

**\*\*\* 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)**

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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<sup>1</sup> 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.”

**An applicant seeking grant funding from LASII for a stormwater construction project, stormwater planning grant, or to develop and implement a new stormwater utility 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))

- A. 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.

North Belmont Park was constructed in 1987 and Bessemer City Park in 1989 with no Stormwater Control Measures for runoff from 74 acres with 20% impervious surfaces. Runoff is currently conveyed via overland flow and conveyance ditches. This has caused excessive erosion and streambank erosion in first order streams. Also, ball fields are maintained and adds to the nutrient runoff to both Fites Creek and a tributary of Abernethy Creek. Constructing 2 Stormwater Wetlands mimic the functions of natural wetlands and use physical, chemical, and biological processes to treat stormwater. A stormwater wetland is designed to capture the design storm and release it slowly over a period of two to five days via a properly designed outlet structure. The wetlands will be designed in a manner that protects the device, the areas around the device and the receiving stream from erosion. Stormwater wetlands temporarily store stormwater runoff in shallow pools that support emergent and riparian vegetation. The storage, complex microtopography, and vegetative community in stormwater wetlands combine to form an ideal matrix for the removal of many pollutants. Stormwater wetlands can also effectively reduce peak runoff rates and stabilize flow to adjacent natural wetlands and streams. Our county department implements a county wide stormwater ordinance for new construction. We have reviewed, designed, constructed and maintained stormwater wetlands. These are areas that erode and flood in parks as well as downstream that the public visit. We will utilize the park’s trail system at the wetland locations to highlight and educate the public on the importance of stormwater retention and treatment.

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<sup>1</sup> “City” means municipality and includes cities, towns, and villages.

- B. Provide a map and/or narrative that identifies the location of the stormwater quality and/or stormwater quantity issue. The map and/or narrative must show or describe the watershed upstream of the location, and if possible, identify the acreage, percentage of impervious area and land use cover in the watershed upstream of the location. If providing a map, attach the map to this Certification Form.

See Location Maps and StreamStats Maps showing watershed and land use descriptions.

- C. 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.

## **AND**

### **2. 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 the method to demonstrate significant hardship below:**

- Applicant Will Rely on Item 2.A: LGU Indicators or Benefits to Disadvantaged Areas,

#### **OR**

- Applicant Will Rely on Item 2.B: Develop and Implement a New Stormwater Utility

- **Item 2.A: For applications for Stormwater Construction (LASII) and Stormwater Planning Grants (LASII).** Does not apply to applications to Develop and Implement a New Stormwater Utility.  
**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 the table below. The values for the LGU Indicators for all municipalities and counties in North Carolina are provided in tables on the [Division application webpage](#).

Local Government Unit Indicator		State Benchmarks for Fall 2022 Applications	Enter Value of Local Government Unit Indicator of Applicant <sup>2,3</sup>
1. Population Change	< =	4.5%	4.9%
2. Poverty Rate	> =	14.0%	13.6%
3. Median Household Income	< =	\$56,642	\$53,474
4. Unemployment Rate	> =	7.1%	7.8%
5. Per Capita Appraised Value of Property	< =	\$125,015	\$91,349

**OR**

**Criterion 2:** The City or County as a whole does not meet Criterion 1 but is applying for stormwater projects that primarily benefit disadvantaged areas within the City’s or County’s jurisdiction. To be eligible, 75 percent or more of the project construction costs (as delineated in the Project Budget) must be used to directly benefit disadvantaged areas.

Disadvantaged areas may be subsections or pockets of a City’s or County’s jurisdiction, rather than 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:

- Median household income, poverty rates, per capita appraised property values of property, and/or employment rates of the targeted project area,
- Additional factors that may qualify the targeted project area as disadvantaged, such as but not limited to demographic, historical, cultural, linguistic, socioeconomic stressors, or cost-of-living stressors may also be considered.

<sup>2</sup> If two or more eligible applicants are working together on the proposed project and the collaboration is necessary in order to accomplish the construction project or to accomplish the goals of the study, enter the LGU Indicator values for the most distressed of the municipalities or counties.

<sup>3</sup> 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](#).

Use of federal or state-generated maps to demonstrate that a targeted project area is disadvantaged is encouraged. For instance, using screenshots or printouts of NC DEQ's [Community Mapping System](#), labeling and identifying on the map the targeted project area overlapping "Potentially Underserved Block Groups" and/or "Tribal Boundaries" that appear on the online map as shaded areas (these are considered disadvantaged areas).

For Criterion 2, the proposed project is not required to be located *within* a disadvantaged area, but the project *must result in* water quality improvements within the disadvantaged area and/or reduce water quantity impacts within the disadvantaged area. Over 75 percent of the project's construction costs must be used to provide these benefits to the disadvantaged areas to qualify under Criterion 2.

For Criterion 2, to document that the direct beneficiaries of the project are disadvantaged, provide:

- A. A narrative, with or without a map, describing the project location, areas in which project benefits are anticipated, and disadvantaged area(s).
- Example Map Documentation: Screenshots or printouts of NC DEQ's [Community Mapping System](#), or similar federal or state-generated map, with project location and areas in which project benefits are anticipated overlaid on top of Potentially Underserved Block Groups and/or Tribal Boundaries. Attach screenshots or printouts of maps to this Certification Form.
  - Narrative Documentation: Narrative must sufficiently describe disadvantaged factors of the areas where the project benefits will accrue, including median household income, poverty rates, per capita appraised property values of property, and/or employment rates of the targeted project area. Additional factors that may qualify the benefiting areas as disadvantaged, such as but not limited to demographic, historical, cultural, linguistic, socioeconomic stressors, or cost-of-living stressors.

B. For Criterion 2, demonstrate that 75 percent or more of the project’s construction cost (as shown in the Project Budget) will be used to benefit disadvantaged areas. Complete the Project Budget in the application and clearly label and shown costs that benefit disadvantaged areas separately from other costs.

In this Certification Form, provide the following summary:

<b>Cost Estimated in the Project Budget</b>	<b>Division Funding Requested (Total, from Project Budget)</b>	<b>Portion that Benefits Disadvantaged Areas</b>	<b>Portion that Does Not Benefit Disadvantaged Areas</b>
<b><u>Construction Costs</u></b>			
Comprehensive Grading			
Storm Drainage and Structures			
Landscaping			
<i>Contingency (10% of construction costs):</i>			
<b><i>Construction Subtotal:</i></b>			

C. 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 within the disadvantaged area. **If the proposed project will address both stormwater quality and stormwater quantity issues, provide a separate description for each issue.**

- **Item 2.B: For applications to Develop and Implement a New Stormwater Utility (LASII).** Does not apply to applications for stormwater construction and stormwater planning grants.

If the city or county does not have a stormwater utility with a Stormwater Enterprise Fund and the project purpose described in Part 1.A of this Entity Eligibility Certification Form is to develop and implement a new Stormwater Utility, the city or county will have met the requirement to demonstrate that there is a significant hardship in raising the revenue necessary to finance stormwater management activities within its jurisdiction. The grant amount for which a city or county will be eligible will be capped at different levels based on the number of LGU Indicators (from Criterion 1) that are worse than the state benchmarks.

For Item 2.B, include a Resolution by the Governing Body stating that the city or county does not currently have a Stormwater Utility with a Stormwater Enterprise Fund, but will develop and implement a stormwater utility and Stormwater Enterprise Fund during the project. See the [Division's application webpage](#) for a template resolution. The resolution must be included as part of the application package. Please also attach it to this Certification Form, or provide a statement here that the Resolution for Developing and Implementing a Stormwater Utility with a Stormwater Enterprise Fund is included with the application package.

## **AND, IF APPLICABLE**

- 3. 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.**

If applicable, provide the following information below:

- A. Name and address of regional council of government or nonprofit entity
  
- B. Name, title, and contact information for the person with the entity named above that will be the primary contact for this project
  
- C. Name, title, and contact information for the person with the eligible city or county that will be the primary contact for this project
  
- D. Copy of the executed instrument used to establish the partnership arrangement between the entity named above and the eligible city or county

