Responsiveness Summary
for the
Federal Fiscal Year 2021 / State Fiscal Year 2023 Draft Documents

This document provides details regarding comments received, actions taken by Maryland Water Quality Financing Administration (MWQFA) in response to those comments, and any other changes/corrections made by MWQFA to the following draft documents that were available for a 30-day comment period in accordance with the requirements of the Federal Clean Water Act and the Safe Drinking Water Act:

Project Priority Lists (PPLs) show all applications received in ranked order from highest to lowest score. The two Draft FFY 2021/State FY 2023 PPLs were developed using applications received from potential borrowers through the solicitation efforts undertaken in December 2020 through January 2021 for both the WQRLF and the DWRLF. Projects were rated and ranked based on public health and water quality benefits, consistent with two EPA-approved Project Priority Systems. With the exception of nonpoint source projects, projects for which loan funds are ultimately provided must be consistent with Smart Growth, local land use plans, and County Water and Sewerage plans; additionally, drinking water systems must have the financial, managerial, and technical capacity to maintain Safe Drinking Water Act compliance.

- Draft FFY 2021/State FY 2023 Clean Water PPL
- Draft FFY 2021/State FY 2023 Drinking Water PPL

Water Quality Revolving Loan Fund (WQRLF) Intended Use Plan (IUP) Document and Table 1: The Draft FFY 2021 WQRLF IUP described how the annual Federal capitalization grant, matching State funds, and "recycled funds" (funds that return to the Revolving Loan Fund for new loans from loan repayments) will be used for the design and construction of water quality capital projects pursuant to Title Six of the Clean Water Act. A Federal grant of $38.429 million has been allotted for the Maryland WQRLF, which must be matched by $7.6858 million (20%) in State funds. Including other funds (such as loan repayments, investment earnings, and sale of revenue bonds),the total capital funding for projects was $154,032,330. The Draft FFY 2021 WQRLF Table 1 listed the projects that ranked high enough for FFY 2021 WQRLF consideration.

- Draft FFY 2021 WQRLF IUP Document
- Draft FFY 2021 WQRLF IUP Table 1

Drinking Water Revolving Loan Fund (DWRLF) IUP Document and Table 1: The Draft FFY 2021 DWRLF IUP described how the annual Federal capitalization grant, matching State funds, and "recycled funds" (funds that return to the Revolving Loan Fund for new loans from loan repayments) will be used for the design and construction of drinking water capital projects to implement the requirements of the federal Safe Drinking Water Act. An FFY 21 federal grant of $20.152 million and an FFY 2019 reallotment $0.186 million has been allotted for the Maryland DWRLF, which must be matched by $4.067 million (20%) in State funds. Including other funds (such as loan repayments, investment earnings, and sale of revenue bonds), the total capital

funding for projects was $41,865,409. The Draft FFY 2021 DWRLF Table 1 listed the projects that ranked high enough for FFY 2021 DWRLF consideration.

- Draft FFY 2021 DWRLF IUP Document
- Draft FFY 2021 DWRLF IUP Table 1

The aforementioned draft documents, notice of the 30-day public comment period, and instructions for submitting comments were posted on MWQFA's webpage from June 30, 2021 thru the close of business on July 30, 2021. Also on June 30, 2021, MWQFA sent a notification email and the draft documents to a contact list of over 1,000 individuals, including applicants who submitted an FFY 2021/State FY 2023 Financial Assistance Application. MWQFA did not hold a public hearing.

Comments Received

The Department received the following comments during the comment period:

Joy Potter of St. Mary's Metropolitan Commission (MetCom) asked the following three questions:

1. Please provide an explanation of the four projects selected that have $0.00 in the Total Funding Column and related comments.

MWQFA Response: (This response assumes the question is in reference to the Draft Drinking Water Intended Use Plan Table 1.) Not all the projects on the Table 1 were selected for funding; the Table 1 lists the projects that ranked high enough for FFY 2021 Revolving Loan Funding consideration but only projects with a >$0.00 amount in the Total Funding Column will be offered Drinking Water State Revolving Fund (assuming EPA approves MD's request). The two Bowie projects have $0.00 in the Total Funding Column because the City was not interested in loan funding; therefore, none will be offered. The Green Meadows project has $0.00 in the Total Funding Column because the system was found to have insufficient technical and managerial capacity, which makes it ineligible for DWSRF consideration. The Secretary project has $0.00 in the Total Funding Column because this project already has DWSRF allocated to it from a previous solicitation.

2. If any of the four projects referenced above decline to move forward with the WQFA funding or are otherwise deemed ineligible in this Fiscal Year application process, would the Draft Project Priority List be revised to include projects initially not selected and moved up in the list according to rank? The project that MetCom submitted for consideration, Town Creek Water System, Phase 2 is currently ranked 21. This project is at 75% design completion and is a continuation of previously WQFA funded project Town Creek Water System, Phase 1 that is currently in the closeout process. As indicated in the Project Purpose in the Application replacement of the aging water lines is critical due to low pressure and inadequate flow, with resulting outages resulting from the

age of the pipes. While we are disappointed that our project was not selected, we appreciate the consideration and respect the selection process.

MWQFA Response: None of the four aforementioned projects were allocated funds; therefore, there are no funds for them to decline. At this time, MD does not plan to allocate funding to any additional projects. MetCom is welcome to submit the Town Creek Water System Phase 2 project during the next solicitation (December 2021 - January 2022).

3. How does a project qualify for Loan Forgiveness?

MWQFA Response: Loan forgiveness is offered to Disadavantaged Communities as a percentage of the total SRF-financed amount. To qualify as a Disadvantaged Community (DAC), one of the following criteria must be met (the criteria in blue align with the chart that is posted here):

a) Water or sewer (as applicable) user rate/year per Equivalent Dwelling Unit (EDU) > 1% of Community Median Household Income (MHI); or

b) Project is physically located and benefits an MDE approved Environmental Benefit District; or

c) Project is physically located and benefits a community with MHI less than 70% of State MHI; or

d) Project is physically located and benefits a community in a Maryland County (including Baltimore City) with a high unemployment rate (upper 33rd percentile); or

e) Project is physically located and benefits a community in a Maryland County (including Baltimore City) where the US Census data shows a declining population trend.

Mark Bracket of Washington Suburban Sanitary Commission Water (WSSC Water) noted that the applications submitted by WSSC for Blue Plains Potomac Interceptor Sewer and Piscataway WRRF Bioenergy were not included on the Draft FFY 2021/State FY 2023 Clean Water PPL.

MWQFA Response: MWQFA confirms that the applications were received by the solicitation deadline and apologizes for omitting them. Both projects will appear on the Final FFY 2021/State FY 2023 Clean Water PPL.

Changes Made Subsequent to the Public Comment Period

1. The WSSC applications for Blue Plains Potomac Interceptor Sewer and Piscataway WRRF Bioenergy were added to the FFY 2021/State FY 2023 Clean Water PPL and ranked according to their respective scores (Blue Plains Potomac Interceptor at rank #120 and Piscataway WRRF Bioenergy at rank #45).

2. Piscataway WRRF Bioenergy was added to the FFY 2021 WQRLF IUP Table 1 for $15M.

3. The WQRLF amount for Prince George's County's Urban Stormwater Retrofit Public-Private Partnership Phase 5 on the FFY 2021 WQRLF IUP Table 1 was reduced by $15M.

Attachments

Comments received by email from St. Mary's MetCom and WSSC Water.

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Copies of all records pertaining to this public process are available at the offices of MDE, 1800 Washington Blvd., Baltimore, Maryland 21230. Inquiries may be made to Michael Roberts at michael.roberts@maryland.gov.

Maryland

MDE Water Quality Financing Administration Announcement -MDE-
<mde.wqfa_announcement@maryland.gov>

Comments on Draft FFY2021/SFY2023 PPL and IUP

Joy Potter <jpotter@metcom.org> Wed, Jul 7, 2021 at 9:06 AM
To: mde.wqfa_announcement@maryland.gov
Cc: Patricia Stiegman <pstiegman@metcom.org>, George Erichsen <gerichsen@metcom.org>

Please provide feedback and include our comments in your responsiveness summary to EPA. Thank you.

1. Please provide an explanation of the four projects selected that have $0.00 in the Total Funding Column and related comments.

2. If any of the four projects referenced above decline to move forward with the WQFA funding or are otherwise deemed ineligible in this Fiscal Year application process, would the Draft Project Priority List be revised to include projects initially not selected and moved up in the list according to rank? The project that MetCom submitted for consideration, Town Creek Water System, Phase 2 is currently ranked 21. This project is at 75% design completion and is a continuation of previously WQFA funded project Town Creek Water System, Phase 1 that is currently in the closeout process. As indicated in the Project Purpose in the Application replacement of the aging water lines is critical due to low pressure and inadequate flow, with resulting outages resulting from the age of the pipes. While we are disappointed that our project was not selected, we appreciate the consideration and respect the selection process.

3. How does a project qualify for Loan Forgiveness?

Joy R. Potter

Grants/Loan Administrator

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Elaine Dietz -MDE- <elaine.dietz@maryland.gov>

Public Comment for Draft Funding Documents - WSSC Water

1 message

Brackett, Mark <Mark.Brackett@wsscwater.com> Fri, Jul 30, 2021 at 5:51 PM
To: "mde.wqfa_announcement@maryland.gov" <mde.wqfa_announcement@maryland.gov>
Cc: "Colihan, Patricia" <Patricia.Colihan@wsscwater.com>, "Caudill, Joel V" <Joel.Caudill@wsscwater.com>

WSSC Water noted that two of their submitted projects did not appear on the Draft FFY 2021/State FY 2023 Clean Water PPL list, Piscataway WRRF Bioenergy and the WSSC Blue Plains Potomac Interceptor Sewer. Subsequently, MWQFA confirmed that both applications were received prior to the deadline, acknowledged the omission, and confirmed that both projects will be ranked and will be included on the Final FFY 2021/State FY 2023 Clean Water PPL.

WSSC Water looks forward to continuing our successful collaboration on the Piscataway WRRF Bioenergy project and believes that both of these important projects should be funded to the fullest extent possible.

WSSC Water would also like to congratulate MWQFA on their first all-electronic paperless solicitation. It appears that, (with just a couple of notable exceptions), the process was clean, green, efficient and effective.

WSSCWATER
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MARK BRACKETT
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Finance Department

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WSSC Water is the proud provider of safe, seamless and satisfying water services, making the essential possible every day.

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