

ECONOMICALLY DISTRESSED AREAS PROGRAM (EDAP) - Planning Phase

Facility Engineering Plan / Scope of Services

The Applicant will be expected to prepare a facility engineering plan for providing water and/or wastewater services for the project area in accordance with the requirements set forth in 31 TAC §355.73, and to provide documentation to confirm the EDAP eligible area(s) in the project area. The scope of service for preparing the facility engineering plan is broken down into categories of tasks as outlined below. Each category of tasks shall be completed in the order listed, starting with Category A and proceeding with each successive category through D. After the completion of tasks within a category, the applicant will provide a report and appendices/supporting data as necessary for each category. **The Texas Water Development Board (TWDB) will reimburse the applicant for the engineering costs after each progress report and/or the final facility engineering plan report are approved.**

The contents of the documentation shall include an Executive Summary including Findings, Conclusions, Issues, Recommendations and the main body of the report. Six (6) sets of this documentation shall be provided to the TWDB for review and written approval/disapproval by the TWDB and prior to fully undertaking or completing the tasks within the next successive category.

The basic approach will be to provide adequate documentation for each category and to use this information for decision making prior to moving to the next category. **Do not proceed to the next category without TWDB approval of the previous category work product.** Each successive series of documentation will be used as building blocks for the final end product, which is a comprehensive Facility Plan. Six (6) copies of a completed Final Facility Plan (Final to mean reviewed and approved by TWDB) with appropriate supporting material must be provided. A satisfactory Final Facility Plan is part of the application requirements for Economic Distressed Area Program funds (31 TAC §363.504 (2)).

In conjunction with the tasks associated with the various categories and through out this investigation, it will be important to keep all the stakeholders informed on the project status and activities including the eventual project beneficiaries (colonia residents).

Category A. Eligibility Assessment

The eligibility assessment will determine all "economically distressed area" as defined by Texas Water Code Title 2, Subtitle C, §17.921(1) such that the areas meet the criteria of 31 TAC §363.503. The TWDB guidance policy documents to be used for parts of this assessment.

1. Demonstrate Water service inadequacy: For each EDAP area, document that water service does not exist or is provided by a community water system that does not meet drinking water standards as specified in 30 TAC Part 1 §290, Subchapter F, or other water quality standards of a governmental unit with jurisdiction over such area.
2. Demonstrate Sewer service inadequacy: For each EDAP area, document that sewer service does not exist or is provided by an organized sewage collection and treatment facility that does not comply with 30 TAC Part 1 §317 or is provided by on-site sewerage facilities that do not comply with 30 TAC Part 1 §285 or does not meet applicable wastewater standards of other governmental units with jurisdiction over such area.
3. Document the financial resources of the residents in each EDAP area. Financial resources of an EDAP area are inadequate when the median household income is not greater than 75 percent of the median state household income for the most recent year for which statistics are available. As per TAC §355.73 (G)

adjusted median household income is calculated as the annual median household income identified in the most recent U.S. Census from the closest applicable census tract multiplied by the current Texas Consumer Price Index. If census data for an EDAP area is inadequate, then household survey data from a statistically acceptable number of residents can be used.

4. Provide documentation that at least one occupied residential dwelling existed within the platted or subdivided area on June 1, 2005.
5. Tabulate the number of EDAP-eligible households in each project area as well as the number of EDAP ineligible customers (short-term rentals, commercial, trailer parks, multi-family or institutions) in the EDAP area that do not meet the eligibility requirements. Tabulate the EDAP eligible households and EDAP ineligible users for the proposed project area. Determine the existing population in the EDAP eligible area and the existing total population in the project area. The number of existing EDAP households and residents in each EDAP area as well as the number of existing residents not eligible for EDAP should be clearly shown.
6. The applicant shall submit maps delineating the EDAP area(s) and the area to be served by the project. The EDAP area boundaries should follow 31 TAC 363.503(5) as close as possible. Supporting documentation for the EDAP area(s) also shall follow 31 TAC 363.503 as close as possible. Where possible, indicate city boundaries and existing water or wastewater service areas.

TWDB will issue a letter confirming the EDAP eligible areas as formal documentation of completion of Category A. EDAP grant funds can only be used for EDAP eligible areas. Once the EDAP eligible areas are determined, a nuisance finding can be requested from the Department of Health by TWDB.

Category B. Existing Facilities and Problems

7. Define the existing and projected population for at least 20 years or through the design year. Show the EDAP eligible portion of the population in the projection.
8. Describe the existing water and / or wastewater facilities that will serve the project area and the effect of providing service to EDAP areas may have on the existing facilities.
9. Discuss the existing and projected water supply and water demand. Submit form WRD-253a for wastewater projects and form WRD 253d for water projects. If new sources of water are needed, identify the probable sources of the new water supply.
10. For wastewater projects, determine the wastewater characterization and if applicable, an infiltration inflow analysis.
11. Confirm the ability of dwellings in the project area to utilize future water and wastewater facilities. If possible, identify areas that may have additional costs associated with hooking up to the new facilities.
12. Document public consent for the construction of water and wastewater facilities to serve the EDAP area(s).

TWDB will confirm the completion of Category B and incorporate any comments or issues identified during the review of the WRD-253 forms that may affect facility planning into a letter.

Category C. Alternatives and Design Analysis

13. Specify the preliminary design criteria for the design year required to eliminate the water and/or sewer inadequacies in the EDAP eligible area(s) and maintain compliance with the appropriate water and wastewater standards for the entire project area.
14. Identify and evaluate alternatives for the water improvements needed to meet the design criteria. Rank the top three or more alternatives in terms of technical soundness for meeting treated water standards; capital cost; operating costs for 20 years adjusted to present value; and the greatest utilization of local labor during construction, operation and maintenance. Itemize estimated land acquisition costs for plant site.
15. Identify and evaluate alternatives for wastewater improvements required to meet the design criteria. Wastewater alternatives must include septic tanks and other on-site systems; regional and non-regional systems; conventional treatment technologies; nonconventional treatment technologies, such as rock reed, root zone, ponding, irrigation, or other technologies that may have been developed by NASA and the Tennessee Valley Authority; and revenue generating alternatives. In a table rank the wastewater alternatives in terms of technical ability to meet wastewater treatment regulations; capital cost; operating costs for 20 years adjusted to present value; ease of land and easement acquisition; relative cost of land acquisition; ease of operation and maintenance; and the greatest utilization of local labor during construction.
16. Provide a description of the recommended facilities, including an identification of any existing facilities to be acquired, replaced, enlarged, or improved.
17. Specify the percentage of the total existing utility water and/or wastewater system capacity that will be used to serve the EDAP area(s).
18. Estimate the water usage and wastewater flows for the project area after completion of the project and explain the basis of the estimation. Estimate the percentage of proposed water and wastewater capacity that will serve the EDAP area and the non-EDAP area.
19. Submit an acceptable Draft Environmental Assessment (EA - State funds) or Environmental Information Document (EID - Federal funds), with maps in accordance with 31 TAC §363.14 Environmental Assessment (State funds) or 31 TAC §375.64 Environmental Information Document (Federal funds). Contact TWDB for specific guidance regarding use of state and/or federal funds. "An acceptable Draft EA" means that all necessary field surveys (environmental, wetlands, biological, archaeological) have been done and coordination with regulatory agencies has been initiated. Note that a favorable environmental determination is required for TWDB to release future design funds. See 26. below.
20. Estimate the construction cost of the recommended project for each major element of the proposed improvements and/or new facilities, and an estimate of the annual operating costs. Include an estimate connection cost for each EDAP eligible dwelling.
21. For projects involving the purchases of facilities, the following additional information is required: A) inventory and current valuation of facilities to be purchased; B) general description of the capacities and capabilities of the facilities; C) historical operating and maintenance records; D) information on the 100-year flood plain and development in the project area; and E) access to facilities for TWDB staff site inspections.

TWDB will issue a letter accepting the Category C work product.

Category D. Finalize Project

22. Prepare a total project budget to define funding needs. Contact TWDB for budget format and confirmation of nuisance finding from Department of Health. With a nuisance finding, EDAP eligible areas can receive up to 100% grant for future funding of design and construction from TWDB. Without a nuisance finding, grant funding is limited to 50%.

23. Prepare a project implementation schedule for completing design, obtaining favorable environmental recommendation(s) for the project, acquisition of project funding; easement and land acquisition, and completion of construction of all elements.

24. Confirm that a Water Conservation and Drought Management Contingency Plan has been adopted or submit the necessary revisions to make the plan comply with current requirements.

25. Submit copies of interlocal agreements, or other agreements needed for the project, if applicable.

26. Prepare and submit a Final Environmental Assessment (State funds) or Environmental Information Document (Federal funds). This task is considered complete with issuance of a favorable environmental determination, or the task can be considered complete with submission of an Environmental Assessment or Environmental Information Document. Note that by accepting the environmental report as the final work product for this task, TWDB is not making any statement regarding the future issuance of a favorable environmental finding and more work may be required in the future.

27. Submit public hearing transcripts, as part of the Environmental Information Document, to be submitted to EPA if Federal funds planned for future funding of design and/or construction. If State funds will be used for future funding of design and/or construction, then public comments and response by the applicant to the public notification on the availability of the Environmental Assessment shall be submitted.

28. The following items can be in the planning phase or the design phase. **Please contact staff to determine if the below items apply to your project.** If included in the planning phase for an EDAP facility plan, then the application for planning funds must include a scope of work and budget for the following items:

- a. submit appraisals of real property needed for the water and wastewater facilities;
- b. document the acquisition of land;
- c. prepare and submit applications for wastewater permits. Facility planning funds can include activities associated with administrative or legal proceedings by regulatory agencies.
- d. prepare applications for new water supplies, and/or acquire water rights;
- e. prepare and submit water well and water supply information needed to secure water rights certification from TWDB.
- f. For EDAP areas, confirm that a mandatory hook up policy has been adopted.

Complete the FMT questionnaire, TWDB Financial, Managerial and Technical Self-Assessment Questionnaire (TWDB-0710).

29. Assemble all the Category A, B, C and D reports into a single final report.