

Appendix D. Criteria to Determine Disadvantaged Community Eligibility

Disadvantaged Community / Disadvantaged Community - Small/Rural - The determination will be based on information received by the initial PIF deadline or with a PIF subsequent submitted after the initial deadline. An eligible disadvantaged community consists of all of the following:

1. The service area of an eligible applicant, the service area of a community that is located outside the entity's service area, or a portion within the entity's service area if the proposed project is providing new service to existing residents in unserved areas; and
2. meets the following affordability criteria:
 - (a) Has an Annual Median Household Income (AMHI) that is no more than 75 percent of the state median household income using an acceptable source of socioeconomic data, and
 - (b) the Household Cost Factor (HCF) that considers income, unemployment rates, and population trends must be greater than or equal to 1 percent if only water or sewer service is provided or greater than or equal to 2 percent if both water and sewer service are provided.

Acceptable Source of Socioeconomic Data for SFY 2024

For SFY 2024, the TWDB will utilize:

- (1) U.S. Census 2021 American Community Survey (ACS) 5-year estimates (2017-2021), and, for determining a change in population, will compare it to the 2017 ACS 5-year estimates (2013-2017), or
- (2) Data from a survey approved by the Executive Administrator of a statistically acceptable sampling of customers in the service area completed in accordance with the most current Socioeconomic Surveys Guidelines (WRD-285) posted on the TWDB website. Any survey being used for income determination must be conducted within five years of the date the TWDB receives the PIF. An entity must submit documentation that substantiates the inadequate or absent Census data that led to the need to conduct a survey. All entities must obtain prior approval to use survey data instead of the most recently available American Community Survey data.

Affordability Calculation and Disadvantaged Community Eligibility

Step 1. Comparison to State annual median household income.

The AMHI for the project service area (either entire or portion) must be 75 percent or less than the state's AMHI using an acceptable source of socioeconomic data for SFY 2024.

Step 2. Determining the Household Cost Factor

The total HCF is comprised of a household cost factor based on the AMHI, plus an additional household cost factor based on unemployment rates (if the unemployment rate for the service area is greater than the state average) plus an additional household cost factor based on population decline (if there has been a decline in the population of the service area over a period of time). The HCF used in the affordability criteria takes into consideration the potential

burden that the cost of a proposed project will place on a household. The entity’s total HCF, which consists of the Income HCF (the percentage of annual household income that goes toward water, sewer, fees/surcharges, and project financing costs) combined with the Unemployment Rate HCF Adjustment ($[(\text{Unemployment Rate} - \text{State Rate}/\text{State Rate}) * 2]$ which is only used if a positive amount and may not exceed 0.75 percent) and the Population Decline HCF Adjustment ($[(\text{Prior Population} - \text{Current Population})/\text{Prior Population}] * 6.7$ which is only used if a positive amount and may not to exceed 0.5 percent), must be:

- 1.0 percent or greater if the entity currently offers either water or sewer service, or
- 2.0 percent or greater if the entity currently offers both water and sewer service.

The 1.0 and 2.0 percentage levels are known as the “base” levels in determining the maximum allocation amount.

The Unemployment Rate HCF and Population Decline HCF can only increase the total HCF, not decrease it.

Step 3. Principal Forgiveness Eligibility and Levels

The eligible level of principal forgiveness for a project is based on the difference between the calculated total HCF under Step 2 and the minimum HCF of 1 percent (if only water or sewer service is provided) and 2 percent (if both water and sewer services are provided) as shown in the chart below:

Household Cost Factor Difference	Principal Forgiveness as a % of DWSRF-funded project costs remaining after subtracting other DWSRF principal forgiveness
≥ 0%	70%

Individual projects will be reviewed for disadvantaged community eligibility as stand-alone projects. However, if an entity submits an application covering multiple PIFs or multiple applications for multiple PIFs within the SFY prior to any receiving a funding commitment, the disadvantaged community eligibility may be re-evaluated based on the combined costs of all the projects.

In instances where the ACS data does not adequately reflect an entity’s service area (e.g. an entity serves a community outside of its Certificate of Convenience and Necessity, an entity serves another system, the entity is a system without a Census Bureau defined boundary, etc.), a prorated analysis of ACS block group data will be performed to calculate the AMHI. An example of this method follows:

County	Census Tract	Block Group	From Entity	Calculation	ACS 2017-2021	Calculation	ACS 2017-2021	Calculation	Calculation
			Total Number of Household Connections	% of TTL Connections	AMHI	Prorated AMHI	Average HH Size	Prorated Average HH Size	Entity's Population Served
Jones	202	1	848	62.26%	\$55,000	\$34,244	1.84	1.15	1,690
Jones	202	2	309	22.69%	\$47,893	\$10,866	2.45	0.56	616
Jones	202	3	205	15.05%	\$34,402	\$5,178	1.94	0.29	409
			1,362	100.00%		\$50,287		1.99	2,715

County	Census Tract	Block Group	ACS 2017-2021	Calculation	ACS 2017-2021	ACS 2013-2017	Calculation
			Unemployment Rate	Prorated Unemployment Rate	Population 2021 (for county)	Population 2017 (for county)	Prorated Pop. Change
Jones	202	1	2.08%	1.30%	19,721	19,969	-154
Jones	202	2	1.65%	0.37%	19,721	19,969	-56
Jones	202	3	0.0%	0.0%	19,721	19,969	-37
				1.67%	19,721	19,969	-248

For entities that serve retail customers with differing rate structures, prorated rates are used, in some instances, to calculate each entity's household cost factor in SFY 2024. The following tables are an example of the method used. The TWDB will require use of prorated rates to determine an entity's water and/or sewer bills when applicable.

Prorated Average Monthly Water Bill

	A	B	C	D	E	F	G	H	I	J	K	L
	Number of Household Connections (HH)	Percentage of Total HH	Average Monthly Water Flow	Average Household Size	Average Mo. Water Flow / HH (Cx D)	First Tier	Initial Rate	Additional Use	Additional Rate	Other Changes	Average Mo. Water Bill (((E-F)/H)xI)+G	Prorated Mo. Water Bill (BxK)
Entity A	1,823	33.95%	2,325	2.56	5,952	2,000	\$ 14.45	1,000	\$ 6.70	\$ 2.00	\$ 42.93	\$ 14.58
Entity B	1,135	21.14%	2,325	2.47	5,743	3,000	\$ 23.41	100	\$ 0.57	\$ -	\$ 39.04	\$ 8.25
Entity C	1,836	34.20%	2,325	2.78	6,464	3,000	\$ 29.85	1,000	\$ 6.81	\$ -	\$ 53.44	\$ 18.27
Entity D	575	10.71%	2,325	2.53	5,882	1,500	\$ 16.00	1,000	\$ 4.00	\$ -	\$ 33.53	\$ 3.59
Totals	5,369	100.00%									Average Monthly Water Bill	\$ 44.69

Prorated Average Monthly Sewer Bill

	A	B	C	D	E	F	G	H	I	J	K	L
	Number of Household Connections (HH)	Percentage of Total HH	Average Monthly Water Flow	Average Household Size	Average Mo. Water Flow / HH (Cx D)	First Tier	Initial Rate	Additional Use	Additional Rate	Other Changes	Average Mo. Water Bill (((E-F)/H)xI)+G	Prorated Mo. Water Bill (BxK)
Entity A	1,823	33.95%	1,279	2.56	3,274	3,000	\$ 10.95	1,000	\$ 2.25	\$ 2.00	\$ 13.57	\$ 4.61
Entity B	1,135	21.14%	1,279	2.47	3,159	3,000	\$ 17.00	100	\$ 0.83	\$ -	\$ 18.32	\$ 3.87
Entity C	1,836	34.20%	1,279	2.78	3,556	-	\$ 20.79	1	\$ -	\$ -	\$ 20.79	\$ 7.11
Entity D	575	10.71%	1,279	2.53	3,236	1,500	\$ 10.00	1,000	\$ 2.00	\$ -	\$ 13.47	\$ 1.44
Totals	5,369	100.00%									Average Monthly Sewer Bill	\$ 17.03

If an entity is requesting disadvantaged community status for a portion of its service area, the combined household cost factor is calculated in the same manner as described above with the exception that the annual project financing cost per customer is calculated using the total household service connections in the full service area (not the portion).

If taxes, surcharges, or other fees are used to subsidize the water and/or sewer system, the average annual amount per household may be included in calculating the household cost factor or the combined household cost factor.

Systems owned and operated by a public school or school district will be evaluated for their annual median household income for their school district boundary. Since school districts typically do not have individual user costs, a household cost factor calculation cannot be performed. Therefore, districts with an AMHI less than or equal to 75 percent of the state's AMHI will automatically receive Disadvantaged Community status with the lowest available level of principal forgiveness.

If recent reliable data is unavailable for the school district to determine the AMHI, the TWDB will use information from the Texas Education Agency's Title I, Part A program to determine income eligibility. If more than 50 percent of the school districts campuses are eligible for the program, the district's AMHI will be assumed to be less than or equal to 75 percent of the State's AMHI.

Disadvantaged Community Criteria for Urgent Need funding option:

For the project service area, the AMHI must not exceed 150 percent of the state's AMHI and the unemployment rate be greater than the 33 percent of the state level or experienced a recent decline in population (based on the 2013-2017 ACS 5-year estimates compared to 2017-2021 ACS 5-year estimates). If the project service area is primarily agricultural or rural as determined by TWDB then the unemployment rate above need only be greater than 10 percent of the state level.

To lessen the need for the applicant to conduct income surveys, the TWDB will consider on a case-by-case basis making the presumption that the average (mean) of the AMHI of all U.S. Census Bureau Block Groups containing any portion of the project service area is the AMHI for the project. The applicant has the option of proving otherwise by submitting more information on the number of customers in each Block Group or conducting an income survey. Applicants must provide a detailed map of the proposed service area to be considered for this option and the TWDB will determine the associated Block Groups. The Executive Administrator will then determine whether this option would result in a reasonable estimate of the AMHI for the project service area and may be used for the AMHI threshold calculation. The data used in the calculation will be the same data source as described under Disadvantaged Community above.

The disadvantaged community criteria for the Very Small Systems funding is described in the main section of the IUP.