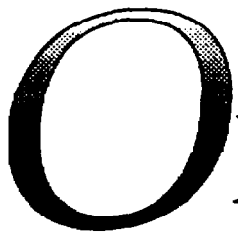
Overview of Annual Funding Options



Overview of Annual Funding Options

Permittees should consider various options to fund annual CSO-related cost that include:

- operation and maintenance costs for CSO controls
- annual loan payments for SRF or other loans used to fund CSO controls
- debt service on local bonds used to fund CSO controls
- reserves for future CSO equipment replacement

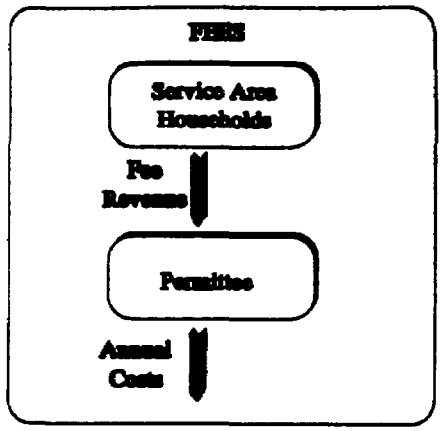
There are various funding options that could generate revenues to cover these costs.

This guide presents three categories of options for funding annual CSO costs:

- Fees
- Taxes
- Miscellaneous

Not all funding options may be available to every permittee. For example, some states allow local sales taxes while others do not.

Some of the options described in this section may be familiar to local utility managers. Other options may not be familiar. The permittee can identify the best option after reviewing all the funding sources, considering their benefits and limitations, and determining if they are appropriate.



FEES

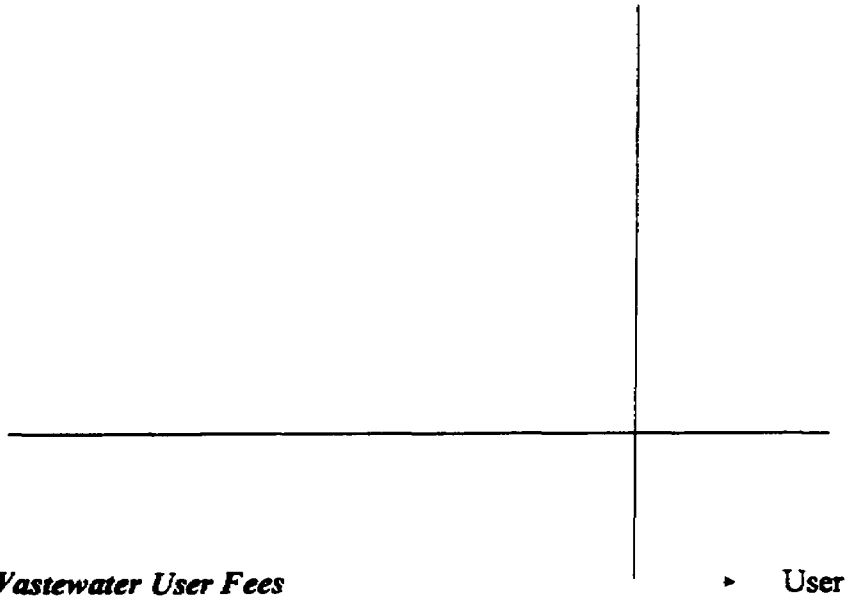
Fees are the most widely used source of annual funding. User fee systems that equitably charge residential, commercial, and industrial users have been a requirement of the federal construction grant program and the SRF program. In addition, wastewater utilities structured as enterprise funds require dedicated revenue sources, in most cases user fees, to pay for both capital and operating costs.

User fees are widely accepted as an equitable source of revenues for water pollution controls. Fees are directly linked to the service rendered. Fees match the costs of water pollution controls to those who benefit from the controls.

Permittees may need to consider several issues when modifying user fees to address CSO-related costs.

First, many communities are establishing separate fees, and in some cases, separate utilities, to fund storm water management requirements. Because storm water management is closely related to combined sewer overflow occurrences, permittees may find it necessary and beneficial to coordinate fees associated with CSO controls with storm water control fees. Storm water fees can be designed to encourage controls that will reduce combined sewer overflows.

Second, because CSO controls benefit the whole service area, permittees should recognize that, in most cases, *it will be necessary to use a fee* structure that distributes the CSO control costs among all system customers. Recovering costs through increases to system-wide user fees will distribute the cost increases more broadly.



Wastewater User Fees

Wastewater user fees for residential, commercial, and industrial users are most often based on volume of water consumption and strength of pollutants in the discharged wastewater.

In most cases, the annual costs associated with CSO controls can be funded by user fees.

Benefits

- For many communities, the increases in user fees required to fund CSO controls may not be burdensome because CSO costs may be shared by all users within the permittee's service area.
- User fees are a stable source of revenue and reassure lenders that revenues will be available to repay loans or bonds.
- User fee systems are relatively easy to implement regardless of size of service area.
- User fees ensure that system users (beneficiaries) pay for costs.

Limitations

- When permittees' user fee systems do not equitably allocate costs or do not fully recover annual system costs, users frequently resist rate increases.
- If rates were artificially low, there is a greater chance that raising rates to actual costs will meet opposition from users.

Connection Fees

Some permittees charge connection fees to customers that wish to receive service. Connection fees can be either one-time charges for new service connections or annual service charges or assessments for being connected to the system.

Most often connection fees are one-time charges for new residential, commercial, and industrial users.

Benefits

- Covering a portion of the CSO control costs with connection fees will help to reduce the rate impact of other user fees.

Limitations

- Permittee service area must be growing to provide revenues through one-time connection fees.
- Annual connection fee assessments are uncommon in wastewater treatment systems and their implementation may be difficult.

Many communities have established specialized fees...

Other Specialized Fees

Many communities have devised specialized fees to generate revenues for a variety of environmental program requirements. For example, communities in California and Florida charge privately operated facilities a fee that covers the cost of drinking water monitoring. In Spokane, Washington, a $30 fee is charged to register septic tanks.

Specialized fees may be established to help cover CSO control costs. Options include:

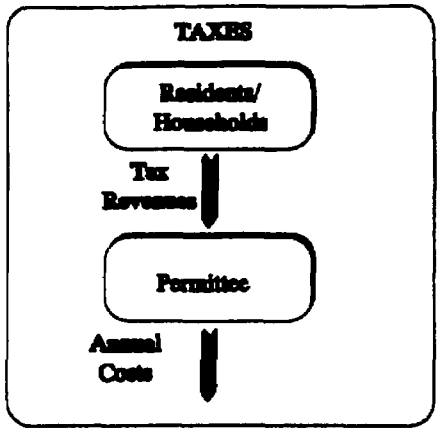
- Facility permit fees
- Application processing fees
- Inspection/certification fees
- Septic tank fees
- Impact fees
- Drainage area fees

Benefits

- Fees may be targeted to specific users or system beneficiaries.
- Specialized fee systems are relatively easy to develop and implement.

Limitations

- Specialized fees often have a limited revenue base and a disproportionate impact on a specific group of users.
- Revenues from specialized fees may be inconsistent from year to year.
- Lenders usually do not consider specialized fees to be reliable revenue sources.



TAXES

Taxes may be used as a limited funding source for annual wastewater system costs. Options include income taxes, sales taxes, and property taxes.

All federal wastewater construction grants and some of the SRF projects have user charge system restrictions that often limit the use of taxes to fund annual costs for wastewater systems.

The primary restriction is that a user fee system must be in place that ensures that each user or user group pays its proportionate share of operating costs, based on the quantity and quality of wastes discharged. As a result, taxes may not be used to pay operating costs for these projects.

However, user charge regulations do not require that capital outlays or debt service be covered in the user charge system. As a result taxes can be used to repay bonds or loans for CSO projects that are subject to CWA Title II requirements.

Projects funded with other sources such as local bonds, state loans, etc. do not have these restrictions.

Income Taxes

Individual or corporate income taxes have historically had less applicability to environmental program funding than other taxes such as property taxes, and targeted sales taxes.

Income taxes are used to fund environmental programs, but their use is largely at the state level. For example, Ohio earmarks a portion of corporate income taxes to pay for roadside litter control and recycling programs.

While income taxes may provide revenues for some environmental programs, it is unlikely that they will provide funds for water pollution control projects, including CSO controls.

Benefits

- Income taxes provide a stable source of revenues.
- Using income taxes to pay for annual system costs may lessen the user fee burden on lower-income households.

Limitations

- State government generally controls the level of taxes that local governments may levy.
- Most often, it is politically difficult to raise taxes and/or to earmark taxes for water pollution controls.
- With taxes, there is no direct link between service provided and revenue source.

Communities may dedicate a portion of local option sales tax revenue to water pollution control.

Sales Taxes

Many local jurisdictions raise funds through sales taxes. Communities may dedicate a portion of local option sales tax revenues to water pollution control, or may impose a local option sales tax on a specific product or service. A limited sample include:

Fertilizer Tax - Kansas charges a tax on the sale of fertilizer to fund water quality projects.

Tire Tax - Arkansas charges a tax per tire to help fund solid waste disposal.

Motor Fuel Tax - Some states use motor fuel taxes to fund highway construction and maintenance.

Watercraft Sales Tax - Some states tax the sales of boats to fund water quality projects and marine fuel spill cleanups.

Benefits

- Sales taxes can be targeted to products that contribute to water pollution.
- Revenue base can be broad, so a small tax can collect a significant amount of revenue.
- Purchasers of products who do not reside in the service area help pay for impacts of the products they purchase.

Limitations

- Due to strain on local governments, the competition for revenues from sales taxes is strong.
- Many communities already use the maximum allowable sales tax rate.

CASE: Columbus, Georgia

Columbus, Georgia is a community of approximately 190,000. The City's funding approach demonstrates how local option sales taxes can be used to fund CSO controls.

The Columbus Water Works is an executive department in the City government. The department is responsible for both water and wastewater services in the area. The department is managed by a separate board that sets user fee levels and selects funding approaches.

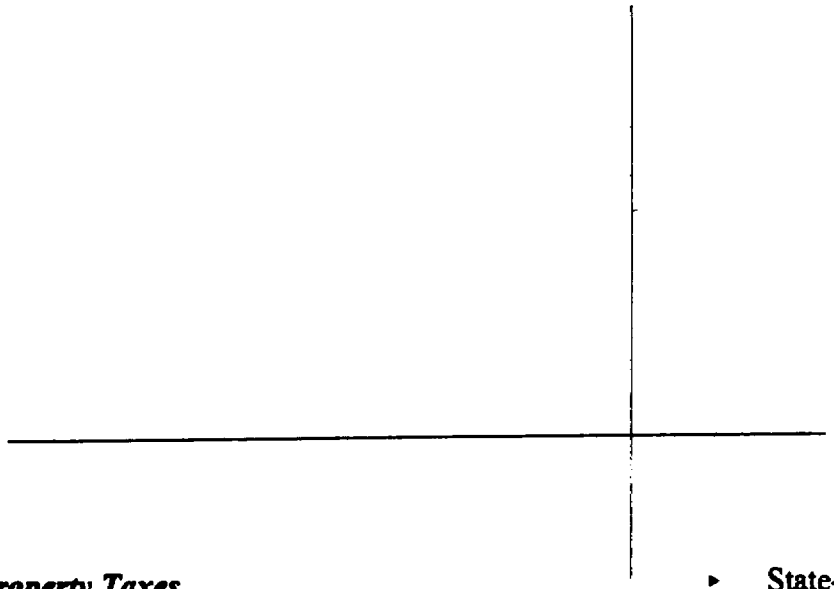
After reviewing the funding options the local water board decided that revenue bonds repaid with local sales tax revenues would be an appropriate method to finance $65 million in CSO controls (80 percent of total CSO control costs).

As in other states, local option sales taxes must be approved by the voters through a local referendum.

To bolster the appeal of the one percent sales tax required for eight years, local leaders combined the CSO controls with other popular local initiatives addressing public safety facilities, recreation programs, and neighborhood sidewalks. CSO controls accounted for about one-half of the revenue bond issued by the City.

As an additional incentive to voters, the water board passed a rate increase that would take affect if the voters rejected the local sales tax proposal.

The voters of Columbus passed the local sales tax proposal by an overwhelming margin. Over ninety percent of voters approved of the CSO funding approach.



Property Taxes

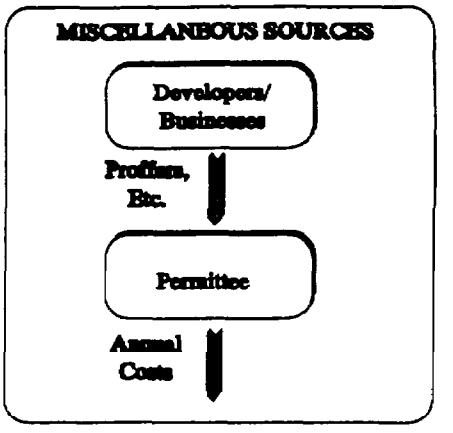
Local governments use ad valorem property taxes as the primary source of funding for general government operations. Ad valorem property taxes are based on the value of property. As a result, residents with larger and/or more expensive homes pay more in property taxes than residents with less expensive homes.

Benefits

- Local governments have control over the use and level of property taxes.
- A portion of the property tax revenues may be dedicated to wastewater treatment control in general or CSO controls specifically.

Limitations

- Many communities have encountered substantial resistance to increased property taxes.
- State-wide limitations on increases of property taxes or property tax levels restrict the use of property taxes for additional services.
- Using property taxes to fund wastewater system cost doesn't provide the direct link between services and costs as does a user charge system based on water usage and type of discharge.



MISCELLANEOUS ANNUAL FUNDING SOURCES

Permittees may wish to consider other funding sources that can help offset increasing annual costs. These options are proffers, capacity credits, and fines and penalties.

Proffers are generally defined as contributions of land, services, or facilities from private sector development companies. Proffers, also called exactions, are negotiated on a case-by-case basis. Typical examples of proffers are the donation of land for parks or green areas, paying for road improvements, or cash donations to the government.

Capacity credits are rights to connect to a water/sewer system in the future. Fees charged to developers to access services may be used to fund construction on additional treatment capacity or controls.

Benefits

- Proffers and capacity credits place cost increases on the new users that benefit from these services.
- Revenues may be targeted to specific improvements.
- May provide substantial one-time funding in advance of facility construction.

Limitations

- Proffers and capacity credits work best in growth communities.
- Revenues are difficult to predict.

Chapter IV

Designing Your Funding Solution

Designing Your Funding Solution

When developing long-term plans for CSO controls, a permittee will find it necessary to identify a specific capital and annual cost funding approach. Most permittees have some experience with the primary funding approaches. Many permittees have issued local revenue bonds, used SRF loans, and have explored alternative annual funding options in addition to user fees.

Other permittees have not constructed facilities since the federal construction grant program was replaced with the SRF program. As a result, some permittees will be assessing some of the capital funding approaches discussed in this report for the first time.

As demands on local resources grow, it will be increasingly important to seek out and evaluate available CSO funding sources. It is clear that different funding solutions are available. The best opportunity to minimize costs comes from reviewing all viable options and selecting the best mix of available alternatives.

Permittees may start this process by following these basic steps.

Step 1 - Assess the availability of state or federal grants for the community. Contact state and federal offices referenced in this guide to review grant options.

Step 2 - Evaluate local debt options including low interest SRF loans, revenue bonds, and G.O. bonds to determine what options are available that provide sufficient funding levels, lowest interest costs and acceptable repayment terms.

Step 3 - Determine the effect of using user fees to fund annual costs in terms of the cost per household as a percent of median household income. (See EPA's *Combined Sewer Overflows-Guidance for Financial Capability Assessment and Schedule Development*).

Step 4 - Should the user fee result in a high level of financial burden on households, consider contacting NPDES and Water Quality Standards' (WQS) authorities to explore the possibility of extending the implementation schedule and modifying WQS. (See EPA's *Combined Sewer Overflows-Guidance for Financial Capability Assessment and Schedule Development*).

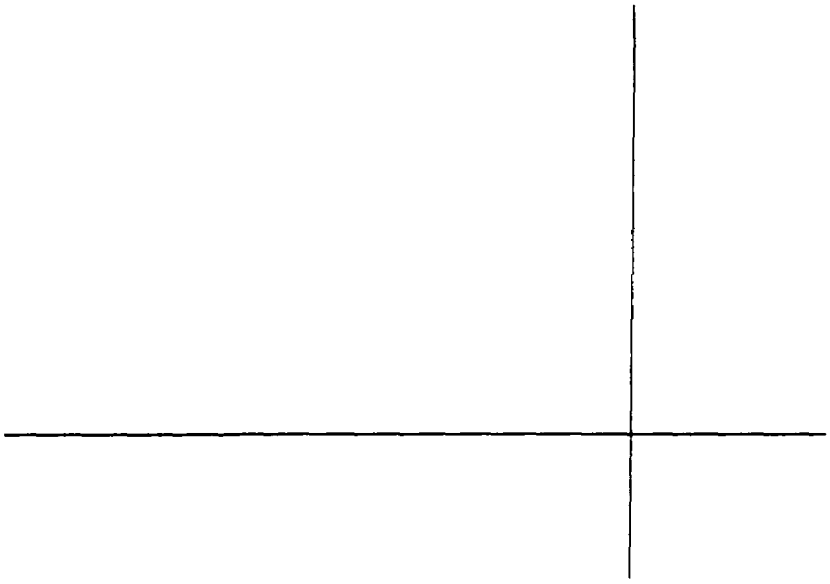
Step 5 - Develop and carry out a public information program. The program should describe clearly why facility improvements are needed, the expected cost impact, and the environmental protection anticipated from making the improvements. · Public information techniques to consider include:

- Regular briefings of key officials or groups
- Public meetings
- Feature stories in newspapers
- Mailing of planning documentation to civic leaders
- Newsletters
- Paid advertisements
- Public service announcements
- Hotline telephone information number

Involving the public during the planning process will help to ensure that an acceptable, equitable funding solution is adopted.

Public participation can take many forms including:

- Advisory groups/task forces comprised of interested parties
- Focus groups to discuss funding options and impacts
- Interviews with key officials and interested citizens
- Open planning meetings or workshops to involve all interested parties



- Public hearings to provide formal input into the decision making process

- Surveys or polls to determine public preferences

A public information program need not be expensive and overly time consuming. To be efficient, consider what you wish to accomplish in the program. What segments of the public are most important to reach? Are there existing committees or groups that will help you implement the information program? What has been the experience of others within the community that have carried out public information programs?

Spending time with residents during the planning process will help to ensure the adoption of an acceptable funding solution that reflects the concerns and desires of households.

CASE: Western Port, Maryland

Western Port, Maryland is a community of approximately 2,750 (500 households). The town decided to address its CSO problem when it was discovered that the collection system needed significant repair.

The cost of the improvements was $1.5 million. This small community was able to afford this project because it developed a funding solution that drew from all available low cost sources.

The community was fortunate that, because of its proximity and involvement with a local paper company, it was eligible for grant funding from the federal Bureau of Mines and the Soil Conservation Service. These grants covered one-third of the project cost.

The community was also able to secure a low interest (3.5 percent) SRF loan from the Maryland Department of Environment. The SRF loan covered another third of the project.

A grant from the federal Community Development Block Grant program covered one-fifth of the project cost, and a county grant covered 3 percent of the project.

The net result of the funding solution was a user fee level at 1.2 percent of median household income.

Western Port faced the same challenge that other permittees will face when designing their CSO funding solutions. Other permittees may not have the same funding alternatives available, but by exploring all the options the lowest cost options can be identified.

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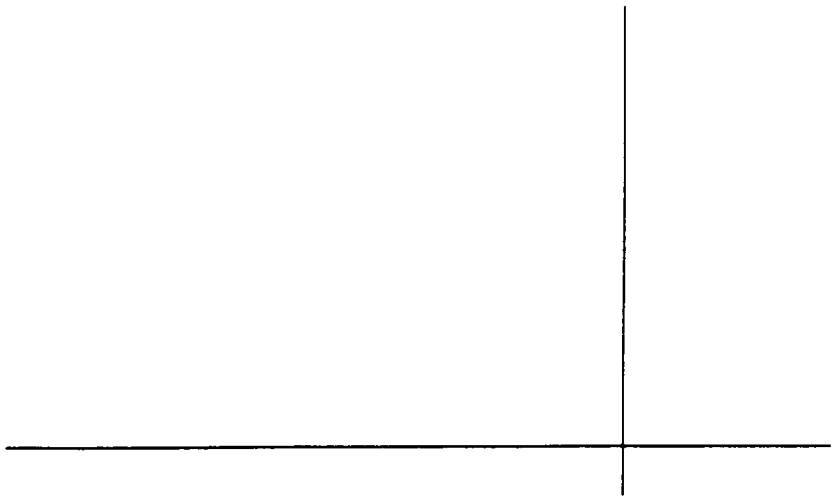

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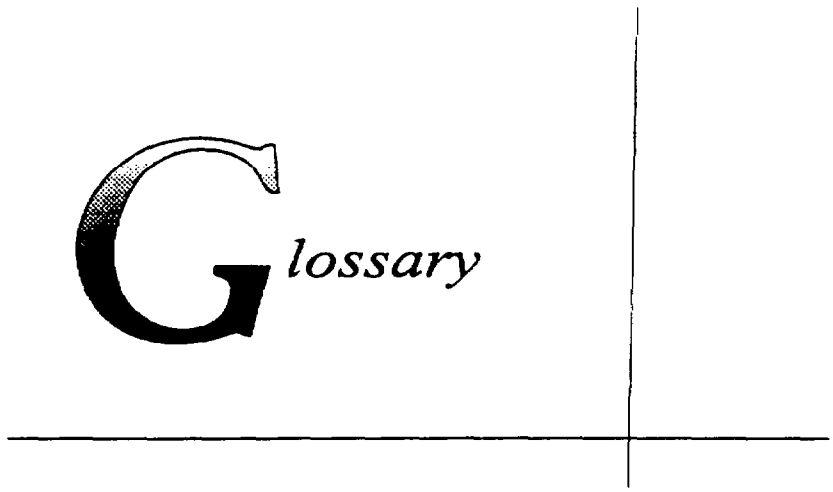


Bonds Written evidence of the issuer's obligation to repay a specified principal amount with interest at a stated rate.

CoBank The National Bank of Cooperatives is a government sponsored enterprise that provides low cost capital to communities under 20,000.

Combined Sewer System Wastewater collection system designed to carry sanitary sewage, consisting of domestic, commercial, and industrial wastewater and surface drainage from rainfall or snowmelt in a single pipe.

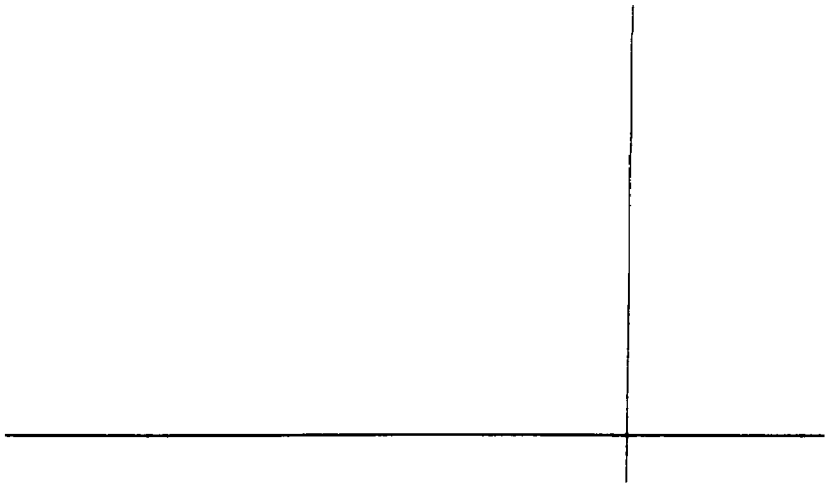
Combined Sewer Overflows During periods of heavy rains or snowmelt, total wastewater flows exceed the capacity of the treatment facility and the combined sewer system flows directly into surface water bodies.

Connection Fee Either a fee charged one time only for new service or an annual service charge for being connected to the system.

Construction Grants Program A federal program that provided funding to communities for wastewater infrastructure projects without repayment required. Grants will play only a limited role in future funding.

Double-Barreled Bond A bond secured by a defined source of revenue plus the full faith and credit of the issuer.

Executive Order Number 12803 An initiative signed in April, 1992 to review and modify federal policies and regulations that would allow the full or partial sale of federally funded infrastructure assets.



General Obligation Bond A bond secured by a pledge of a community's taxing power.

Moral Obligation Bond A bond secured by a defined source of revenue with an additional non-binding pledge from the community to cover bond payments in the event of a default.

Revenue Bond A bond payable from a specific source of revenue that does not pledge the full faith and credit of the issuer.

Rural Utility Service Provides loans and grants for communities that have populations under 10,000.

Special Assessments Provide funding for projects in a specific geographic area.

Special Reserve Fund A fund established with a portion of user fee revenues and interest earnings on idle funds to finance future wastewater infrastructure investments.

State Revolving Fund Program A federal program created by the Clean Water Act Amendments in 1987 that offers low interest loans for wastewater treatment projects.

Wastewater Fees Fees for residential, commercial, and industrial users based upon volume of water consumption and strength of pollutants discharged in the water.

Appendix A

State Grant and Loan Programs for Funding Wastewater Treatment Projects in Addition to the State Revolving Fund (SRF) Program

State	State WWT Grant Program	State WWT Loan Program
Puerto Rico	No.	No.
Rhode Island	Yes. (1) RI Aqua Fund. (2) Interceptor Bond Fund. (3) Sewer and Water Supply Failure Fund.	Yes. (1) RI Aqua Fund. (2) Interceptor Bond Fund. (3) Sewer and Water Supply Failure Fund.
South Carolina	No.	No.
South Dakota	Yes. In addition to the SRF program, the Consolidated Water Facilities Construction Fund provides both loans and grants.	Yes. The Consolidated Water Facilities Construction Fund provides both loans and grants.
Tennessee	Yes. Approximately $4.3 million is annually appropriated by legislature. The 20% State match is provided from this.	Yes. TLDA has a health loan program for sewer, water and solid waste projects. Interest rates range from 4.5% (interim) to 6-7% for final financing over 30 years.
Texas	No.	Yes. Texas has a Water Quality Enhancement Loan Program. Loans are funded by sale of State bonds. Program can also fund municipal solid waste disposal projects. Repayments are used to retire debt on State bonds. The state also has a Colonias fund that is capitalized with $250 million in State bonds. Assistance may be 75% grant and 25% loan.
Utah	No.	Yes. Water Pollution Control and Drinking Water Projects
Vermont	Yes. Vermont construction grant program - Title 10 V.S.A., Chapter 55, Section 1625	Yes. Vermont Pollution Control Revolving Fund - 24 V.S.A., Chapter 120, Section 4753
Virginia	Yes. VA SRF works with other financial assistance programs such as Dept. of Housing and Community Devlpmnt. block grants, FmHA grants and loans, VA Water Projects, Inc. grants and loans, SWCB Special Purpose State Grant Prog. and VA Chesapeake Bay Initiative Progs.	Yes. The VA General Assembly authorized VA to issue bonds and lend the proceeds to local govts. VA bonds are sold to private investors on the national market, attracting out of State funds to VA.
Washington	Yes. The Centennial Clean Water Fund provides grants for WWT and other Water Quality needs. The program is administered by the same department as SRF.	Yes. The Centennial Clean Water Program is anticipated to provide loans as well as grants in the future.
West Virginia	No.	Yes. WDA is charged with the responsibility of making loans to municipalities to finance the cost of the design, acquisition or construction of water and WW projects. All or a portion of project costs can be provided by WDA through the use of bond proceeds.
Wisconsin	No. Previous WI fund program is being phased out	Yes. The State pledges State G.O. bonds as security for a revenue bond issuance to fund a non-SRF Wastewater Treatment Loan Program which operates parallel with the Federal SRF program.
Wyoming	Yes. With mineral severance tax receipts the State provides grant funds to municipalities to augment other sources of funding for wastewater projects.	Yes. WFLB extends loans to municipalities for infrastructure improvements including wastewater treatment.

State Grant and Loan Programs for Funding Wastewater Treatment Projects in Addition to the State Revolving Fund (SRF) Program

State	State WWT Grant Program	State WWT Loan Program
Massachusetts	Yes. State grant program for I/I correction. CSO control projects and other categories of abatement facilities projects not typically funded by federal grant.	Yes. (a) Commonwealth SRF Program separate from federal SRF. Projects not subject to federal regulations. (b) Ineligible cost SRF Program - in conjunction with loans made under one of the other SRF's.
Michigan	No.	No.
Minnesota	Yes. State Independent Grants Program has 3 set-asides: capital cost component grants, individual on-site wastewater treatment system grants, and corrective action grants.	No.
Mississippi	No.	No.
Missouri	Yes.	No.
Montana	Yes. DNRC operates a small grant program for all types of municipal water development projects. Intermittent funding comes from appropriations derived from the mineral severance tax.	Yes. DNRC offers a loan program for all types of municipal water development projects. Funding comes from the mineral severance tax.
Nebraska	Yes. Communities with populations of 800 or less with MHI of 90% or less of rural MHI qualify for 50% matching grant. (State annual obligation may not exceed $300,000.)	No.
Nevada	No.	No.
New Hampshire	Yes. 95% grants for specific projects	No.
New Jersey	Yes. SIIA-CSO projects (planning and design). Pinelands (grants and loans).	Yes. Same type program as the SRF with the exception of some Title II requirements and crosscutters (includes CSO and stormwater).
New Mexico	Yes. Based on state appropriation for individual projects. Management done by Rural Infrastructure / Special Appropriations Section housed in same quarters.	No.
New York	No.	No.
North Carolina	Yes. High unit cost grant program -- Eligibility based on average residential water and sewer bill exceeding 1.5% of the median household income of county. Funded by State appropriations.	Yes. $3.0 million per year of State appropriations. Interest rate not to exceed the lesser of 4% or one-half the prevailing national market rate.
North Dakota	No.	No.
Ohio	Yes. OWDA may make grants to governmental agencies for construction of wastewater or water treatment facilities.	Yes. OWDA may make loans to governmental agencies for construction of wastewater or water treatment facilities.
Oklahoma	Yes. OWRB administers the State grants program which is an emergency grant program.	Yes. The loan program is administered by the OWRB.
Oregon	No.	No.
Pennsylvania	Yes. PENNVEST has authority to award grants when the community's financial condition indicates loan repayment is unlikely and community would be unable to proceed with project. PENNVEST considers the effect of its project financing on rates of customers.	Yes. Subject to any agreements with bond holders, PENNVEST sets loan terms after considering current market interest rates, financial and economic distress of the project service area, and the necessity to maintain PENNVEST in a financially sound manner.

State Grant and Loan Programs for Funding Wastewater Treatment Projects in Addition to the State Revolving Fund (SRF) Program

State	State WWT Grant Program	State WWT Loan Program
Alabama	No.	No.
Alaska	No.	No.
Arizona	No.	No.
Arkansas	No.	No.
California	Yes. The voters approved $25 million in November 1988 for state grant assistance for communities with less than 3,500 people. The maximum grant amount is $2.0 million per project.	Yes. Loan program provides 12.5 percent state loans to communities receiving less than 75 percent federal grants, a Water Quality Control fund loan program for financially destitute small communities and a low interest water reclamation loan program.
Colorado	Yes.	Yes.
Connecticut	Yes. 20% Grants for Projects; 50% Grants for CSO Projects	Yes. Additional State Funds in separate account (Long Island Sound Program and State Loan Program)
Delaware	No.	No.
Florida	No.	Yes. Double barrel bonds carrying Florida's credit rating. No interest rate subsidy. Lower cost to issue. Available for all kinds of pollution control facilities.
Georgia	Yes. State grant program for WWT and water supply in conjunction with GEFA loans. (See Other State Loan Program below.)	Yes.
Hawaii	Yes. State grants 25 percent of eligible project cost for every SRF project.	Yes. State has appropriated $50 million for SRF program.
Idaho	Yes. Step 1 Grants	Yes. Water Pollution Control Account
Illinois	Yes. Non-Federally Funded Construction grant WWT program is called "Build Illinois," funded through State appropriations. Illinois General assembly authorized $70 million in July, 1988 to fund "Build Illinois."	No.
Indiana	No. Pending; 1994	No. Pending; 1994
Iowa	No.	No.
Kansas	No.	No.
Kentucky	No.	Yes. Under the Kentucky Infrastructure Authority, the State legislature has provided funding for other revolving loan and grant programs to be used for various infrastructure needs.
Louisiana	No.	No.
Maine	Yes. State grant program is used in conjunction with title II and VI projects and can fund from 0% to 80% of eligible costs.	Yes.
Maryland	Yes. Maryland has a very small grant and loan program funded by proceeds from general obligation bonds and PAGO funds for distressed communities.	Yes. Maryland has a very small grant and loan program funded by proceeds from general obligation bonds and PAGO funds for distressed communities.