
DRINKING WATER STATE
REVOLVING FUND
DRAFT INTENDED USE PLAN FOR THE
FFY24 DWSRF LEAD SERVICE LINE
REPLACEMENT FUNDING
BIPARTISAN INFRASTRUCTURE LAW, 2021

Submitted to the



U.S. Environmental Protection Agency
Region IV

By the



Florida Department of Environmental Protection

February 2025

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Amended
February 2025 - Original

1. Introduction

On January 15, 2021, the U.S. Environmental Protection Agency (EPA) published the finalized Lead and Copper Rule Revisions (LCRR). The new rule included requirements for water systems to identify and make public the locations of all lead service lines (LSL) and to replace LSLs if high lead levels of lead are detected in the water system. A service line connects the water main to the building inlet. Service lines of unknown material and galvanized service lines that are or were ever downstream of any lead or unknown service line are also considered LSLs.

On November 15, 2021, President Biden signed the Bipartisan Infrastructure Law (BIL). The BIL provides \$15 billion through the Drinking Water State Revolving Funds (DWSRFs) in the form of grants and loans to water systems for lead service line replacement (LSLR). Forty-nine percent of this funding must be provided to state-defined disadvantaged communities as grants or principal forgiveness loans. States are not required to provide matching funds.

To receive BIL funding, states must submit an Intended Use Plan (IUP) to the Environmental Protection Agency (EPA). Section 1452(b) of the Safe Drinking Water Act (SDWA) requires the states to prepare a plan identifying the intended uses of the funds in the SRF and describing how those uses support the goals of the SRF. An IUP meeting all requirements of Section 1452 of the SDWA and regulations will be required for EPA's approval of a grant award and release of awarded funds. Public engagement is strongly encouraged during the state's solicitation stage to ensure an abundance of diverse applicants as the IUP is being developed.

The State of Florida received an allotment for the EPA LSLR Capitalization Grant for Federal Fiscal Year (FFY) 2024-2025 DWSRF BIL LSLR for the amount of \$228,679,000. In December 2024, the EPA reduced the allotment to:

BIL LSLR Capitalization Grant Summary			
Federal Fiscal Year Grant	Grant Amount	Required Equivalency	Required Subsidization (49%)
FFY2024-2025	\$28,650,000.00	\$28,650,000.00	\$14,038,500.00

No state match is required for the projected grant. The capitalization grant funds for the DWSRF BIL LSLR funds will be distributed as outlined by this plan.

Florida has set its short and long term goals of this IUP to align with EPA's strategic goals and objectives [FY 2022-2026 EPA Strategic Plan](#), specifically Goal #5, to Ensure Clean and Safe Water for all communities and Objective 5.1 to Ensure Safe Drinking water and Reliable Water Infrastructure. The Office of Water has identified specific measures that address the strategic goals and objectives outlined by EPA in its strategic plan. A basis for each goal in this program IUP has been identified. These references ensure that all of the specific commitments made the State are properly correlated to the strategic goals and objectives of the Agency.

2. Program Goals

A. Short Term Goals - Outputs

- A. Continue efforts to inform local water systems of the availability of LSLR funds and about the DWSRF program.
- B. Provide guidance and information to local water systems on the DWSRF process and federal and state requirements.
- C. Provide funding and support to local water systems to complete LSL inventories to comply with the LCRR. The LCRR requires systems to have initial LSL inventories by October 2024 (Deliverable).
- D. Provide additional subsidization in the form of principal forgiveness to further support state-defined disadvantaged communities in complying with the LCRR.
- E. Implement the State's DWSRF in compliance with the Safe Drinking Water Act and to ensure conformance with Federal crosscutting requirements (Deliverable).
- F. To protect the public health and the environment and promote the completion of cost-effective water treatment, storage, and distribution facilities.

B. Long Term Goals - Outcomes

- A. Provide funding and support to local water systems in conducting LSL replacements.
- B. Manage BIL LSLR Capitalization Grant funds to maximize support to communities in achieving compliance with the LCRR.
- C. Maintain the DWSRF program and the long-term fiscal integrity of the fund.
- D. Provide a self-perpetuating source of financial assistance for the construction of public water treatment and distribution facilities needed to meet the public health goals of the Safe Drinking Water Act.
- E. Fund projects which will have a positive impact on public health and ensure compliance with the SDWA.
- F. Ensure that all construction projects receiving BIL LSLR Capitalization Grant funds are in compliance with the Build America Buy America (BABA) Act passed by Congress in 2021, concurrently with the BIL (Deliverable).
- G. Ensure that American Iron and Steel and Davis-Bacon Act wage rules apply to all assistance agreements made with funds appropriated under the BIL LSLR Capitalization Grant (Deliverable).
- H. Make funds available from the FFY 2024-2025 capitalization grant for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities.
- I. Ensure clean and safe water for all communities by funding projects that prioritize safe drinking water and reliable water infrastructure and protect and restore waterbodies and watersheds by addressing sources of water pollution and projects that ensure water quality standards are protective of health and the environment.

3. Program Changes

To successfully implement the BIL LSLR Capitalization Grant, DWSRF, in accordance with Chapter 62-552.300(8), Florida Administrative Code (F.A.C.), made exceptions to the following rules:

- A. 62-552.300(1)(b) – readiness-to-proceed criteria for the documentation to be timely submitted to compete for funding at a project priority list meeting.
- B. 62-552.300(1)(d) – readiness-to-proceed deadline for the submittal and response to Department comments of documentation to appear on the project priority list.
- C. 62-552.300(2) – Allocations of principal forgiveness percentage based on loan agreement.
- D. 62-552.300(4)(e) – Minimum construction loan amount of \$75,000
- E. 62-552.300(4)(j) – Service connections on private property
- F. 62-552.300(6) – Interest rate calculations and minimum interest rate
- G. 62-552.500 – Funds reserved for specific purposes.
- H. 62-552.680 – Environmental Review.
- I. 62-552.700(2) – Project Planning Documentation
- J. 62-552.700(3) – Plans and Specifications
- K. 62-552.700(4) – Site Certification

The exception to the readiness-to-proceed rules were made where requirements were not applicable to LSLR projects and to ensure eligible projects could compete for funding. Additionally, costs for planning, design, and construction were requested so as to best determine the use of the BIL LSLR Capitalization Grant funds. The listing of potential projects was based on the total use of funds for LSL inventory and replacement. This change places LSL projects as a priority and eliminates non-LSL projects for funding.

The minimum construction loan amount of \$75,000 is waived to ensure funding can be available for LSL projects that may cost below this threshold. The ineligibility to perform work on private property is exempted so as to meet the intent of the BIL LSL Capitalization Grant.

The exception to the minimum interest rate and allocations of principal forgiveness were done to both satisfy BIL LSLR Capitalization Grant requirements and to make funding more accessible to water systems in recognition of both the costs and benefits to communities in completing LSL projects.

Communities do not need to be small to be considered a disadvantage community. By using the Climate & Economic Justice Screening Tool (CEJST) and identifying pockets of disadvantage of communities is accepted to allow for additional subsidy to larger communities. This allows for additional communities to be designated as disadvantaged and offered subsidization as the economic, social and environmental benefits of providing subsidization exceed the costs.

The exception to the environmental review is done to minimize the onus on the water systems. As the LSL inventory work is to be conducted in areas that are already disturbed both in public right of way and the private side of the system, up to point of entry, the inventories would qualify for a Florida Categorical Exclusion.

The exception to the project planning documentation is the documentation required by the EPA and by the DEP Division of Water Resource Management would not meet the SRF requirements. Therefore, the documentation to be submitted as a facility plan would be a complete and approved initial LSL inventory and any notification(s) to property owners pertaining to lead being identified as affecting them.

The exception to the plans and specifications is only for the conformance to the planning documentation. As the LSL inventory is system wide, a generic set of plans and specifications for lead

service line replacement is to be submitted to SRF for review. The Sponsor and their engineer should be prepared to competitively bid out construction in accordance with 62-555.700(6).

As inventory work is to be conducted on private property, the site certification requirement will be adjusted so that the water system will be required to submit a site certification for the system within the right-of-way as well as documentation that indicates they have gained or have attempted to gain access to the private portion of the project area.

The DWSRF will implement the Build America Buy America Act (BABA) as stated in 41 USC 8301 for projects funded through DWSRF BIL LSLR Capitalization Grant. BABA will be implemented for this fiscal year and be required for projects funded through the DWSRF. BABA is considered a federal cross-cutting requirement that applies to SRF assistance equivalent to the BIL LSLR Capitalization Grant (i.e., “equivalency” projects). EPA’s SRF regulations at 40 CFR 35.3145 and 35.3575 require states and recipients of SRF funds equivalent to the amount of the capitalization grant to comply with federal cross-cutting requirements. Section 70914 of the IIJA, which states when a Buy America preference applies, explains that “none of the funds made available for a Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States.” Therefore, BABA only applies to projects funded in an amount equivalent to the federal capitalization grant.

4. SRF Data System

The DWSRF will enter required data into the new EPA data system that has replaced the Projects Benefits Reporting (PBR) system and the Drinking Water National Information System (DWNIMS) to track drinking water projects and report no less than quarterly to the EPA.

5. Coordination with State Drinking Water Enforcement Agency

The DWSRF will coordinate with funding priorities with the Division of Water Resource Management, the state drinking water enforcement agency.

6. Operating Agreement

The DWSRF shall comply with all of the requirements of the DWSRF Operating Agreement made with EPA dated April 1998, including the assurances contained therein. The Operating Agreement is incorporated by reference. Additionally, the DWSRF Operating Agreement is in revision for updates and will be complied with once approved by the EPA and the FDEP.

The State agrees to comply with all Title VI requirements of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Equal Employment Opportunity requirements (Executive Order 11246 as amended) which prohibits activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, national origin (including limited English proficiency), age, disability, or sex.

7. Capacity Development and Operator Certification

The DWSRF will continue to demonstrate compliance with the capacity development authority, capacity development strategy, and operator certification program provisions as described in the in the Base and

BIL General Supplemental Intended Use Plans and funded from Unliquidated Obligations from set-asides taken from these Capitalization Grants and associated modifications.

8. Public Notice and Public Meetings

To ensure interested parties were made aware of the public meeting, notice of the public meeting for the DWSRF project priority list adoption and DWSRF LSL project list was published in the Florida Administrative Register, Volume 51, Number 11, on January 16, 2025 (Attachment A). To ensure the public has an opportunity to review a draft version of the LSLR Intended Use Plan was presented to the public at least one week prior to February 12, 2025, public meeting.

Comments for the draft Intended Use Plan and Project Priority Lists are accepted during the public meetings and written comments until the Final Agency Action is issued. During each of the public meetings, DWSRF presented and discussed the draft IUP and Project Priority Lists for ECs, no public or written comments were received (Attachment B).

The meeting provides a forum for discussing the overall purpose, format, and content of the IUP including the types of assistance being provided through the DWSRF project account and set-aside account, the long- and short-term goals of the program, the priority system used to rank individual projects, and the proposed list of LSLR projects to receive funding from FFY 2024-2025 funds.

9. Public Health Outputs

DWSRF will continue to assist public health outputs as described in the Base and BIL General Supplemental Intended Use Plans and funded from Unliquidated Obligations from set-asides taken from these Capitalization Grants and associated modifications.

10. Program Evaluation Report

DWSRF anticipates receiving and responding to Program Evaluation Report (PER) and audit findings for FFY2023-2024 in calendar year 2025, during and following the Annual Review/PER in March 2025.

11. Sources and Use of the Funds

DWSRF is anticipating to fund FFY 2024-2025 projects using the BIL LSLR Capitalization Grant. No state match is required for the BIL LSLR Capitalization Grant. No set-asides are allotted from the BIL LSLR Capitalization Grant. Forty-nine percent of the funding from the BIL LSLR Capitalization Grant will be used as subsidy to the state-defined disadvantaged communities. The State definition of a small community is a municipality or unincorporated community or other identifiable entity with a total service area population of less than 10,000. A financially disadvantaged community is defined as a municipality, county or agency (such as a county-wide department) thereof, franchised area, or other entity with a defined public water system service jurisdiction having a median household income of less than the statewide average.

Communities do not need to be small to be considered a disadvantage community. By using the CEJST and identifying pockets of disadvantage of communities is accepted to allow for additional subsidy to larger communities. This allows for additional communities to be designated as disadvantaged and

offered subsidization as the economic, social and environmental benefits of providing subsidization exceed the costs.

Fifty-one percent of the funds from the BIL LSLR Capitalization grant will be recaptured through loan repayments.

No other source of funds (loan repayments or principal and interest, etc.) are used. No funds from the BIL LSLR Capitalization Grant will be recaptured through investment earnings or service fees.

The Florida DWSRF SFY 2024-2025 project priority listing is included in Attachment C. Projects funded through the BIL LSLR Grant will be equivalency projects. Projects funded through the LSLR Capitalization Grant shall be 49% principal forgiveness.

The estimated sources and uses of the funds in the DWSRF Program are as follows:

SOURCE OF FUNDS	AMOUNT
FEDERAL FUNDS	
EPA FFY2024 DWSRF BIL LSLR Capitalization Grant	\$28,650,000.00
STATE FUNDS	
SFY 2024-2025 Matching Funds Appropriated by the FL Legislature	\$0.00
SFY 2024-2025 Loan Repayment	\$0.00
Interest on Idle SRF Funds	\$0.00
PRIOR YEARS' BALANCE CARRIED FORWARD	
Deobligated Loan Funds	\$0.00
Recaptured Funds from Unused Previously Encumbered Money	\$0.00
Total Available Funds	\$28,650,000.00

A summary of the outcomes and outputs for the use of the funds to meet equivalency and subsidy requirements is summarized below:

FFY 2024-2025 BIL LSLR Capitalization Grant Equivalency Projects		
Project Sponsor	Project Number	SRF Loan Amount
Orange Park	10012	\$17,700.00
Bartow	53023	\$66,000.00
Palm Beach County	5020B	\$357,426.00
North Lauderdale	49426	\$433,134.00
Eagle Lake	53093	\$235,000.00
Total Equivalency for FFY2024-2025		\$
Total Equivalency Required for FFY2024-2025		\$28,650,000.00

FFY 2024-2025 BIL LSLR Capitalization Grant Subsidy Projects			
Project Sponsor	Project Number	SRF Loan Amount	Subsidy Amount
Orange Park	10012	\$17,700.00	\$8,673.00
Bartow	53023	\$66,000.00	\$32,340.00
Palm Beach County	5020B	\$357,426.00	\$175,140.00
North Lauderdale	49426	\$433,134.00	\$212,236.00
Eagle Lake	53093	\$235,000.00	\$115,150.00
Total Subsidy Projects Listed (49%)			
Required Subsidy for FFY2024-2025 BIL LSLR Cap Grant (49%) for Disadvantaged Communities			\$14,038,500.00

The current source of funds exceeds the projects listed on the priority list (Attachment C); however, with additional public meeting and priority listing, it is not anticipated the source of funds will exceed the use of funds. Should projects not move forward expeditiously DWSRF will utilize the bypass procedure to elevate projects from the waiting list to the fundable list, up to the amount of funds available, to ensure that the BIL LSLR Capitalization Grant is utilized expeditiously.

At the time of this IUP, Florida does not have Unliquidated Obligations (ULO) related to the BIL LSLR Capitalization Grant.

12. Cash Draw

Attachment D provides the “Automated Clearing House” payment schedule for SFY 2024-2025 funding and identifies the timing of the cash outlays by the Federal government. The anticipated cash draw is for 25% of the BIL LSLR grant on a quarterly basis. As there is no state match, there will be no match drawdown.

13. Loan Agreements and Binding Commitments

DWSRF will assure that all funds are expended in an expeditious and timely manner by executing binding agreements in an amount equal to not less than 100 percent of the amount of each BIL LSLR Capitalization Grant payment within 1 year after the receipt of such capitalization grant payment.

Projects selected for FFY 2024-2025 BIL LSLR funding and are awaiting application submittal and loan agreement execution.

The fundable project priority list itemizing the output/outcomes of the policies and procedures outlined in this Intended Use Plan for the FFY 2024-2025 funds is included in Attachment C. Projects selected for FFY 2024-2025 BIL LSLR funding and are awaiting application submittal and loan agreement execution

(Attachment C). No additional binding commitments are anticipated with the BIL LSLR Capitalization Grant.

14. Assistance, Terms, and Fees

The assistance to be provided by the BIL LSLR Capitalization Grant is loan agreements with 49% subsidization for planning, design, and construction. The initial funding will be conducted as a combined planning and design loan agreement. Once design is complete, a loan agreement will be written for the construction. Each phase is dependent on available funding and will be conducted in priority ranking until funds are exhausted.

The term of the loan agreement is closed at the completion of the planning/design phase and then the construction phase. The maximum loan repayment term limit for a planning/design loan under the DWSRF program is ten years and for replacement twenty years.

The fundable project priority list for the SFY 2024-2025 funds and waiting list, and currently the comprehensive list, is included as Attachment C. The fundable project priority list itemizing the output/outcomes of the policies and procedures outlined in this Intended Use Plan.

As the BIL LSLR Grant is to be provided as subsidization and zero-interest loans, no use of market rate determination and calculation of a loan interest rate is conducted. Additionally, a service fee will be assessed on assistance recipients for loans funded by the BIL LSLR Grant.

15. Transfer of Funds

DWSRF does not anticipate a need to transfer funds to Clean Water State Revolving Fund (CWSRF); however, DWSRF does reserve the right to in the future as needed.

16. Cross-Collateralization

DWSRF funds will not be used for debt security. There is no cross-collateralization of programs.

17. Selection of Projects

DWSRF is anticipating to fund FFY 2024-2025 projects using the BIL LSLR Capitalization Grant. No state match is required for the BIL LSLR Capitalization Grant. Forty-nine percent of the funding from the BIL LSLR Capitalization Grant will be used as subsidy to the state-defined disadvantaged communities. The State definition of a small community is a municipality or unincorporated community or other identifiable entity with a total service area population of less than 10,000. A financially disadvantaged community is defined as a municipality, county or agency (such as a county-wide department) thereof, franchised area, or other entity with a defined public water system service jurisdiction having a median household income of less than the statewide average.

Communities do not need to be small to be considered a disadvantage community. By using the CEJST and identifying pockets of disadvantage of communities is accepted to allow for additional subsidy to larger communities. This allows for additional communities to be designated as disadvantaged and offered subsidization as the economic, social and environmental benefits of providing subsidization exceed the costs.

For a project or activity to be eligible for funding under this appropriation, it must be otherwise DWSRF eligible and its primary purpose must be to conduct an inventory and replacement of lead service lines.

Both federal and state law require that a project priority ranking system be developed to determine the priority order of projects to be funded through the DWSRF program. As called for by section 1452(b) of the SDWA, the priority ranking system is designed so that the greatest priority is given to projects that:

1. Conduct inventory of and replacement lead service lines.
2. Address the most serious risks to human health
3. Ensure compliance with federal and state drinking water regulations
4. Assist systems most in need on a per household basis (affordability)

DWSRF's original priority system (items 2 through 4 above) was developed under the guidance of a Technical Advisory Committee (TAC). The TAC reviewed the major compliance issues affecting drinking water systems in our state to determine the most critical needs. The results indicated that an important compliance issue for water systems in the state was related to violations of drinking water quality health standards for microbiological contaminants, some of which could have an adverse impact on human health. It was also noticed that the sources for many systems were determined to be under the direct influence of surface water, and as such, were out of compliance with the surface water treatment rules. In addition, private wells with chemical and microbiological contamination were found to be a serious health risk and this issue was also addressed in the priority system.

The priority system FDEP developed in partnership with the TAC places a focus on projects to address these important public health and compliance problems. FDEP developed six baseline categories and three bonus categories for use in the ranking of projects. The complete priority system can be found in Attachment E and is summarized below:

A. Baseline Categories

Acute Public Health Risks. The highest number of baseline points is given to projects that address an acute public health risk problem. The problem may be microbiological contamination that directly affects public health, nitrate/nitrite, lead or copper contamination, or non-compliance with the surface water treatment rule.

Potential Acute Public Health Risks. The second highest number of points is given to systems that exceed 50 percent of the maximum contaminant level (MCL) for nitrate, nitrite, or total nitrogen. This priority is also given to projects that address disinfection violations, total coliform violations, and to those systems that do not meet the requirements of the Enhanced Surface Water Treatment Rule.

Chronic Public Health Risks. The next highest priority is given to projects that address a primary contaminant violation and to systems that exceed the standards for Radionuclides.

Potential Chronic Public Health Risks. Systems with primary contaminant levels that are within 50% of the MCL or trihalomethane levels within 80% of the MCL are given the next highest priority.

Compliance Issues (Compliance-1 and 2). Violations of the secondary contaminant standards and compliance issues such as not having the minimum number of wells required or not meeting the

treatment, storage, power, or distribution requirements receive the next highest number of points. In addition, projects that address well setback and well construction requirements or cross-connection/backflow control requirements receive this score.

Other. All projects not meeting one of the above categories receive the minimum baseline score.

B. Bonus Categories

Affordability. Up to 75 bonus points are available to systems in financially disadvantaged areas. The actual number of points received is inversely proportional to the median household income.

Population served. Up to 50 bonus points are available to small systems based on the population served. The number of points received is inversely proportional to the population served.

Projects are identified by systems through a Request for Inclusion (RFI) submittal process. Once an RFI form is received, the sponsor's project is placed on a comprehensive list of projects. FDEP project engineers review the form and assign points to projects based on the information provided by the project sponsor.

All project sponsors submitting an RFI are contacted and the program requirements are discussed. Sponsors that complete all readiness requirements are then eligible to compete for funding.

When two or more projects score equally under the project priority system a tie breaking procedure will be used. The project that completed the requirements for funding first will receive priority.

Unreserved funds are assigned to projects in priority score order, within the funding of the BIL LSLR Capitalization Grant, until the funds are exhausted. Projects for which funding is not available and projects that are incompletely funded are placed on the waiting list for consideration in future years.

A project must be ready-to-proceed prior to being placed on the fundable portion of the list. If a sponsor fails to execute an assistance agreement or the project fails to progress in a timely manner, it is subject to bypassing at a subsequent project priority list hearing, up to the amount of funds available.

The fundable project priority list for the SFY 2024-2025 funds and waiting list, currently also the comprehensive list, is included as Attachment C.

18. Project Description

The following LSL inventory and replacement projects will be performed with BIL LSLR Capitalization Grant funds:

SPONSOR	PWSID
Orange Park	2101182
Bartow	6530315
Palm Beach County	4504393
North Lauderdale	4060976
Eagle Lake	6530492

Each project will consist of compiling initial inventories of all known lead service lines and service lines of unknown materials in the service area. Once lead service lines are identified, replacements of service lines will commence until all identified lead service lines have been replaced.

19. Equivalency Projects

As no state match is required, all projects listed on the project priority list are equivalency projects and subject to crosscutter review, Federal Funding Accountability and Transparency Act (FFATA), and BABA, requirements.

Additionally, DWSRF will implement the Build America Buy America Act (BABA) as stated in 41 USC 8301 for projects funded through BIL LSLR Capitalization Grant. BABA will be implemented for this fiscal year and be required for projects funded through the DWSRF. EPA's SRF regulations at 40 CFR 35.3145 and 35.3575 require states and recipients of SRF funds equivalent to the amount of the capitalization grant to comply with federal cross-cutting requirements. Section 70914 of the IJA, which states when a Buy America preference applies, explains that "none of the funds made available for a Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States." Therefore, BABA only applies to projects funded in an amount equivalent to the federal capitalization grant.

All appropriate DWSRF agreements and all appropriate procurement contracts for any construction project carried out in whole or in part with such assistance made available by a drinking water treatment revolving loan fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12), will include a term and condition requiring compliance with the requirements of section 1450(e) of the Safe Drinking Water Act (42 U.S.C.300j-9(e)). The State will also require that loan recipients, procurement contractors and sub-grantees include such a term and condition in subcontracts and other lower tiered transactions.

20. Bypass Procedure

A project must be ready-to-proceed prior to being placed on the fundable portion of the list. If a sponsor fails to execute an assistance agreement or the project fails to progress in a timely manner, it is subject to bypassing at a subsequent project priority list hearing, up to the amount of funds available.

21. Emergency Funding

Emergency Projects are considered a public health hazard and receive higher priority rankings and rank higher on the project priority list.

22. Amending the Project Priority List

DWSRF will continuously amend the project priority list through the course of the year. DWSRF anticipates amending the project priority list at least on a quarterly basis or more frequently as necessary. Amending the project priority list will be conducted through public noticing and public meetings. As more RFIs are submitted, readjustment of funding may be conducted. Should projects not move forward expeditiously DWSRF will utilize the bypass procedure to elevate projects from the

waiting list to the fundable list, up to the amount of funds available, to ensure that the BIL LSLR Capitalization Grant is utilized optimally.

23. Disadvantaged Communities

49% of the DWSRF BIL LSLR Capitalization Grant will be provided as subsidization to disadvantaged communities.

The State definition of a small community is a municipality or unincorporated community or other identifiable entity with a total service area population of less than 10,000. A financially disadvantaged community is defined as a municipality, county or agency (such as a county-wide department) thereof, franchised area, or other entity with a defined public water system service jurisdiction having a median household income of less than the statewide average. Considering the costs of LSL inventory and replacement to water systems as well as the benefits of the projects to the served communities, additional communities may be designated as financially disadvantaged by following the procedures for exceptions to the program rules that would not qualify under the definition.

Communities do not need to be small to be considered a disadvantage community. By using the CEJST and identifying pockets of disadvantage of communities is accepted to allow for additional subsidy to larger communities. This allows for additional communities to be designated as disadvantaged and offered subsidization as the economic, social and environmental benefits of providing subsidization exceed the costs.

DWSRF will prioritize the small, disadvantaged communities to utilize the BIL LSLR Capitalization Grant by utilizing the additional bonus points in the priority ranking system. The bonus points are calculated as follows:

Median Household Income (MHI) Score:

$$\text{MHI Score} = 100 \times \left(1.00 - \frac{\text{MHI of the Service Area}}{\text{Statewide MHI}} \right)$$

Population Score:

$$\text{Population Score} = 50 - \left(\frac{\text{Population of the Service Area}}{200} \right)$$

Affordability Score:

$$\text{Affordability Score} = \text{MHI Score} + \text{Population Score}$$

The MHI Score shall not be greater than 75 points or less than zero points and be rounded to the nearest whole number. The Population Score shall not be less than zero and rounded to the nearest whole number.

24. Set Asides

A. Administration and Technical Assistance - Category DD

The administration and technical assistance set aside (SDWA reference 1452 (g)(2)) allows for a maximum of 4%.

DWSRF does not intend to take set-asides for administration of the DWSRF.

B. Small Systems Technical Assistance – Category DE

The small systems technical assistance (SDWA reference 1452(g)(2)) allows for a maximum of 2% of the BIL LSLR Capitalization Grant.

DWSRF does not intend to take set-asides for small systems technical assistance.

C. State Program Management – Category DF

The state program management (SDWA reference 1452(g)(2)) allows for a maximum of 2% of the BIL LSLR Capitalization Grant.

DWSRF does not intend to take set-asides for state program management.

D. Local Assistance and Other State Programs – Category DG

The local assistance and other state programs (SDWA reference 1452(g)(2)) allows for a maximum of 15% of the BIL LSLR Capitalization Grant.

DWSRF does not intend to set asides for local assistance and other state programs.

25. Annual Report

An annual report will be submitted by September 30, 2026, that will quantify and describe the results of the Capitalization Grants awarded for FFY 2024-2025.

Attachment A – Notice of Public Meetings

Notice of Meeting/Workshop Hearing

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, State Revolving Fund Program announces a public meeting to which all persons are invited.

DATE AND TIMES: February 14th, 2024 - 2:00 p.m. – 4:00 p.m.

PLACE: Virtual meeting, email Ethan.A.Morrow@Floridadep.gov for an invitation

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public virtual meeting will commence at 2:00 p.m. until not later than 4:00 p.m., to discuss the issues and recommendations for management of the FY 2024 Clean Water State Revolving Fund and Drinking Water State Revolving Fund priority lists of projects to be funded with loans under Chapter 62-503 and Chapter 62-552, Florida Administrative Code, respectively. To request an invitation to the virtual meeting, please send an email to: Ethan.A.Morrow@Floridadep.gov .

A copy of the agenda may be obtained by contacting: Ethan Morrow, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000, (850) 245-2147, Ethan.A.Morrow@Floridadep.gov .

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ethan Morrow. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ethan Morrow, (850) 245-2147, Ethan.A.Morrow@Floridadep.gov State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000.

Attachment B – Public Comments



Written Comments and Responses Received Related to the Intended Use Plan

Comment #	Party	Comment	State Response

ATTACHMENT C
PROJECT PRIORITY LIST

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRINKING WATER STATE REVOLVING FUND BIPARTISAN INFRASTRUCTURE LAW LEAD SERVICE LINE PRIORITY LIST FOR STATE FISCAL YEAR 2024-2025
FUNDABLE PORTION TIERS 1, 2, & 3

DRAFT FOR:
2/12/2025

ATTACHMENT 2: LEAD SERVICE LINE REPLACEMENT PROJECT PRIORITY LIST AND COMPREHENSIVE LIST										
TIER	PRIORITY SCORE	APPLICANT/PROJECT NUMBER	PUBLIC WATER SYSTEM IDENTIFICATION NUMBER	PROJECT TYPE	PROJECT DESCRIPTION	ADOPTION DATE	FEDERAL APPROPRIATION	AUTHORIZED LOAN AMOUNT	PRINCIPAL FORGIVENESS AMOUNT	AMOUNT TO BE REPAID
1	106	Town of Orange Park/ LS-10012	2101182	DW/Planning/Design/Construction (Increase)	Planning & Design for lead service line inventory and replacement of lead service lines	2/12/2025	FFY24-25 BIL LSLR	\$ 17,700	\$ 8,673	\$ 9,027
1	103	Town of Bartow/ LS-53023	6530315	DW/Planning/Design/Construction (Increase)	Planning & Design for lead service line inventory and replacement of lead service lines	2/12/2025	FFY24-25 BIL LSLR	\$ 66,000	\$ 32,340	\$ 33,660
1	100	Palm Beach County/ LS-5020B	4504393	DW/Planning/Design (Increase)	Planning & Design for lead service line inventory	8/9/2023	FFY24-25 BIL LSLR	\$ 357,428	\$ 175,140	\$ 182,288
3	127	North Lauderdale/ LS-49426	4060976	DW/Planning/Design/Construction	Planning & Design for lead service line inventory and replacement of lead service lines	2/12/2025	FFY24-25 BIL LSLR	\$ 433,134	\$ 212,236	\$ 220,898
3	113	City of Eagle Lake/ LS-53093	6530492	DW/Planning/Design	Planning & Design for lead service line inventory and replacement of lead service lines	2/12/2025	FFY24-25 BIL LSLR	\$ 258,500	\$ 126,665	\$ 131,835
TOTAL AWARDED SEGMENTS:								\$ 1,132,762	\$ 555,054	\$ 577,708

Total Required Minimum Subsidization (49%) to Disadvantaged Communities (Based on Allotment): \$ 14,038,500
Subsidization Listed: \$ 555,054
% of Subsidization to Disadvantaged Communities (Based on Listings): 49%

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRINKING WATER STATE REVOLVING FUND BIPARTISAN INFRASTRUCTURE LAW LEAD SERVICE LINE PRIORITY LIST FOR STATE FISCAL YEAR
2024-2025 PLANNING PORTION

DRAFT FOR:
8/14/2024

ATTACHMENT 2: BASE CAPITALIZATION AND BIPARTISAN INFRASTRUCTURE LAW PROJECT PRIORITY PLANNING LIST					
PRIORITY SCORE	APPLICANT/ PROJECT NUMBER	PROJECT TYPE	PROJECT DESCRIPTION	WAITING LIST	PRINCIPAL FORGIVENESS
TBD	TBD	TBD	TBD	\$ 27,517,238	\$ 13,483,447
WAITING PORTION TOTAL:				\$ 27,517,238	\$ 13,483,447

ATTACHMENT D
AUTOMATED CLEARINGHOUSE SCHEDULE

ATTACHMENT D

ATTACHMENT D: ACH PAYMENT SHCEDULE AND CASH DRAWS

FFY 2024-2025 BIPARTISAN INFRASTRUCTURE LAW LEAD SERVICE LINE REPLACEMENT GRANT, AUTOMATED CLEARING HOUSE (ACH),
PAYMENT SCHEDULE, AND CASH DRAWS

	FFY 2024- 2025 QTR 3 / SFY 2024-2025 QTR 4	FFY 2024- 2025 QTR 4 / SFY 2025-2026 QTR 1	FFY 2025- 2026 QTR 1 / SFY 2025- 2026/QTR 2	FFY 2025- 2026 QTR 2 / SFY 2025- 2026/QTR 3	TOTAL*
ACH PAYMENT SCHEDULE – BIL LSL CAPITALIZATION GRANT	\$7,162,500	\$7,162,500	\$7,162,500	\$7,162,500	\$28,650,000
CASH DRAW SCHEDULE FOR PROJECTS – BIL LSL CAPITALIZATION GRANT	\$7,162,500	\$7,162,500	\$7,162,500	\$7,162,500	\$28,650,000

*No state match is required for BIL LSLR Capitalization Grant.

Attachment E – Complete Priority Ranking System

62-552.300 General Program Information.

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(e) Priority System. Timely submitted projects shall be given priority according to the extent each project is intended to remove, mitigate, or prevent adverse effects on public health and drinking water quality. The final priority score for each project shall be determined as described in subparagraphs 1. through 3., below.

1. Base Priority Score. Each project shall receive a base priority score (BPS) dependent on the weighted average of its components. The BPS shall be determined using the following formula where CPS means the component priority score and CCC means component construction cost or:

$$\text{BPS} = [\text{CPS}_1 \times \text{CCC}_1 + \dots + \text{CPS}_n \times \text{CCC}_n] / \text{Total Construction Cost}$$

a. Project components shall be assigned a component priority score (CPS) according to the categories in Table 1 below.

Table 1

Project Component	CPS
<p>Acute Public Health Risk</p> <p>1a. E-Coli or Fecal Coliform Maximum Contaminant Level (MCL) Exceedance (subsection 62-550.310(5), F.A.C.)</p> <p>1b. Nitrate, Nitrite, or Total Nitrogen MCL Exceedance (subsection 62-550.310(1), F.A.C., Table 1)</p> <p>1c. Lead or Copper Action Level Exceedance (Rule 62-550.800, F.A.C)</p> <p>1d. Surface Water Filtration and Disinfection Noncompliance (subsection 62-550.817(2), F.A.C.)</p>	800 points
<p>Potential Acute Public Health Risk</p> <p>2a. Nitrate, Nitrite, or Total Nitrogen Exceed 50% of MCL (subsection 62-550.310(1), F.A.C., Table 1)</p> <p>2b. Microbiological MCL Exceedance (subsection 62-550.310(5), F.A.C)</p> <p>2c. Surface Water Enhanced Filtration and Disinfection Noncompliance (subsection 62-550.817(3), F.A.C.)</p> <p>2d. State Health Officer Certification of Acute Health Risk for Unregulated Microbiological Contaminants</p> <p>2e. Violation of Disinfection Requirements (subsection 62-555.320(12), F.A.C.)</p>	700 points
<p>Chronic Public Health Risk</p> <p>3a. Inorganic or Organic Contaminant MCL Exceedance (subsections 62-550.310(1), (4), F.A.C., Tables 1, 4, 5)</p> <p>3b. Disinfection Byproducts MCL Exceedance (subsection 62-550.310(3), F.A.C., Table 3)</p> <p>3c. Radionuclide MCL Exceedance (subsection 62-550.310(6), F.A.C.)</p>	600 points
<p>Potential Chronic Public Health Risk</p> <p>4a. Inorganic or Organic Contaminant Exceed 50% of MCL (subsections 62-550.310(1), (4), F.A.C., Tables 1, 4, 5)</p> <p>4b. Disinfection Byproducts Exceed 80% of MCL (subsection 62-550.310(3), F.A.C., Table 3)</p> <p>4c. State Health Officer Certification of Chronic Health Risk for Unregulated Chemical Contaminants</p>	500 points
<p>Compliance-1</p> <p>5a. Infrastructure upgrades to facilities that are undersized, exceed useful life, or have continual equipment failures</p> <p>5b. Insufficient water supply source, treatment capacity, or storage</p> <p>5c. Water distribution system pressure less than 20 psi</p> <p>5d. Eliminate dead ends and provide adequate looping in a distribution system</p> <p>5e. Replace distribution mains to correct continual leaks, pipe breaks, and water outages</p> <p>5f. New public water system or extension of existing system to replace contaminated or low yield residential wells</p> <p>5g. Lack of significant safety measures (e.g. chemical containment)</p> <p>5h. Secondary Contaminant MCL Exceedance (Rule 62-550.320, F.A.C.)</p>	400 points

5i. Drinking water supply project as defined in paragraph 403.8532(9)(a), F.S.	
Compliance-2 6a. Treatment, Storage, Power, and Distribution Requirements (Rule 62-555.320, F.A.C.) 6b. Minimum Required Number of Wells (subsection 62-555.315(2), F.A.C.) 6c. Well Set-back and Construction Requirements (Rules 62-555.312 and 62-555.315, F.A.C.) 6d. Cross-Connection Control Requirements (Rule 62-555.360, F.A.C.) 6e. Physical Security Project Documented in a Vulnerability Analysis 6f. Consolidation or regionalization of public water systems 6g. Water/Energy Conservation Project	300 points
7. Other projects, including land or public water system acquisition	100 points

b. Project component scores that are based on contaminant levels shall be justified by sample analytical data. The date samples were collected must be no older than 24-months from the date of submittal of a Request for Inclusion. The sample results shall show an ongoing and current problem with a drinking water quality standard. The project sponsor shall provide documentation demonstrating contaminant levels (e.g. disinfection byproducts) cannot be reduced by adjusting system operations, if applicable. Samples shall be analyzed by a state certified laboratory as defined in Rule 62-550.550, F.A.C.

c. A project component score of 400 points that is based on compliance-1 categories of Table 1 shall be supported by documentation demonstrating the need for the project; otherwise, a component score of 300 points will be assigned.

d. A project sponsor with a qualifying water conservation project is eligible to receive an additional 100 points added to their priority score if the sponsor provides a water conservation plan in accordance with EPA's Water Conservation Plan Guidelines, document number EPA-832-D-98-001, August 6, 1998, hereby adopted and incorporated by reference. The sponsor must demonstrate that the proposed project meets the objective of the water conservation plan. This document is available from the Department's Drinking Water State Revolving Fund Program, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000 or <http://www.flrules.org/Gateway/reference.asp?No=Ref-08363>.

e. If 50% or more of residential wells of a given project meet the contamination levels indicated in Table 1 and connect to a new or existing public water system, then the project would be awarded component priority points according to the appropriate public health risk. Surface water flooding of wells of residents with septic drainfields and wells under the direct influence of surface water are considered an unregulated microbiological potential acute public health risk, and require substantiated documentation of occurrence in lieu of sampling data.

2. Affordability Score. The extent of affordability existing in a small community to be served by the project shall be reflected in the priority score. Points shall be awarded based upon two affordability criteria: namely, median household income (MHI) and service area population. These points are to be added to the base priority score. Affordability Score = (MHI Score + Population Score).

a. MHI Score. MHI score shall be derived based on the extent a community's MHI falls below the statewide average. MHI data shall represent all areas to be served by the project sponsor's public water system.

(I) MHI score shall not exceed a maximum of 75 points, shall not be less than zero points, and shall be rounded to the nearest whole number.

(II) MHI score is calculated as follows:

MHI Score = 100 x (1.00 - MHI fraction), MHI fraction is equal to the MHI of the service area divided by the statewide MHI.

b. Population Score. Projects for small systems are generally less affordable than those for larger systems due to a limited rate base from which to recover costs. Special consideration is given to such projects based on service area population. Population data shall represent all areas to be served by the project sponsor's public water system.

(I) Population score shall not be less than zero points and shall be rounded to the nearest whole number.

(II) The population score is calculated as follows:

Population score = 50 - (P/200). P is the population of the service area.

3. Tie-breaking procedure. The sponsor with the larger population will have the higher priority.