**\*\*\* This Entity Eligibility Certification Form MUST be included in the Application Package for Stormwater Funding from LASII \*\*\***

**Local Assistance for Stormwater Infrastructure Investments (LASII) Fund**

**Entity Eligibility Certification Form (Stormwater Eligibility Form)**

(Last updated: February 2024)

North Carolina General Assembly Session Law 2021-180 Section 12.14 established the Local Assistance for Stormwater Infrastructure Investments (LASII) fund to provide grants to eligible entities for projects that will improve or create infrastructure for controlling stormwater quantity and quality. Section 12.14.(d) defines an eligible entity as: “a city[[1]](#footnote-1) or county that (i) documents in a form and manner as the Department may specify a stormwater quality or quantity issue and (ii) demonstrates that it would experience a significant hardship raising the revenue necessary to finance stormwater management activities within its jurisdiction based on income and unemployment data, population trends, and any other data determined relevant by the Department. A regional council of government created pursuant to Part 2 of Article 20 of Chapter 160A of the General Statutes or a nonprofit entity is also an eligible entity under this section if the regional council of government or nonprofit entity partners with a city or county.”[[2]](#footnote-2)

**An applicant seeking stormwater grant funding from LASII must document the following items on this LASII Entity Eligibility Certification Form. Failure to adequately document the following items or to certify and include this form in the application package will result in the application being considered ineligible for funding.**

1. **Document a Stormwater Quality or Stormwater Quantity Issue**

(Required by Session Law 2021-180 Section 12.14.(d)(i))

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| 1. Provide a narrative that describes the stormwater quality issue and/or stormwater quantity issue, based on historic or projected precipitation, and how the proposed project will be used to address the issue.

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| 1. Provide a map and/or narrative that identifies the location of the stormwater quality and/or stormwater quantity issue.

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| 1. If available, provide photographs of the stormwater quality and/or stormwater quantity issue and identification of the amount of rainfall that caused the issue, based on the nearest reliable rain gauge, news articles about the issue, or other information that clearly demonstrates the issue. Attach this information to this Certification Form, if available.
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**AND**

1. **Demonstrate that the Applicant would Experience a Significant Hardship raising the Revenue Necessary to Finance Stormwater Management Activities within its Jurisdiction.** (Required by Session Law 2021-180 Section 12.14.(d)(ii))

**Select one method to demonstrate significant hardship below:**

[ ] Applicant Will Rely on Criterion 1: LGU Indicators

**OR**

[ ] Applicant Will Rely on Criterion 2: Benefits to Disadvantaged Areas

**An applicant must demonstrate eligibility by meeting either of the two criteria below (Criterion 1 or Criterion 2):**

* **Criterion 1:** At least one (1) of the five (5) five Local Government Unit (LGU) Indicators for the applicant are worse than the state benchmarks shown in Table 1 below. The values for the LGU Indicators for all municipalities and counties in North Carolina are provided in tables on the [Division application webpage](https://deq.nc.gov/about/divisions/water-infrastructure/i-need-funding/application-forms-and-additional-resources).

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| **Table 1.** |
| **Local Government Unit Indicator** |  | **State Benchmarks for Spring 2024 Applications** | **Enter Value of Local Government Unit Indicator of Applicant [[3]](#footnote-3),[[4]](#footnote-4)** |
| 1. Population Change
 | **< =** | 3.13% |       |
| 1. Poverty Rate
 | **> =** | 13.7% |       |
| 1. Median Household Income
 | **< =** | $60,516 |       |
| 1. Unemployment Rate
 | **> =** | 4.9% |       |
| 1. Per Capita Appraised Value of Property
 | **< =** | $133,264 |       |

**OR**

* **Criterion 2:** Zero (0) of the five (5) Local Government Unit (LGU) Indicators for the applicant are worse than the state benchmarks shown in Table 1 above **and** at least 75 percent of the project construction cost must be used to directly benefit disadvantaged areas.

Disadvantaged areas are subsections or pockets of a City’s or County’s jurisdiction, not the entire City or County. For instance, disadvantaged areas may be census block groups that meet qualifying characteristics. The targeted project area will be determined a “disadvantaged area” based on factors that shall include:

1. Median household income, poverty rates, per capita appraised property values, and/or unemployment rates of the targeted project area.
2. Additional factors such as but not limited to demographic, historical, cultural, linguistic, socioeconomic stressors, or cost-of-living stressors.

Use of NC DEQ’s Community Mapping System and other similar federal or state-generated maps is encouraged. For example, documentation can include:

1. Screenshots or printouts of NC DEQ’s [Community Mapping System](https://deq.nc.gov/outreach-education/environmental-justice/deq-north-carolina-community-mapping-system) and identify on the map the targeted project area overlapping “Potentially Underserved Block Groups 2019” and/or “Tribal Boundaries” that appear on the online map as shaded areas (these are considered disadvantaged, underserved areas.
2. Screenshots or printouts of the Justice40 Climate and Economic Justice Screening Tool: the [Justice40 Initiative – Environmental Justice – The White House](https://www.whitehouse.gov/environmentaljustice/justice40/) evaluates burden threshold and the associated socioeconomic thresholds. Data provided in the Tool may provide additional factors to support a project area is disadvantaged.

If using census block data, the supporting documentation must include maps, website, and link to the source of the specific information cited so that the data provided can be independently verified from the source.

For Criterion 2, at least 75 percent of the project construction cost must be used to directly benefit disadvantaged areas. To document that the beneficiaries of the project are disadvantaged, provide:

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| 1. A narrative, with or without a map, describing the project study area and the disadvantaged area that will benefit from the proposed study.
* Map Documentation: Screenshots or printouts from sources listed above in Criterion 2.c or Criterion 2.d, or other similar federal or state-generated maps.
* Narrative Documentation: Narrative must sufficiently describe disadvantaged factors of the areas as listed above in Criterion 2.a or Criterion 2.b.
* If using census block data, provide a map, the website, and link to the source of the specific information cited so that the data provided can be independently verified from the source.

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| 1. For Criterion 2, provide a description of how the proposed project will reduce the impact(s) of the described stormwater quality issue and/or stormwater quantity issue **that is occurring within the disadvantaged area.** If the proposed project will address both stormwater quality and stormwater quantity issues, provide a separate description for each issue.

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**AND, IF APPLICABLE**

1. **Documentation that the Applicant is a Regional Council of Government created pursuant to Part 2 of Article 20 of Chapter 160A of the North Carolina General Statutes or the Applicant is a Nonprofit Entity, and that the Regional Council of Government or Nonprofit Entity is Partnering with an Eligible City or County.**

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| If applicable, provide the following information below: 1. Name and address of regional council of government or nonprofit entity

     1. Name, title, and contact information for the person with the entity named above that will be the primary contact for this project

     1. Name, title, and contact information for the person with the eligible city or county that will be the primary contact for this project

     1. Copy of the executed instrument used to establish the partnership arrangement between the entity named above and the eligible city or county

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| **Certification by Authorized Representative** |
| The above statements and all attached exhibits are hereby made part of this LASII Entity Eligibility Certification Form, and the undersigned representative of the Applicant certifies that the information in this Form and the statements and exhibits are true, correct, and complete to the best of his/her knowledge and belief.  |
| **LASII Entity Eligibility Certification Form Signature** |
| **Please Note: Original signatures are required for each Certification Form** |
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| **SIGNATURE OF AUTHORIZED REPRESENTATIVE** |
|  | , |  | , |  |
| **TYPED NAME** |  | **TYPED TITLE** |  | **DATE** |

1. “City” means municipality and includes cities, towns, and villages. [↑](#footnote-ref-1)
2. Any city or county partnering with a regional council of government or nonprofit entity must itself be an eligible city or county. [↑](#footnote-ref-2)
3. If two or more eligible applicants are working together on the proposed project and the collaboration is necessary in order to accomplish the goals of the study, enter the LGU Indicator values for the most distressed of the municipalities or counties. [↑](#footnote-ref-3)
4. Please use the Local Government Unit Parameters (which supplies values for population change, poverty rate, median household income, unemployment rate, and property valuation per capita for all cities and counties in North Carolina) available on the [Division application webpage](https://deq.nc.gov/about/divisions/water-infrastructure/i-need-funding/application-forms-and-additional-resources). [↑](#footnote-ref-4)