	\$520,000	\$0
2014	FS-9969817	\$485,080	\$515,000	\$3,545,809	\$515,000	\$0
2015	FS-9969818	\$481,880	\$70,056	\$3,957,633	\$70,056	\$0
2016	FS-9969819	\$455,840	\$300,000	\$4,113,473	\$300,000	\$0
2017	FS-9969820	\$490,941	\$835,000	\$3,769,414	\$835,000	\$0
2018	FS-9969821	\$520,646	\$1,300,000	\$2,990,060	\$0	\$0
2019	FS-9969822	\$549,746	\$1,300,000	\$2,239,806	\$1,300,000	\$0
2020	FS-9969823	\$587,083	\$1,200,000	\$1,626,889	\$353,744	\$846,256
2021	FS-9969824	\$624,905	\$1,220,000	\$1,031,794	\$0	\$1,220,000
2022	FS-9969825	\$652,008	\$1,250,000	\$433,802	\$0	\$1,250,000
Totals		\$14,668,477	\$14,234,675		\$9,618,419	\$3,316,256

Small System Technical Assistance Set-Aside (SSTAS)

Grant Year	Grant #	Reserved	Specified	Unspecified (cumulative)	Expended	Specified Available
1997	FS-9969801	\$408,406	\$168,100	\$240,306	\$168,100	\$0
1998	FS-9969802	\$198,984	\$161,100	\$278,190	\$161,100	\$0
1999	FS-9969803	\$208,554	\$161,100	\$325,644	\$161,100	\$0
2000	FS-9969804	\$216,748	\$161,100	\$381,292	\$161,100	\$0
2001 & 2002	FS-9969805	\$378,696	\$0	\$759,988	\$0	\$0
2003	FS-9969806	\$160,082	\$170,000	\$750,070	\$170,000	\$0
2004	FS-9969807	\$166,062	\$170,000	\$746,132	\$170,000	\$0
2005	FS-9969808	\$165,710	\$185,000	\$726,842	\$185,000	\$0
2006	FS-9969809	\$233,172	\$236,662	\$723,352	\$236,662	\$0
2007	FS-9969810	\$233,180	\$236,662	\$719,870	\$236,662	\$0
2008	FS-9969811	\$230,800	\$200,000	\$750,670	\$200,000	\$0
2009	ARRA	\$552,520	\$0	\$1,303,190	\$0	\$0
2009	FS-9969812	\$230,800	\$0	\$1,533,990	\$0	\$0
2010	FS-9969813	\$512,980	\$100,000	\$1,946,970	\$100,000	\$0
2011	FS-9969814	\$355,960	\$100,000	\$2,202,930	\$100,000	\$0
2012	FS-9969815	\$339,240	\$125,000	\$2,417,170	\$125,000	\$0
2013	FS-9969816	\$318,280	\$250,000	\$2,485,450	\$250,000	\$0
2014	FS-9969817	\$242,540	\$250,000	\$2,477,990	\$250,000	\$0
2015	FS-9969818	\$240,940	\$235,000	\$2,483,930	\$235,000	\$0
2016	FS-9969819	\$227,920	\$250,000	\$2,461,850	\$250,000	\$0
2017	FS-9969820	\$225,980	\$425,000	\$2,262,830	\$425,000	\$0
2018	FS-9969821	\$332,500	\$400,000	\$2,195,330	\$0	\$0
2019	FS-9969822	\$329,400	\$329,400	\$2,195,330	\$329,400	\$0
2020	FS-9969823	\$329,600	\$350,000	\$2,174,930	\$350,000	\$0
2021	FS-9969824	\$329,300	\$350,000	\$2,154,230	\$0	\$350,000
2022	FS-9969825	\$209,780	\$400,000	\$1,964,010	\$0	\$400,000
Totals		\$7,378,134	\$5,414,124		\$4,264,124	\$750,000

FS-9969806	\$800,410	\$840,000	\$3,173,286	\$840,000	0
FS-9969807	\$830,310	\$900,000	\$3,103,596	\$900,000	\$0
FS-9969808	\$828,550	\$750,000	\$3,182,146	\$750,000	\$0
FS-9969809	\$1,165,860	\$1,275,000	\$3,073,006	\$1,274,171	\$0
FS-9969810	\$1,165,900	\$0	\$4,238,906	\$0	\$0
FS-9969811	\$1,154,000	\$1,300,000	\$4,092,906	\$1,300,000	\$0
ARRA	\$2,762,600	\$0	\$6,855,506	\$0	\$0
FS-9969812	\$1,154,000	\$1,300,000	\$6,709,506	\$1,300,000	\$0
FS-9969813	\$2,564,900	\$1,800,000	\$7,474,406	\$1,800,000	\$0
FS-9969814	\$1,779,800	\$1,600,000	\$7,654,206	\$1,600,000	\$0
FS-9969815	\$1,696,200	\$1,850,000	\$7,500,406	\$1,850,000	\$0
FS-9969816	\$1,591,400	\$1,775,000	\$7,316,806	\$1,775,000	\$0
FS-9969817	\$1,212,700	\$1,375,000	\$7,154,506	\$1,375,000	\$0
FS-9969818	\$1,204,700	\$453,574	\$7,905,632	\$453,574	\$0
FS-9969819	\$1,139,600	\$350,000	\$8,695,232	\$350,000	\$0
FS-9969820	\$1,129,900	\$385,000	\$9,440,132	\$385,000	\$0
FS-9969821	\$1,662,500	\$380,000	\$10,226,206	\$0	\$0
FS-9969822	\$1,647,000	\$350,000	\$12,044,632	\$350,000	\$0
FS-9969823	\$1,648,000	\$375,000	\$13,317,632	\$300,878	\$74,122
FS-9969824	\$1,646,500	\$355,000	\$14,609,132	\$0	\$355,000
FS-9969825	\$1,048,900	\$355,000	\$15,303,032	\$0	\$355,000
Totals	\$36,890,670	\$21,612,638		\$20,447,687	\$784,122

Local Programs Set-Aside

Grant #	Unspecified		(cumulative)	Specified	
	Reserved	Specified		Expended	Available
FS-9969801	\$2,042,030	\$2,042,030	N/A	\$2,042,030	\$0
FS-9969803	\$97,684	\$97,684	N/A	\$97,684	\$0
FS-9969806	\$11,487	\$11,487	N/A	\$11,487	\$0
FS-9969814	\$415,000	\$415,000	N/A	\$415,000	\$0
FS-9969815	\$425,000	\$425,000	N/A	\$425,000	\$0
FS-9969816	\$425,000	\$425,000	N/A	\$425,000	\$0
FS-9969817	\$475,000	\$475,000	N/A	\$475,000	\$0
FS-9969818	\$425,000	\$425,000	N/A	\$425,000	\$0
FS-9969819	\$425,000	\$425,000	N/A	\$425,000	\$0
FS-9969820	\$675,000	\$675,000	N/A	\$675,000	\$0
FS-9969821	\$600,000	\$600,000	N/A	\$0	\$0
FS-9969822	\$525,000	\$525,000	N/A	\$525,000	\$0
FS-9969823	\$675,000	\$675,000	N/A	\$596,363	\$78,637
FS-9969824	\$675,000	\$675,000	N/A	\$0	\$675,000
FS-9969825	\$750,000	\$750,000	N/A	\$0	\$750,000
Totals	\$8,641,201	\$8,641,201		\$6,537,564	\$1,503,637

ATTACHMENT 6

CASH FLOW PROJECTIONS

A requirement for the program by the EPA is that projections of cash be made for a term of 20 years. EPA has reiterated the importance of using the projections as a tool to monitor and manage the program. These assumptions and projections were prepared for the United States Environmental Protection Agency for the purpose of receiving capitalization grants and for management of the program; therefore, they should not be used for any other purpose. Furthermore, even if the hypothetical assumptions described in this exhibit materialize, there will usually be differences between the projected and actual results because events and circumstances frequently do not occur as expected, and those differences may be material. **The following 7 pages contain the cash flow projections for the FFY22 Intended Use Plan.**

