



REPORT

WILL FUNDS FLOW FAIRLY?

STATE WATER INFRASTRUCTURE EQUITY REPORT CARDS



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I. EXECUTIVE SUMMARY

The State Revolving Fund (SRF) program is a federal-state partnership that financially supports critical drinking water and sanitation projects. Communities with the greatest financial, environmental, and public health needs should be first in line to access these funds, but recent NRDC and other data analyses show that often funding is not distributed equitably under the program. In many states, policies that guide the distribution of SRF dollars have made it more difficult for disadvantaged communities to access funds. With additional funding flowing to the program from the Bipartisan Infrastructure Law of 2021, states are under increased pressure to ensure that they direct SRF assistance where it is most needed.

To better understand how state rules and procedures are contributing to observed inequities, we qualitatively assess each state’s public, written SRF policies. We define and apply 16 criteria to assign the state an overall equity score (and associated grade, A through F), with sub-scores for its clean water, drinking water, and lead service line replacement funding programs. These criteria focus on identifying policy obstacles that place financial assistance out of reach for many disadvantaged communities, including policies that treat such communities unfavorably in selection criteria, limit available subsidies, and curb input from the public.

We find that the states with the most equitable policies are Michigan and Pennsylvania, and the states with the least equitable policies are South Carolina and South Dakota, with the remainder of the states falling in between. Overall, two states receive As, 10 states receive Bs, 21 states receive Cs, 15 states receive Ds, and two states receive Fs. Looking at the sub-scores for each distinct SRF funding stream, Pennsylvania and Kentucky receive the highest grades for equity in their clean water SRF programs. These two states also receive the highest marks for their drinking water SRFs,

together with Virginia and Washington. Michigan, New Jersey, and Rhode Island receive the highest grades for their lead service line replacement funding programs.

It is important to note that these grades are based on states’ available public, written policies and do not indicate whether a state is in fact equitably distributing its SRF funds to the communities most in need, so advocates should continue to monitor each state’s actual award decisions as new data become available. Moreover, because this report could not include all possible SRF policies that affect equity, states and advocates should evaluate other program implementation choices to determine whether and how they affect the ability of disadvantaged communities to access funds.

Regardless of their current scores, all states have the authority to update their policies to strengthen equity in program implementation. No state has received the highest possible score, so even the states with relatively high grades have some inequitable policies in place within their SRF programs that they can and should improve. We encourage all states to take action as quickly as possible and ensure that all communities can access the financial assistance they need.

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Water in an aeration tank at Oaks Wastewater Treatment Plant in Pennsylvania.

II. BACKGROUND

From coast to coast, America’s drinking water, wastewater, and stormwater systems face tremendous financial challenges. Aging and insufficient infrastructure, increased frequency of extreme precipitation, population growth in some areas and depopulation in others, lead contamination, and other emerging contaminants like toxic PFAS “forever chemicals” have led to an accumulating backlog of water-system construction and maintenance needs. While these infrastructure challenges are widespread, they affect certain communities more severely than others.

Systemic racism and disinvestment have fostered unequal access to safe drinking water and sanitation for low-income communities and communities of color. Across the country, many socioeconomically vulnerable people live without access to properly functioning wastewater treatment.¹ Studies have also shown that drinking water violations—both of health standards and of monitoring and reporting requirements—hit low-income communities and communities of color especially hard.² Communities of color are more likely to get their drinking water from lead service lines, which can contaminate tap water and pose serious health risks.³ Children of color, particularly Black children, have disproportionately high blood-lead levels due to cumulative exposure to multiple lead sources.⁴ Conventional approaches to paying for infrastructure—which rely on local sources of revenue to repay public and private loans that fund investments—have deepened these disparities along racial and economic lines.

Within this context, it is critical that federal infrastructure programs distribute resources equitably, ensuring that all communities have a fair shot at receiving assistance and that areas of greatest need—in particular, disadvantaged communities with significant infrastructure needs—are first in line for funding. Yet our water infrastructure funding programs are not currently meeting this objective. The Environmental Protection Agency (EPA) stated in a recent strategic plan that “low-income, people of color, Tribal, smaller, and rural communities are disproportionately impacted by water related challenges and face historical hurdles in accessing water infrastructure funding.”⁵ Indeed,

recent quantitative analyses of funding data performed by NRDC and partner organizations found that smaller communities and those with larger populations of color are statistically less likely to receive financial assistance for water infrastructure.⁶ These disparities can exacerbate water and sewer affordability problems, as communities unable to access federally subsidized assistance must turn to more expensive financing options in order to carry out necessary projects or are forced to leave pressing infrastructure needs unaddressed. This injustice is a serious problem that the state government agencies responsible for distributing funding must correct. Fortunately, it is a problem that these agencies have both the authority and the opportunity to address if they have the will to do so.



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A young girl drinking from a glass of water.

III. STATE-BY-STATE POLICIES GOVERN THE DISTRIBUTION OF FEDERAL WATER INFRASTRUCTURE FUNDS

This report assesses the equity of state policies that govern the distribution of funds through the State Revolving Fund (SRF) program, the nation's largest dedicated source of federal funding for drinking water, wastewater, and stormwater systems. The SRF program has provided \$216 billion in total assistance since the late 1980s, plus tens of billions of dollars in supplemental funds from the Bipartisan Infrastructure Law (BIL) of 2021 that are flowing to communities over a five-year period.⁷ Ultimately, that funding is distributed based on state policies, and policies that do not promote equitable access can disadvantage those communities most in need of funds. Understanding these policies and their impacts is crucial to making sure funding reaches beyond just politically connected or well-resourced communities.

The SRF is divided into two parallel programs: the Clean Water State Revolving Fund (CWSRF), which finances wastewater and stormwater projects, and the Drinking Water State Revolving Fund (DWSRF), which supports drinking water projects. Municipalities, utilities, state agencies, and nonprofit entities are all eligible to receive CWSRF assistance to construct and improve wastewater treatment facilities, control nonpoint sources of pollution, manage stormwater, recycle wastewater, and implement other projects to improve surface water quality.⁸ Drinking water systems are eligible to receive DWSRF assistance to install or upgrade drinking water facilities, replace or install pipes, and implement other projects to achieve compliance with drinking water regulations.⁹

Each year, Congress appropriates funds for the SRF programs. These appropriations are divided among the 50 states and Puerto Rico according to a preset formula.¹⁰ Each state places its portion of the money, known as the annual federal capitalization grant, into its CWSRF and DWSRF funds, along with a required 20 percent state match. The state then uses these funds to provide financial assistance for water infrastructure projects. Leverage bonds, investment earnings, and loan repayments are also deposited into the funds on a rolling basis.

States provide assistance to eligible borrowers primarily in the form of loans. Recipients of federally subsidized SRF loans benefit from below-market interest rates, which can result in significant cost savings compared with loans from private lenders. As loans are repaid, the states can re-loan the money to new recipients, allowing the funds to “revolve.”

However, states must use a portion of their annual capitalization grant as “additional subsidization”—grants, principal forgiveness (which is functionally equivalent to a grant), and negative-interest loans—for certain

recipients and projects. In the CWSRF program, additional subsidization can be provided to disadvantaged communities or green projects, while on the DWSRF side additional subsidy is restricted to disadvantaged communities only.¹¹ States have the discretion to develop their own criteria to define and identify “disadvantaged communities” for this purpose.¹² Funding provided as additional subsidization does not need to be repaid, so it is a critical source of assistance for potential applicants that cannot afford to repay even a low-interest SRF loan. Under current law, states must distribute between 12 and 35 percent of their DWSRF capitalization grant and between 10 and 30 percent of their CWSRF capitalization grant as additional subsidization each year, if sufficient applications are filed by disadvantaged communities requesting such subsidization.¹³ Annual appropriations bills sometimes add further additional subsidization requirements, as did the BIL for funding under that Act.¹⁴

Federal law has established broad, basic rules for states' operation of the SRF programs, such as eligibility criteria for projects and applicants. Within these general guidelines, states retain significant latitude to set policy and make funding decisions as they see fit. EPA regulations require only that each state prepare an annual intended use plan (IUP), describing the criteria and methods for selecting projects and distributing funds, along with a yearly project priority list (PPL), listing the order in which project applications will receive funding.¹⁵

As a result of this broad discretion, state programs operate under widely varying sets of policies. Indeed, even the CWSRF and DWSRF programs within a single state often operate under different policies. Across the country, state SRF policies prioritize different types of projects and applicants, offer different interest rates and other loan terms, provide different amounts of additional subsidization, and provide different forms of technical assistance to potential applicants. All of these policies affect the ease or difficulty with which different kinds of communities can access funding. As a result, they have a significant influence on equity in program implementation.

In addition to longstanding SRF program policies, three recent developments in federal water infrastructure policy are having an important effect on the distribution of SRF funds.

a. The Justice40 Initiative Increases Pressure to Achieve Equity in the SRF Program

Shortly after taking office in 2021, President Joe Biden issued Executive Order 14008, which established the

Justice40 Initiative.¹⁶ This initiative establishes a goal of directing 40 percent of the overall benefits of federal investments to disadvantaged communities, including investments under the SRF program.¹⁷

As an executive order rather than a law or regulation, this goal is not binding for the state agencies that make decisions about how SRF funds are spent. Nonetheless, the initiative has brought increased scrutiny of equity within the SRF programs. In early 2022, the EPA issued guidance encouraging states to adopt more equitable SRF policies and is making an increased effort to monitor the distribution of SRF funds in order to track compliance with the Justice40 goal.¹⁸ Some, but not all, states have begun to review and revise their policies in light of this goal; any changes these states made before the end of 2023 are reflected in this report card.

b. State Policies Also Guide Distribution of BIL's Unprecedented Funding for Lead Service Line Replacement Through the DWSRF

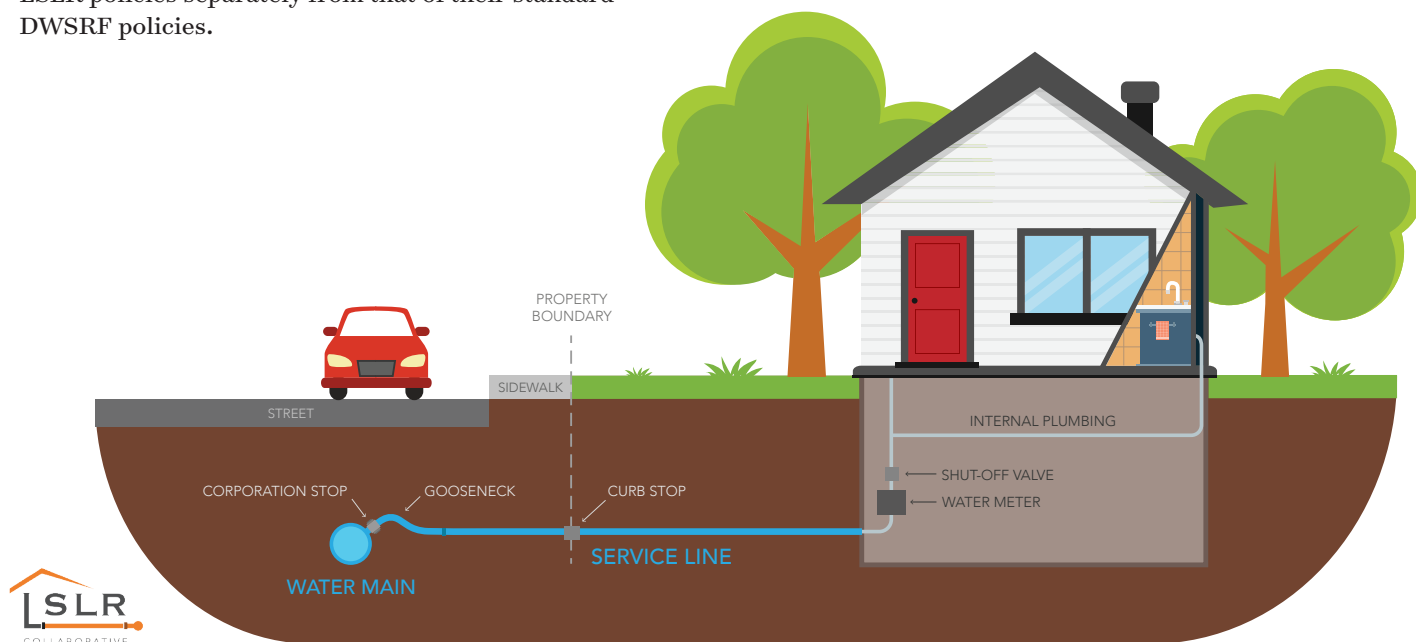
The BIL provided an unprecedented \$15 billion over five years to pay for lead service line replacement (LSLR) and certain related activities, such as conducting inventories of water distribution systems to determine where and how many lead service lines are in place.¹⁹ Because lead-contaminated water disproportionately impacts people of color, replacing lead service lines as quickly as possible is an equity issue.²⁰ The BIL distributes this funding through the state DWSRF programs and requires 49 percent of it to go to disadvantaged communities as additional subsidization.²¹ States can apply their normal DWSRF program rules to LSLR funding, but they are also allowed to apply different policies to this separate funding stream, and many do. Because of these differences, and because of the enormous equity and public health impacts of lead service lines, this report card grades the equity of states' LSLR policies separately from that of their standard DWSRF policies.

For example, states can advance equity in drinking water safety by complying with EPA's directive not to fund partial LSLR with resources provided in the BIL.²² A partial replacement occurs when water utilities replace only the portion of the lead pipe that runs from the water main to the property line or curb stop, and then leave the rest of the lead service line in use (Figure 1). As discussed in the adjacent text box, these partial lead service lines are dangerous and can increase lead levels at the tap. The EPA has urged states to "affirmatively convey" to all applicants that partial LSLRs cannot be funded.²³ We grade states on whether they do so, as it is critical that they make this requirement clear to all applicants and enforce this policy strictly.

ARGUMENTS IN FAVOR OF PARTIAL LSLR ARE WRONG AND DANGEROUS

Partial LSLRs can increase lead levels at the tap because they shake loose even long-settled lead particles in the remaining lead pipe and can cause "galvanic corrosion," an electrochemical reaction that occurs at the joint fusing two different types of metal (lead and another metal like copper), usually at the property line.²⁴

A common justification for this practice is the claim that utilities are not responsible for the portion of the lead service line under private property. However, for many decades, water utilities often required lead to be used for service lines, installed lead pipes themselves, or strongly encouraged and approved lead service lines. The contention that utilities cannot replace the full service line is undercut by their clear control of it, as demonstrated by their requirements for specific materials to be used and their ultimate ability to simply shut off the water provided to the service line.



Courtesy of LSLR Collaborative

Another recurring problem is that utilities (relying on the same faulty justification for partial LSLR discussed in the text box) often demand that individual homeowners or landlords pay for replacing “their” portion of the lead service line located under private property. This practice has many negative consequences, but the most serious are that low-income homeowners—predominantly Black, Indigenous, and other people of color—cannot afford to pay these costs and therefore continue to drink lead-contaminated water from their lead pipes.²⁵ Moreover, landlords, especially owners of residences in lower-income areas, often refuse to foot the bill for LSLR.²⁶ States have the authority to require that utilities pay for the full cost of LSLR with no charge to the private property owner. We therefore grade states on whether they make this a condition of all DWSRF assistance for LSLR work.

c. Congressional Earmarks Reduce the Amount of Available SRF Funds

Recently, Congress has diverted an increasing percentage of annual SRF appropriations away from state allocations to what is euphemistically called “community project funding/congressionally directed spending,” often referred to as “earmarks.”²⁷ Unlike projects funded through the normal state-run SRF process, earmark projects selected and appropriated by Congress do not have to comply with program rules such as those that govern eligibility for additional subsidization. This shift therefore has broad implications for whether funding flows to disadvantaged communities or instead to politically connected communities able to lobby to obtain an earmark.²⁸ While it does not affect the grades in this report card, this context enhances the importance of states having good policies in place to distribute the diminishing funds over which they have control.

Within the context of these recent changes to the SRF program, it is more important than ever that states use equitable policies to guide the distribution of water infrastructure dollars.



Drinking water treatment plant at the Dalecarlia Reservoir in Washington, DC.

IV. REPORT CARD RESULTS AND TAKEAWAYS

This report card evaluates SRF rules and policies within each state to assign equity grades (A through F) to its CWSRF program, its DWSRF program, and its use of SRF funding for LSLR, as well as a comprehensive equity grade for its SRF program as a whole.

Equitable policies that facilitate program participation among all kinds of communities, including those with fewer financial resources, received high grades. Conversely, unnecessarily restrictive and poorly tailored policies that create barriers to program participation received low grades. These grades are based on 16 criteria that identify policy obstacles that put financial assistance out of reach for disadvantaged communities, such as those that limit subsidies available to those communities, treat them unfavorably in selection criteria, and curb input from the public. States are awarded points for implementing policies that enhance equity, and each state's total determines its letter grade. We evaluated each state's policies based on their most recent draft or final IUP and other readily publicly available SRF policy documents as of December 11, 2023.

Policies were selected for inclusion in the report card if they could be evaluated on a binary yes/no basis, which necessarily means that we could not assess every policy decision that affects equity in funding distribution. Nonetheless, these policies, considered together, provide a useful picture of how each state approaches equity within its SRF programs. With these grades, we aim to encourage state agencies to reform their programs as needed to ensure that all communities can access these critical funds, with priority for those that need funds the most.

For more information about our methods and data, including details on our scoring criteria, please see Appendix A. State-specific fact sheets that include scoring matrixes describing how we arrived at each state's grade can be found in Appendix B, and a list of the documents we reviewed is available in Appendix C.

Looking at the states' overall SRF program grades, only two states earned an A on our report card: Michigan and Pennsylvania. Ten states receive a B, 21 receive a C, 15 receive a D, and two receive an F—South Carolina and South Dakota. These results indicate that there is significant room for improvement on equity in nearly all states' SRF programs, even after the EPA's recent encouragement in BIL implementation guidance for states to update their policies.

If we consider the sub-scores for each distinct SRF funding stream separately, Kentucky and Pennsylvania receive the highest grades for equity in their CWSRF programs. Those two states also receive the highest marks for their DWSRFs, together with Virginia and Washington. The states with the highest equity grades for LSLR are Michigan, New Jersey, and Rhode Island, all three of which recently passed state laws requiring utilities to replace lead service lines.²⁹ South Carolina receives the lowest scores in both the CWSRF and DWSRF equity rankings, while a handful of states—Colorado, Massachusetts, New Hampshire, South Dakota, and Tennessee—tie for the lowest scores on LSLR equity.

As shown in Table 1 and Figure 1, equity grades for the states' DWSRF programs are significantly higher than for either of the other two programs, with nearly half of states (24) receiving a high grade (A or B). By contrast, only 11 states receive high grades for their CWSRF programs and 13 receive high grades for LSLR. Nearly half of states (22) receive a poor grade (D or F) for equity within their LSLR programs, about a third of states (18) receive poor grades for the CWSRF, and 14 receive poor grades for the DWSRF.

TABLE 1: NUMBER OF STATES RECEIVING EACH LETTER GRADE

Equity Grade	CWSRF	DWSRF	LSLR	Overall
A	2	4	4	2
B	9	20	9	10
C	21	12	15	22
D	11	11	16	15
F	7	3	6	2

Any state seeking to improve its scores should adopt the equitable policies listed in Table 2 below. A state must receive at least 15 out of a possible 17 points for its CWSRF or DWSRF program and at least 10 out of a possible 14 points for its LSLR program to earn an A for that program. A state must receive at least 40 out of a possible 48 total points to receive an overall A grade. Information on the rationale for the weighting of point values for different policies and a detailed table explaining the conversion of point scores to letter grades (Table 5) are available in Appendix A.

FIGURE 1: NUMBER OF STATES RECEIVING EACH LETTER GRADE

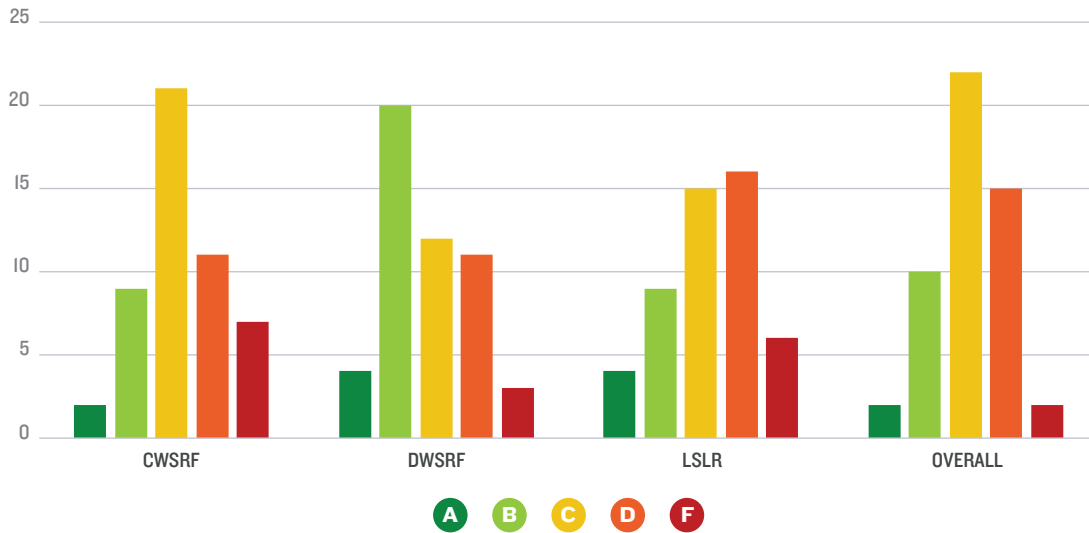


TABLE 2: HOW TO GET AN A IN SRF EQUITY

POLICIES	POINTS
CWSRF and DWSRF Substantive Policies	
Distribute more than the minimum legally required amount of additional subsidization.	2
Don't apply a per-recipient subsidy cap that would preclude a disadvantaged community from receiving its full award as additional subsidization.	2
Use a sliding scale or tiers that provide more additional subsidy to disadvantaged communities with greater financial need.	2
Allow projects serving disadvantaged areas within non-disadvantaged communities to qualify for additional subsidization.	2
Don't strictly cap the population of communities that are eligible for additional subsidization.	2
Use measures of financial need or disadvantaged-community status when ranking project applications.	2
Offer more favorable loan terms to disadvantaged communities, such as lower interest rates or extended repayment periods.	2
CWSRF and DWSRF Procedural Policies	
Provide adequate time for public comment on draft IUPs (at least four weeks).	1
Publish responses to comments on the draft IUP, either in the final IUP or on the SRF website.	1
Post IUPs, PPLs, and important policies, including project-ranking systems and disadvantaged-community definitions, on the SRF website.	1
Lead Service Line Equity Policies	
Require all lead service lines to be fully removed within a specified time period.	4
Explicitly state in the IUP that partial LSLRs cannot be funded through the SRF program.	2
Require utilities to fully pay for LSLR.	2
Don't apply a per-recipient subsidy cap that would preclude a disadvantaged community from receiving its full LSLR award as additional subsidization.	2
Allow LSLR projects serving disadvantaged areas within non-disadvantaged communities to qualify for additional subsidization.	2
Don't strictly cap the population of communities that are eligible for LSLR additional subsidization.	2

This table includes the equity criteria NRDC developed and assessed for each state. As discussed in detail in Appendix A, a state must receive at least 15 out of 17 possible points for its CWSRF or DWSRF program and at least 10 out of 14 possible points for its LSLR program to earn an A for that program.

Of these policies, the one with the highest adoption rate is allowing communities of any size to qualify for additional subsidy eligibility (Table 3). Across the three SRF programs, 89 percent of states do not impose population caps in their subsidy eligibility criteria. Conversely, the policies with the lowest adoption rate are LSLR mandates (8 percent of states) and requirements for utilities to pay for LSLR (10 percent of states). Within CWSRF and DWSRF policies only, the policy with the lowest adoption rate is the elimination

of caps on the amount of subsidy an individual applicant can receive. Across the three SRF programs, only 27 percent of states allow an applicant to receive up to the full SRF award as additional subsidy. Finally, the biggest gap in adoption rates between the CWSRF and DWSRF programs is on the inclusion of financial need and/or disadvantaged status in the state’s project-ranking system; 94 percent of states assign ranking points on this basis within the DWSRF, while only 58 percent of states do so within the CWSRF.

TABLE 3: NUMBER OF STATES RECEIVING POINTS FOR EACH EQUITABLE POLICY

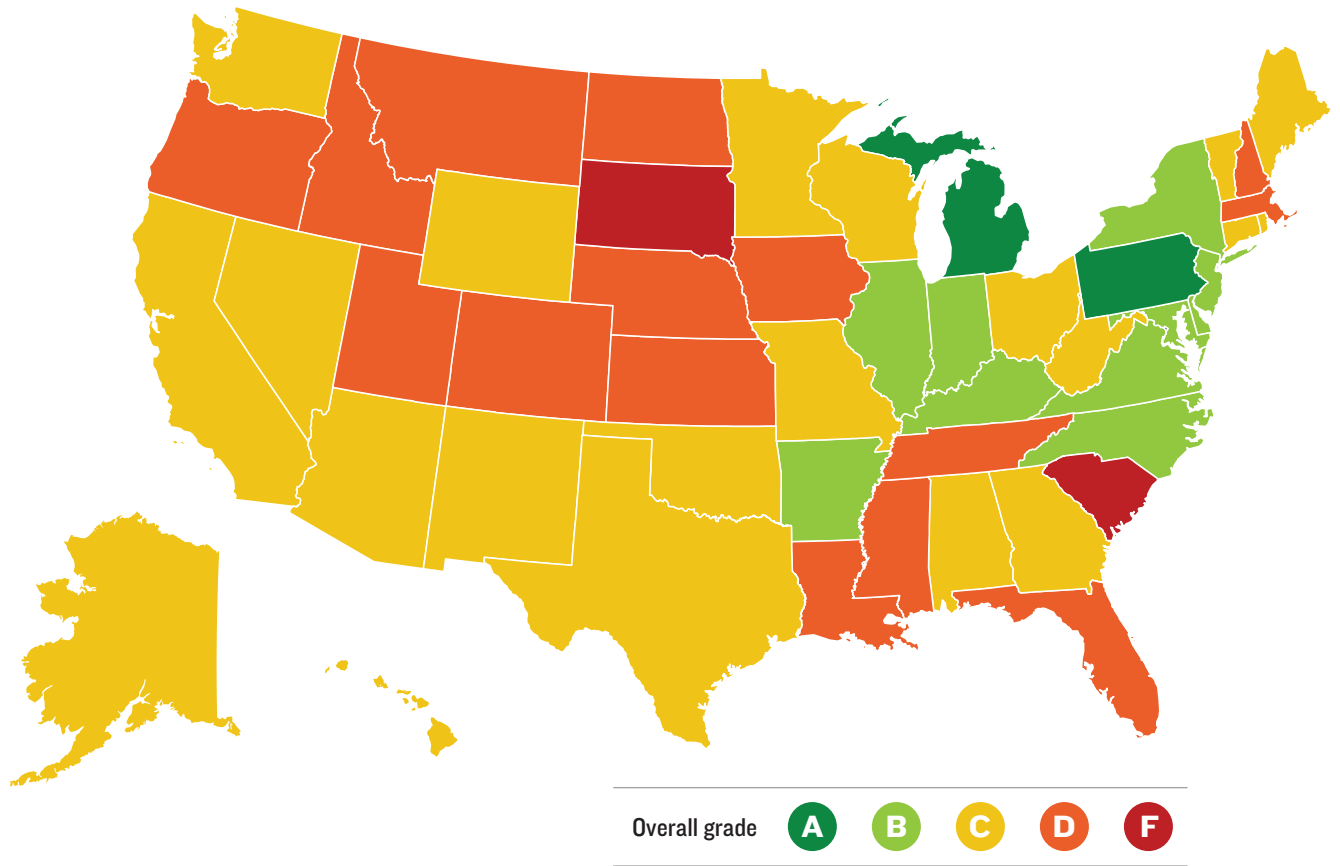
Policy	CWSRF	DWSRF	Policy	LSLR
The state provides more than the minimum legally required amount of additional subsidy.	35	32	The state requires all lead service lines to be replaced within a certain time frame.	4
The state allows applicants to receive up to 100 percent of their award in the form of additional subsidy.	13	14	The state explicitly prohibits the use of funding for partial LSLR.	31
The state provides more subsidy to applicants that are disadvantaged.	21	23	The state requires utilities to fully pay for LSLR.	5
Disadvantaged areas within non-disadvantaged communities can qualify for subsidy.	17	21	The state allows applicants to receive up to 100 percent of their LSLR award in the form of additional subsidy.	14
The state’s additional subsidy eligibility criteria do not include a strict population cap.	44	42	Disadvantaged areas within non-disadvantaged communities can qualify for LSLR subsidy.	35
Financial need and/or disadvantaged status is considered in the state’s project-ranking system.	29	47	The state’s LSLR additional subsidy eligibility criteria do not include a strict population cap.	48
The state offers better loan terms to subsidy-eligible communities.	26	40		
The state provides adequate time for public comment.	38	40		
The state publicly responds to comments on the draft IUP.	19	20		
The state posts its IUPs and important SRF policies on its website.	37	40		

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Water flowing from a discharge pipe on a farm.

FIGURE 2: MAP OF OVERALL GRADE



The full list of each state’s numeric scores and corresponding letter grades can be found in Table 4 below.

TABLE 4: STATE-BY-STATE POINT TOTALS AND GRADES								
State	CWSRF score	CWSRF grade	DWSRF score	DWSRF grade	LSLR score	LSLR grade	Overall score	Overall grade
Michigan	14	B	14	B	12	A	40	A
Pennsylvania	17	A	17	A	6	C	40	A
Kentucky	15	A	15	A	8	B	38	B
New Jersey	11	C	13	B	12	A	36	B
Arkansas	12	B	14	B	8	B	34	B
Indiana	13	B	13	B	8	B	34	B
Delaware	12	B	14	B	6	C	32	B
North Carolina	13	B	13	B	6	C	32	B
Illinois	12	B	8	D	10	A	30	B
Maryland	13	B	13	B	4	D	30	B
New York	13	B	11	C	6	C	30	B
Virginia	11	C	15	A	4	D	30	B
Maine	11	C	12	B	6	C	29	C

TABLE 4: STATE-BY-STATE POINT TOTALS AND GRADES

State	CWSRF score	CWSRF grade	DWSRF score	DWSRF grade	LSLR score	LSLR grade	Overall score	Overall grade
Alabama	8*	F	12	B	8	B	28	C
California	10	C	10	C	8	B	28	C
Georgia	10	C	12	B	6	C	28	C
Nevada	10	C	12	B	6	C	28	C
Oklahoma	8	D	12	B	8	B	28	C
Washington	9	C	15	A	4	D	28	C
Wisconsin	10	C	10	C	8	B	28	C
Hawaii	9	C	12	B	6	C	27	C
Rhode Island	7	D	8	D	12	A	27	C
Alaska	11	C	11	C	4	D	26	C
Arizona	10	C	12	B	4	D	26	C
New Mexico	9	C	13	B	4	D	26	C
Ohio	13	B	7	D	6	C	26	C
Vermont	8	D	12	B	6	C	26	C
West Virginia	10	C	12	B	4	D	26	C
Wyoming	10	C	12	B	4	D	26	C
Connecticut	6	D	13	B	6	C	25	C
Minnesota	7	D	9	C	8	B	24	C
Missouri	10	C	10	C	4	D	24	C
Texas	9	C	9	C	6	C	24	C
Colorado	10	C	10	C	2	F	22	D
Idaho	10	C	8	D	4	D	22	D
Mississippi	9	C	9*	F	4	D	22	D
Tennessee	9	C	11	C	2	F	22	D
Utah	6	D	8	D	8	B	22	D
North Dakota	6	D	11	C	4	D	21	D
Louisiana	6	D	10	C	4	D	20	D
Oregon	7	D	12	B	0**	F	19	D
Florida	9	C	5	F	4	D	18	D
Iowa	5	F	7	D	6	C	18	D
Massachusetts	8	D	8	D	2	F	18	D
Montana	5	F	7	D	6	C	18	D
Nebraska	6	D	8	D	4	D	18	D
New Hampshire	7	D	9	C	2	F	18	D
Kansas	4	F	8	D	4	D	16	D
South Dakota	4	F	8	D	2	F	14	F
South Carolina	2	F	4	F	6	C	12	F

* Automatic fail due to pending civil rights complaint

** Automatic 0 for failing to apply for LSLR funds

V. CONCLUSION

Communities across the United States urgently need funding to address the environmental, public health, and civil rights burdens imposed by substandard or nonexistent water infrastructure. States are responsible for distributing billions of dollars of financial assistance each year to fund projects that will alleviate these burdens. As our report card demonstrates, the policies that guide the distribution of these funds are decidedly mixed from an equity standpoint. While some states' program rules make it easier for underserved communities to access SRF funds for their drinking water, clean water, and LSLR projects, other states' policies effectively shut those communities out from funding access or discourage them from even applying. These policy decisions grow increasingly important as the pot of available SRF resources shrinks due to Congress's recent diversion of funds to earmark projects.

No state received a perfect score; there is room for improvement across the board. Fortunately, all states have the authority to update their SRF policies in accordance with this report's recommendations, and they should do so as quickly as possible. While some states might require legislation or regulatory change to update their SRF policies, most can do so through the development of the annual IUP. Additionally, the EPA can help states by providing guidance and technical assistance to support their reform efforts.

Ultimately these policies must be not only equitable in substance but also clearly understandable to applicants, as confusion about the likely terms of an award—such as whether a community will meet the state's definition of “disadvantaged” or how much additional subsidization it will receive—is a common deterrent to applying for funds in the first place. States can ensure their updated policies actually help disadvantaged communities access funds by providing them with technical assistance to file successful funding applications.

Finally, it is important to note that this report evaluated written policies only and did not analyze actual funding distribution data. As a result, the grades assigned in the report do not indicate whether states are in fact awarding their funds equitably (or whether funding recipients spend money equitably within their own jurisdictions), but rather whether states have policy frameworks in place that are more or less likely to result in equitable outcomes. It will be critical for stakeholders, advocates, and regulators to continue monitoring states' award decisions to hold them accountable for achieving equity in program implementation, and for states and the EPA to provide high-quality data about where the money is going.

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A close-up view of part of a lead service line removed from outside a home.

APPENDIX A: METHODS AND DATA

We chose to assess policies that could be evaluated from a state’s written documents without requiring interviews or additional data-driven research. This approach meant we were not able to assess policies such as application procedures or the provision of technical assistance to potential applicants, which are not typically described in a state’s written SRF documents but can have significant impacts on equity. To evaluate CWSRF and DWSRF policies, we reviewed the annual intended use plans for each state’s “base” CWSRF and DWSRF programs along with project priority lists, appendixes, and other associated documents posted on the state’s SRF website. The base program is the state’s SRF program funded through normal annual appropriations, as opposed to the temporary supplemental funding stream that was provided in the 2021 Bipartisan Infrastructure Law and that is governed by slightly different rules. However, to evaluate lead service line removal policies, we reviewed states’ BIL IUPs—because the base program does not include dedicated LSLR funding—along with relevant state LSLR legislation. We evaluated each state’s most recent draft or final IUP, and any associated documents, as of December 11, 2023.

To grade each state objectively and consistently, we needed to limit our assessment criteria to policy decisions that could be scored on a binary yes/no basis nationwide. It is important to recognize that other SRF policies affect equity in funding distribution but are too complex or variable to be graded this way and therefore could not be included in the report card. For example, each state uses a different set of criteria to define the communities that are eligible for additional subsidization. These criteria include metrics such as median household income, poverty rate, utility cost burden, unemployment rate, population trends, and various other demographic indicators. When applied in practice, each set of criteria functions to limit communities’ access to additional subsidy in a way that cannot be assessed through a single standardized inquiry. As another example, the clarity and specificity of states’ written policies affect the likelihood that a potential applicant will understand the terms of the award and decide to apply for funds, but the degree to which states’ policies meet this standard falls along a continuum rather than a yes/no binary.

Even when a policy could be graded using the binary method, it is important to recognize that the different approaches taken in two states that both receive the same score might not be equally (in)equitable. For instance, a state that caps the amount of additional subsidy an applicant can receive at \$500,000 and a state that caps subsidy at \$10 million would both receive the same point score for that metric (0 points), even though the former policy would have a far greater impact on equity than the latter.

For all these reasons, the grades we assign—while indicative of how equitable a state’s policies are overall—should not be interpreted as comprehensive evaluations of every single implementation decision that might affect equity within a state’s SRF program.

EQUITY IN PENNSYLVANIA’S SRF PROGRAM

Pennsylvania, one of the highest scoring states in this report card, provides an illustration of why our checklist of equitable policies—while providing a useful picture of a state’s general approach to equity—should not be viewed as a wholly comprehensive method to evaluate all aspects of equity within a state’s SRF program. While the report’s grades are based on policies known to help or harm disadvantaged communities, not all policies could be evaluated, and a high grade does not imply that a state’s program is in fact reaching the communities most in need.

Pennsylvania is the only state to receive points for all of the equitable CWSRF and DWSRF policies evaluated in this report. However, advocates have raised concerns about other SRF policies, which we were not able to capture, that affect equitable distribution of funds within the state. For example, Pennsylvania’s disadvantaged-community eligibility criteria are structured in a way that prevents Philadelphia—a community with high income inequality that is known as the “poorest big city” in the country—from qualifying for subsidies for most projects. Pennsylvania also limits the total size of SRF awards, another policy choice that can promote equity in certain contexts but can also disadvantage large cities like Philadelphia with significant infrastructure needs. Finally, advocates have noted that the state’s policies are not clear up front about how much additional subsidy communities are eligible to receive, which may discourage some potential applicants from applying.

While Pennsylvania’s SRF program managers should be proud of their A grade, they should nonetheless assess all of the state’s policies to understand how they might create barriers for Philadelphia and other communities that need assistance. Readers of this report should likewise look beyond our checklist of policies to develop a full picture of SRF program equity in other states.

To assign CWSRF and DWSRF grades, we evaluated the following policies (also listed above in Table 2). A state received 2 points for each substantive equitable policy and 1 point for each procedural equitable policy. Because transparency in state policies is critical to equity, a state did not receive points in a given category when its policy was unclear from the text of the IUP or associated document.

SUBSTANTIVE POLICIES

- **Amount of additional subsidization provided.** Additional subsidization, which is restricted primarily to disadvantaged communities, is critical for potential applicants that cannot afford to repay even a low-interest SRF loan. Distributing more funding in the form of additional subsidization helps lower-income communities access SRF assistance. To receive points, a state must distribute more than the legally mandated minimum amount of additional subsidization. States were not assigned points if the amount of additional subsidization they distribute is within 1 percent of the minimum requirement. Where this information was not available from the text of the IUP, we reached out to program staff by email to confirm.
- **Caps on the amount of additional subsidization per recipient.** Disadvantaged communities that lack the resources to cover the loan portion of an award must have the opportunity to receive 100 percent additional subsidization. To receive points, a state must not apply a universal per-recipient subsidy cap, in the form of either a percentage limit or a dollar limit, that would preclude all disadvantaged communities from receiving their entire SRF awards in the form of additional subsidization. (Note that “recipient” in this context refers to the community or system receiving SRF funds, not individuals or property owners benefiting from the project.)
- **Sliding-scale additional subsidization policies.** Given that there is usually not enough additional subsidization available to meet all communities’ needs, states should establish policies that prioritize subsidies for communities that are relatively more disadvantaged, rather than treating all subsidy-eligible applicants the same. To receive points, a state must use tiers or sliding scales that provide a larger amount of additional subsidy to communities with greater financial need.
- **Geographic scope of additional subsidization eligibility.** States adopt eligibility criteria for additional subsidization that can be applied at various geographic scales. If a state applies its criteria at the municipality or utility-service-area level, projects serving disadvantaged neighborhoods within relatively more affluent cities and towns may not qualify for subsidy. To receive points, a state must apply eligibility criteria that allow projects serving disadvantaged areas within non-disadvantaged communities to receive additional subsidization.
- **Population caps for additional subsidization eligibility.** A community’s population does not necessarily correlate with its need for additional subsidization.³⁰ When states establish strict population caps that automatically disqualify communities over a certain size from receiving additional subsidy, disadvantaged communities larger than the threshold may be unable to access SRF assistance. To receive points, a state must not strictly limit the population of a community as part of its additional subsidization eligibility criteria.

- **Financial need in project-ranking criteria.** States can choose to rank funding applications according to a wide variety of criteria. Water quality and public health need, for example, are two of the most common criteria used to rank applications. These criteria are critically important when funding demand outstrips availability, and they affect whether SRF funds reach the communities that need assistance the most. To receive points, states must incorporate measures of financial need or disadvantaged-community status within their project-ranking systems.
- **Loan terms.** The terms of an SRF loan affect whether a community can afford to accept it, especially when additional subsidization does not cover the full project cost. To receive points, states must offer more favorable loan terms to disadvantaged communities, such as lower interest rates or extended payment periods.

PROCEDURAL POLICIES

- **Time provided for public comment.** States must provide communities and members of the public a meaningful opportunity to review and comment on the proposed IUPs each year, as required by EPA regulations.³¹ For this process to be equitable, commenters need to have adequate time to review the documents and provide input. To receive points, states must provide a public comment period that lasts at least four weeks.
- **Response to public comment.** An equitable public input process includes the opportunity for communities to understand whether and how the state SRF agency took into account public comments on the draft IUP. To receive points, states must respond in writing to comments on the draft IUP and publish those responses either in the final IUP or in a separate document posted to the state’s SRF website.
- **Website transparency and accessibility.** The public must be able to access all of a state’s SRF policies on the state agency’s website in order for the review and input process to be meaningful. Referring stakeholders to outside sources such as statutes and regulations limits transparency. To receive points, a state must post its IUPs, PPLs, and other important SRF policies, including project-ranking systems and disadvantaged-community definitions, directly on its SRF website.

To assign LSLR grades, we evaluated the following policies. A state received 2 points for each equitable policy—except for a mandatory requirement to replace all lead service lines statewide within a specified period, which was worth 4 points.

- **Requirement for all lead service lines to be replaced.** To provide relief to environmental justice communities disproportionately affected by lead in drinking water, states should require all lead service lines to be fully replaced within a specific time frame. Only four states (Illinois, Michigan, New Jersey, and Rhode Island) have adopted this requirement. We acknowledge that there

are significant differences between these states' LSLR mandates (for example, Illinois generally requires most communities to replace their lead lines within 20 years or less but allows Chicago more than 50 years to complete the job, while New Jersey and Rhode Island generally require systems to replace their lead service lines within 10 years). We conclude that the existence of a mandate to replace all lead pipes is crucial. While these mandates are not, strictly speaking, part of the state's SRF policies, they are central to whether SRF-funded LSLR will occur in disadvantaged communities as quickly as possible. Given the heightened importance of this mandate, states receive 4 points if they have adopted it.

- **Prohibition on using funding for partial LSLR.** As noted above, partial LSLRs can increase lead levels in tap water for some time and allow continued lead release from the remaining lead pipe forever. This is of particular concern in the communities disproportionately affected by lead in drinking water. The EPA has emphasized that states must “affirmatively convey” this prohibition on partial LSLR to all applicants for any DWSRF funding. To receive points, the IUP must explicitly state that no partial LSLRs may be funded.
- **Requirement for utilities to pay for LSLR.** It is crucial that states require utilities to pay for full LSLR. Failure to do so results in serious environmental justice problems, where low-income homeowners and renters, who are disproportionately people of color, continue to drink lead-contaminated water from lead pipes, while wealthier, often white, people can afford to have their lead pipes removed. To receive points, the state must require utilities to pay for full LSLR.
- **Caps on the amount of LSLR additional subsidization per recipient.** As with base SRF funds, limiting the amount of additional subsidization each LSLR applicant can receive disadvantages communities that lack the resources to cover the loan portion of an award. To

receive points, a state must not apply a per-recipient LSLR subsidy cap, in the form of either a percentage limit or a dollar limit, that would preclude a disadvantaged community from receiving its entire LSLR award in the form of additional subsidization. (Note that “recipient” in this context refers to the water system receiving SRF funds, not individuals or property owners benefiting from LSLR work.)

- **Geographic scope of LSLR additional subsidization eligibility.** States' eligibility criteria for LSLR additional subsidization, like their base SRF subsidization criteria, can be applied at various geographic scales. If a state applies its criteria at the municipality or utility-service-area level, LSLR projects serving disadvantaged neighborhoods within wealthy cities and towns may not qualify for subsidies. To receive points, a state must apply eligibility criteria that allow LSLR projects serving disadvantaged areas within non-disadvantaged communities to receive additional subsidization.
- **Population caps for LSLR additional subsidization eligibility.** As with base SRF funds, when states establish strict population caps as part of their LSLR additional subsidization eligibility criteria, disadvantaged communities larger than the threshold may be unable to access assistance. To receive points, a state must not strictly limit the population of a community as part of its LSLR additional subsidization eligibility criteria.

Each state's CWSRF, DWSRF, LSLR, and comprehensive points totals were translated into letter grades according to the grading scale shown in Table 5, which was designed to create an approximate bell curve distribution.

Finally, regardless of a state's point score, a failing grade was automatically assigned under two conditions. First, if a credible Civil Rights Act complaint is pending against a state's CWSRF or DWSRF program, that program received an F equity score. Second, if a state failed to apply for federal LSLR funds, its LSLR program received an F.

TABLE 5: POINT SCORE TO LETTER GRADE CONVERSIONS

CWSRF/DWSRF Points Total	CWSRF/DWSRF Equity Grade	LSLR Points Total	LSLR Equity Grade	Cumulative Points Total	Overall Equity Grade
15-17	A	10-14	A	40-48	A
12-14	B	7-9	B	30-39	B
9-11	C	5-6	C	24-29	C
6-8	D	3-4	D	15-23	D
0-5	F	0-2	F	0-14	F

APPENDIX B: STATE-BY-STATE REPORT CARDS

ALABAMA

Alabama’s SRF program earned a C grade for equity. While its DWSRF program and LSLR policies achieved an above-average B grade, its CWSRF program earned an F. Overall, Alabama’s comprehensive equity point score ranked 14th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	No		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	8	12	Points Total	8
Letter Grade	F*	B	Letter Grade	B
			Cumulative Points Total	28
			Overall Grade	C

*Note: Alabama received an automatic failing grade for its CWSRF program because that program is the subject of a pending Civil Rights Act complaint.^a

We recommend that Alabama provide more additional subsidization so that lower-income communities can access assistance; consider communities’ financial need in its CWSRF ranking system, as it does on the DWSRF side; offer lower interest rates and/or longer loan terms to subsidy-eligible communities; publish written responses to comments on its IUPs to bolster transparency and accountability; and adopt an LSLR mandate that requires utilities to bear the cost. We also recommend that Alabama describe its policies in a way that is clearer and easier for the public to understand. Finally, we urge Alabama to promptly work with the EPA to resolve the Civil Rights Act complaint pending against the state by eliminating any racial disparities in its distribution of CWSRF funding.

^a See NRDC, “EPA Launches Civil Rights Investigation into Alabama Department of Environmental Management Over Sanitation Inequity in Black Communities,” news release, October 4, 2023, <https://www.nrdc.org/press-releases/epa-launches-civil-rights-investigation-alabama-department-environmental-management>.

ALASKA

Alaska’s SRF program earned a C grade for equity. Its CWSRF and DWSRF programs both earned Cs, and its LSLR policies received a D. Overall, Alaska’s comprehensive equity points score ranked 23rd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	No		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	11	11	Points Total	4
Letter Grade	C	C	Letter Grade	D
			Cumulative Points Total	26
			Overall Grade	C

We recommend that Alaska allow disadvantaged communities to receive up to 100 percent of their awards in the form of additional subsidization; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than applying eligibility criteria at the community level; and offer lower interest rates and/or longer loan terms to subsidy-eligible communities. Alaska should also adopt an LSLR mandate that requires utilities to bear the cost.

ARIZONA

Arizona’s SRF program earned a C grade for equity. While its DWSRF program achieved an above-average B grade, its CWSRF program earned a C, and its LSLR policies received a D. Overall, Arizona’s comprehensive equity points score ranked 23rd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	No	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	No	No		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	10	12	Points Total	4
Letter Grade	C	B	Letter Grade	D
			Cumulative Points Total	26
			Overall Grade	C

We recommend that Arizona allow disadvantaged communities to receive up to 100 percent of their CWSRF awards in the form of additional subsidization; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than applying eligibility criteria at the community level; provide at least a month for the public to comment on draft IUPs, rather than the current two weeks; and include written responses to comments in final IUPs. Arizona should ensure that all important SRF policies are posted on its website, which is difficult to navigate and currently lacks information on the state’s project-ranking system and Local Fiscal Capacity points system. Arizona should also adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds. Finally, we recommend that Arizona describe its policies—such as the factors that determine what percentage of the SRF award is provided as subsidization—in a way that is clearer and easier for the public to understand.

ARKANSAS

Arkansas’s SRF program earned a B grade for equity, with all three of its sub-programs (CWSRF, DWSRF, and LSLR) earning Bs individually. Overall, Arkansas’s comprehensive equity points score ranked fifth nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	12	14	Points Total	8
Letter Grade	B	B	Letter Grade	B
			Cumulative Points Total	34
			Overall Grade	B

We recommend that Arkansas adopt a sliding-scale approach that provides more additional subsidization to applicants that are relatively more disadvantaged, and that it consider communities’ financial need in its CWSRF ranking system, as it does on the DWSRF side. Arkansas should also provide written responses to all public comments received on IUPs in the final versions of those plans. Finally, the state should adopt an LSLR mandate that requires utilities to bear the cost.

CALIFORNIA

California’s SRF program earned a C grade for equity. While its LSLR policies achieved an above-average B grade, its CWSRF and DWSRF programs both earned Cs. Overall, California’s comprehensive equity points score ranked 14th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	Yes	Yes	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	10	10	Points Total	8
Letter Grade	C	C	Letter Grade	B
			Cumulative Points Total	28
			Overall Grade	C

We recommend that California eliminate caps on per-recipient additional subsidy for all project types and, similarly, that it eliminate population caps as part of its additional subsidy eligibility criteria for all project types. California should also allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy instead of evaluating financial metrics at the system or community level. California should provide written responses to all public comments received on IUPs in the final versions of those plans. Finally, the state should adopt an LSLR mandate that requires all utilities to bear the cost (not only utilities that receive additional subsidy).

COLORADO

Colorado’s SRF program earned a D grade for equity. While its CWSRF and DWSRF programs earned C grades, its LSLR policies received an F. Overall, Colorado’s comprehensive equity points score ranked 34th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	Yes	Yes	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	10	10	Points Total	2
Letter Grade	C	C	Letter Grade	F
			Cumulative Points Total	22
			Overall Grade	D

We recommend that Colorado eliminate its percentage caps on the amount of additional subsidization an individual applicant can receive; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; and allow communities of any size to qualify for subsidy. Colorado should provide written responses to all public comments received on IUPs in the final versions of those plans. Finally, Colorado should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

CONNECTICUT

Connecticut’s SRF program earned a C grade for equity. While its DWSRF program earned an above-average B grade, its LSLR policies earned a C, and its CWSRF program received a D. Overall, Connecticut’s comprehensive equity points score ranked 30th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	No	Yes		
Points Total	6	13	Points Total	6
Letter Grade	D	B	Letter Grade	C
			Cumulative Points Total	25
			Overall Grade	C

We recommend that Connecticut allow disadvantaged communities to receive up to 100 percent of their award as additional subsidization; adopt a sliding-scale approach that provides more subsidy to communities that are relatively more disadvantaged; allow disadvantaged areas within non-disadvantaged communities to qualify for CWSRF subsidy (as it does on the DWSRF side), rather than using the state’s list of distressed municipalities as the exclusive basis for eligibility; incorporate affordability considerations into the CWSRF project-ranking system; and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities. We also recommend that Connecticut describe its DWSRF subsidy policies more clearly and that it post important policies such as the definition of “distressed community” on its SRF website. Finally, Connecticut should adopt an LSLR mandate that requires utilities to bear the cost.

DELAWARE

Delaware’s SRF program earned a B grade for equity. Its CWSRF and DWSRF programs both earned Bs, while its LSLR policies received a C. Overall, Delaware’s comprehensive equity points score ranked seventh nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	12	14	Points Total	6
Letter Grade	B	B	Letter Grade	C
			Cumulative Points Total	32
			Overall Grade	B

We recommend that Delaware provide more than the minimum amount of additional subsidization in its CWSRF program to expand disadvantaged communities’ access to funding, more clearly specify how additional subsidization is distributed in its DWSRF program, and include affordability considerations in its CWSRF project-ranking system, as it does on the DWSRF side. Delaware should also provide written responses to all public comments received on IUPs in the final versions of those plans. Finally, Delaware should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

FLORIDA

Florida’s SRF program earned a D grade for equity. While its CWSRF program earned a C, its LSLR policies received a D, and its DWSRF program earned an F. Overall, Florida’s comprehensive equity points score ranked 42nd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	No	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	Yes	Yes	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	No		
Does the state provide adequate time for public comment?	No	No		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	9	5	Points Total	4
Letter Grade	C	F	Letter Grade	D
			Cumulative Points Total	18
			Overall Grade	D

We recommend that Florida provide more than the minimum amount of DWSRF additional subsidization; we also note that the amount of subsidy provided on the CWSRF side, just barely more than the minimum, was enough to score points on the report card but should nonetheless be increased. We also recommend that Florida allow disadvantaged communities to receive up to 100 percent of their awards in the form of additional subsidization; clearly explain how the amount of subsidy awarded to each applicant is determined; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the municipal level; allow communities of any size to qualify for subsidy; and offer lower DWSRF interest rates and/or extended loan terms to disadvantaged communities. Florida should provide at least a month for public comment on draft IUPs and provide written responses to all comments. Finally, Florida should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

GEORGIA

Georgia’s SRF program earned a C grade for equity. Its DWSRF program earned an above-average B grade, while its CWSRF program and LSLR policies both received Cs. Overall, Georgia’s comprehensive equity points score ranked 14th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	No	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	10	12	Points Total	6
Letter Grade	C	B	Letter Grade	C
			Cumulative Points Total	28
			Overall Grade	C

We recommend that Georgia allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; incorporate applicants’ financial need or disadvantaged status into the project-ranking system; and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side. Georgia should also provide written responses to all public comments received on IUPs in the final versions of those plans. Finally, Georgia should adopt an LSLR mandate that requires utilities to bear the cost.

HAWAII

Hawaii’s SRF program earned a C grade for equity. Its DWSRF program earned an above-average B grade, while its CWSRF program and LSLR policies both received Cs. Overall, Hawaii’s comprehensive equity points score ranked 21st nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	9	12	Points Total	6
Letter Grade	C	B	Letter Grade	C
			Cumulative Points Total	27
			Overall Grade	C

We recommend that Hawaii provide more than the statutorily mandated minimum amount of additional subsidization; adopt a sliding-scale approach that provides more subsidy to communities that are relatively more disadvantaged (and clearly explain that approach in the IUP); incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side; and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities. Hawaii should also provide written responses to all public comments received on IUPs in the final versions of those plans. Finally, Hawaii should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

Idaho’s SRF program earned a D grade for equity. Its CWSRF program earned a C, while its DWSRF program and LSLR policies both received Ds. Overall, Idaho’s comprehensive equity points score ranked 34th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	No	No		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	10	8	Points Total	4
Letter Grade	C	D	Letter Grade	D
			Cumulative Points Total	22
			Overall Grade	D

We recommend that Idaho provide more than the minimum amount of DWSRF additional subsidization; we also note that the amount of subsidy provided on the CWSRF side, just barely more than the minimum, was enough to score points on the report card but should nonetheless be increased. Idaho should also allow disadvantaged communities to receive up to 100 percent of their awards in the form of additional subsidization, adopt a sliding-scale approach that provides more subsidy to communities that are relatively more disadvantaged, and allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level. Idaho should allow at least a full month for public comment on draft IUPs instead of the current 21 days. Finally, Idaho should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

ILLINOIS

Illinois’s SRF program earned a B grade for equity. While its LSLR policies earned an A grade thanks to recent regulatory changes, its CWSRF program earned a B, and its DWSRF program received a D. Overall, Illinois’s comprehensive equity points score ranked ninth nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	Yes
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	Yes	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	No	No		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	12	8	Points Total	10
Letter Grade	B	D	Letter Grade	A
			Cumulative Points Total	30
			Overall Grade	B

We recommend that Illinois allow disadvantaged communities to receive up to 100 percent of their awards in the form of additional subsidization; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the system or community level; eliminate strict population caps from its subsidy eligibility criteria; and adopt a sliding-scale approach that provides more DWSRF subsidy to communities that are relatively more disadvantaged, as it already does on the CWSRF side. Illinois should allow at least a full month for public comment on draft IUPs instead of the current 21 days. Finally, Illinois should require that utilities complete all LSLRs at no cost to the private property owner.

INDIANA

Indiana’s SRF program earned a B grade for equity, with all three of its sub-programs (CWSRF, DWSRF, and LSLR) earning Bs individually. Overall, Indiana’s comprehensive equity points score ranked fifth nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	No	No		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	13	13	Points Total	8
Letter Grade	B	B	Letter Grade	B
			Cumulative Points Total	34
			Overall Grade	B

We recommend that Indiana adopt a sliding-scale approach that provides more subsidy to communities that are relatively more disadvantaged (and that it explain this approach clearly in the IUP). Indiana should allow at least a full month for public comment on draft IUPs instead of the current 21 days, and it should provide written responses to all comments in the final versions of the IUPs. Finally, Indiana should adopt an LSLR mandate that requires utilities to bear the cost.

Iowa’s SRF program earned a D grade for equity. Its LSLR policies earned a C grade, but its DWSRF program earned a D, and its CWSRF program received an F. Overall, Iowa’s comprehensive equity points score ranked 42nd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	No		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	5	7	Points Total	6
Letter Grade	F	D	Letter Grade	C
			Cumulative Points Total	18
			Overall Grade	D

We recommend that Iowa expand access to additional subsidy by providing more than the statutorily mandated minimum; allow disadvantaged communities to receive 100 percent of their awards in the form of additional subsidy; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; offer lower interest rates and/or extended loan terms to disadvantaged communities; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. Iowa should provide written responses to all public comments received on draft IUPs in the final versions of those plans, and it should post all important SRF policies, such as its project-ranking system, on its SRF website. Finally, Iowa should adopt an LSLR mandate that requires utilities to bear the cost.

KANSAS

Kansas’s SRF program earned a D grade for equity. Its LSLR policies and DWSRF program earned Ds, while its CWSRF program received an F. Overall, Kansas’s comprehensive equity points score ranked 48th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	No		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	4	8	Points Total	4
Letter Grade	F	D	Letter Grade	D
			Cumulative Points Total	16
			Overall Grade	D

We recommend that Kansas expand access to additional subsidy by providing more than the statutorily mandated minimum; allow disadvantaged communities to receive 100 percent of their awards in the form of additional subsidy; adopt a sliding-scale approach that provides more subsidy to communities that are relatively more disadvantaged (and explain this approach clearly in the IUP); offer lower interest rates and/or extended loan terms to disadvantaged communities; allow disadvantaged areas within non-disadvantaged communities to qualify for CWSRF subsidy, rather than evaluating metrics at the community level; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. Kansas should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Finally, Kansas should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

KENTUCKY

Kentucky’s SRF program earned a B grade for equity. Its CWSRF and DWSRF programs both earned As, while its LSLR policies received a B. Overall, Kentucky’s comprehensive equity points score ranked third nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	15	15	Points Total	8
Letter Grade	A	A	Letter Grade	B
			Cumulative Points Total	38
			Overall Grade	B

WWe recommend that Kentucky adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged, including allowing the most disadvantaged communities to receive their full awards in the form of subsidy. Kentucky should also adopt an LSLR mandate that requires utilities to bear the cost.

LOUISIANA

Louisiana’s SRF program earned a D grade for equity. Its DWSRF program earned a C, while its CWSRF program and LSLR policies both received Ds. Overall, Louisiana’s comprehensive equity points score ranked 40th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	No		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	6	10	Points Total	4
Letter Grade	D	C	Letter Grade	D
			Cumulative Points Total	20
			Overall Grade	D

We recommend that Louisiana expand access to CWSRF additional subsidy by providing more than the statutorily mandated minimum; adopt a sliding-scale approach that provides more subsidy to communities that are relatively more disadvantaged (and explain this approach clearly in the IUP); allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the system or community level; offer lower interest rates and/or extended loan terms to disadvantaged communities; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. Louisiana should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Louisiana should also adopt an LSLR mandate that requires utilities to bear the cost.

MAINE

Maine’s SRF program earned a C grade for equity. Its DWSRF program earned a B, while its CWSRF program and LSLR policies both received Cs. Overall, Maine’s comprehensive equity points score ranked 13th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	Yes
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	11	12	Points Total	6
Letter Grade	C	B	Letter Grade	C
			Cumulative Points Total	29
			Overall Grade	C

We recommend that Maine allow disadvantaged communities to receive 100 percent of their awards in the form of additional subsidization; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the system or community level; offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. Maine should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Maine should also adopt an LSLR mandate with an associated deadline.

MARYLAND

Maryland’s SRF program earned a B grade for equity. Its CWSRF and DWSRF programs both earned B grades, while its LSLR policies received a D. Overall, Maryland’s comprehensive equity points score ranked ninth nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	13	13	Points Total	4
Letter Grade	B	B	Letter Grade	D
			Cumulative Points Total	30
			Overall Grade	B

We recommend that Maryland adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged and that allows the most disadvantaged communities to receive their full awards in the form of additional subsidy. Maryland should also adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

MASSACHUSETTS

Massachusetts’s SRF program earned a D grade for equity. Its CWSRF and DWSRF programs both earned D grades, while its LSLR policies received an F. Overall, Massachusetts’s comprehensive equity points score ranked 42nd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Unclear
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	No		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	8	8	Points Total	2
Letter Grade	D	D	Letter Grade	F
			Cumulative Points Total	18
			Overall Grade	D

We recommend that Massachusetts provide more than the minimum amount of DWSRF additional subsidization; we also note that the amount of subsidy provided on the CWSRF side, just barely more than the minimum, was enough to score points on the report card but should nonetheless be increased. We also recommend that Massachusetts allow disadvantaged communities to receive their full awards in the form of additional subsidy, noting that the state’s current subsidy cap is extraordinarily low; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; offer lower interest rates and/or extended loan terms to disadvantaged communities; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. Massachusetts should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Massachusetts should also adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

MICHIGAN

Michigan’s SRF program earned an A grade for equity. Its LSLR policies earned an A, while its CWSRF and DWSRF programs both earned Bs. Overall, Michigan’s comprehensive equity points score ranked first nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	Yes
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	Yes
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	14	14	Points Total	12
Letter Grade	B	B	Letter Grade	A
			Cumulative Points Total	40
			Overall Grade	A

We recommend that Michigan build on its existing work to implement its SRF programs equitably by allowing disadvantaged communities to receive their full awards in the form of additional subsidization, even if the project costs exceed the state’s current subsidy dollar cap. While Michigan does currently provide some state-funded, 100-percent-grant awards through its SRF program, this recommendation should be applied to all types of SRF assistance. Michigan should also provide written responses to all public comments received on draft IUPs in the final versions of those plans.

MINNESOTA

Minnesota’s SRF program earned a C grade for equity. Its LSLR policies earned a B grade, while its DWSRF program earned a C, and its CWSRF program received a D. Overall, Minnesota’s comprehensive equity points score ranked 31st nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	Yes
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	7	9	Points Total	8
Letter Grade	D	C	Letter Grade	B
			Cumulative Points Total	24
			Overall Grade	C

We recommend that Minnesota expand access to SRF assistance by providing more than the statutorily mandated minimum amount of additional subsidy, allow disadvantaged communities to receive their full awards in the form of additional subsidization, adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged, and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. Minnesota should provide written responses to all public comments received on draft IUPs in the final versions of those plans, and it should post all important SRF policies, such as its project-ranking system, in its IUPs or on its SRF website. Finally, Minnesota should adopt an LSLR mandate with an associated deadline.

MISSISSIPPI

Mississippi's SRF program earned a D grade for equity. Its CWSRF program earned a C grade, while its LSLR policies earned a D, and its DWSRF program received an F. Overall, Mississippi's comprehensive equity points score ranked 34th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state's additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state's project-ranking system?	Yes	Yes	Do the state's LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Unclear	No		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	9	9	Points Total	4
Letter Grade	C	F*	Letter Grade	D
			Cumulative Points Total	22
			Overall Grade	D

*Note: Mississippi received an automatic failing grade for its DWSRF program because that program is the subject of a pending Civil Rights Act complaint.^a

Mississippi should provide more than the minimum required amount of additional subsidy, allow disadvantaged communities to receive 100 percent of their awards in the form of additional subsidization, adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged, allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, and offer better loan terms to disadvantaged communities. Mississippi should provide a month for public comment on draft IUPs and publish responses in the final plans. Mississippi should adopt an LSLR mandate that requires utilities to bear the cost. Finally, we urge Mississippi to resolve the Civil Rights Act complaint pending against the state by eliminating any racial disparities in its distribution of DWSRF funding.

^a NAACP, Complaint Under Title VI of the Civil Rights Act of 1964 Regarding Discrimination by the State of Mississippi Gravely Adversely Impacting the Drinking Water System for the City and the Health and Well Being of the People of Jackson, Mississippi, September 27, 2022, <https://naacp.org/sites/default/files/documents/NAACP%20Title%20VI%20Complaint%2009.27.2022.pdf>.

MISSOURI

Missouri’s SRF program earned a C grade for equity. Its CWSRF and DWSRF programs both earned C grades, while its LSLR policies received a D. Overall, Missouri’s comprehensive equity points score ranked 31st nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	Yes	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	Yes
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	10	10	Points Total	4
Letter Grade	C	C	Letter Grade	D
			Cumulative Points Total	24
			Overall Grade	C

We recommend that Missouri allow disadvantaged communities to receive their full awards in the form of additional subsidization, adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged, allow communities of any size to qualify for additional subsidy, and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side. Missouri should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Finally, Missouri should adopt an LSLR mandate that requires utilities to bear the cost.

MONTANA

Montana’s SRF program earned a D grade for equity. Its LSLR policies earned a C grade, while its DWSRF program received a D, and its CWSRF program received an F. Overall, Montana’s comprehensive equity points score ranked 42nd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	No		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	5	7	Points Total	6
Letter Grade	F	D	Letter Grade	C
			Cumulative Points Total	18
			Overall Grade	D

We recommend that Montana allow disadvantaged communities to receive their full awards in the form of additional subsidization; adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side; and offer lower interest rates and/or extended loan terms to disadvantaged communities. Montana should provide written responses to all public comments received on draft IUPs in the final versions of those plans, and it should post important SRF policies, such as its priority ranking system and PPL, on its SRF website. Finally, Montana should adopt an LSLR mandate that requires utilities to bear the cost.

NEBRASKA

Nebraska’s SRF program earned a D grade for equity, with all three of its sub-programs (CWSRF, DWSRF, and LSLR) earning Ds individually. Overall, Nebraska’s comprehensive equity points score ranked 42nd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	Yes	Yes	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	6	8	Points Total	4
Letter Grade	D	D	Letter Grade	D
			Cumulative Points Total	18
			Overall Grade	D

We recommend that Nebraska allow disadvantaged communities to receive their full awards in the form of additional subsidization; adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; allow communities of any size to qualify for subsidy; and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side. Nebraska should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Finally, Nebraska should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

NEVADA

Nevada’s SRF program earned a C grade for equity. Its CWSRF program and LSLR policies earned C grades, while its DWSRF program received a B. Overall, Nevada’s comprehensive equity points score ranked 14th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	10	12	Points Total	6
Letter Grade	C	B	Letter Grade	C
			Cumulative Points Total	28
			Overall Grade	C

We recommend that Nevada allow disadvantaged communities to receive their full awards in the form of additional subsidization, adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged, and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side. Nevada should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Finally, Nevada should adopt an LSLR mandate that requires utilities to bear the cost.

NEW HAMPSHIRE

New Hampshire’s SRF program earned a D grade for equity. Its DWSRF program earned a C grade, while its CWSRF program received a D, and its LSLR policies earned an F. Overall, New Hampshire’s comprehensive equity points score ranked 42nd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	No	No		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	7	9	Points Total	2
Letter Grade	D	C	Letter Grade	F
			Cumulative Points Total	18
			Overall Grade	D

We recommend that New Hampshire expand access to financial assistance by providing more than the statutorily mandated minimum amount of DWSRF additional subsidization; allow disadvantaged communities to receive their full awards in the form of additional subsidization; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; incorporate financial need or affordability considerations into the CWSRF project-ranking system; and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side. New Hampshire should provide at least a full month for public comment on draft IUPs instead of the current two weeks and should provide written responses to all comments in the final versions of those plans. Finally, New Hampshire should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

NEW JERSEY

New Jersey’s SRF program earned a B grade for equity. Its LSLR policies earned an A grade, while its DWSRF program earned a B, and its CWSRF program received a C. Overall, New Jersey’s comprehensive equity points score ranked fourth nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	Yes
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	Yes
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	11	13	Points Total	12
Letter Grade	C	B	Letter Grade	A
			Cumulative Points Total	36
			Overall Grade	B

We recommend that New Jersey allow disadvantaged communities to receive their full awards in the form of additional subsidization, adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged, and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side.

NEW MEXICO

New Mexico’s SRF program earned a C grade for equity. Its DWSRF program earned a B grade, while its CWSRF program earned a C, and its LSLR policies received a D. Overall, New Mexico’s comprehensive equity points score ranked 23rd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	No	Yes		
Does the state publicly respond to comments on the draft IUP?	No	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	9	13	Points Total	4
Letter Grade	C	B	Letter Grade	D
			Cumulative Points Total	26
			Overall Grade	C

We recommend that New Mexico allow disadvantaged communities to receive their full DWSRF and lead service line awards in the form of additional subsidization; adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged (and clearly explain that approach in the IUP); allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. New Mexico should provide at least a full month for public comment on draft IUPs and should provide written responses to all comments in the final versions of those plans. Finally, New Mexico should adopt an LSLR mandate that requires utilities to bear the cost.

NEW YORK

New York’s SRF program earned a B grade for equity. Its CWSRF program earned a B grade, while its DWSRF program and LSLR policies received Cs. Overall, New York’s comprehensive equity points score ranked ninth nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	13	11	Points Total	6
Letter Grade	B	C	Letter Grade	C
			Cumulative Points Total	30
			Overall Grade	B

We recommend that New York expand access to financial assistance by providing more than the statutorily mandated minimum amount of DWSRF additional subsidization, allow disadvantaged communities to receive their full awards in the form of additional subsidization, and adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged (and clearly explain that approach in the IUP). Finally, New York should adopt an LSLR mandate that requires utilities to bear the cost.

NORTH CAROLINA

North Carolina’s SRF program earned a B grade for equity. Its CWSRF and DWSRF programs earned B grades, while its LSLR policies received a C. Overall, North Carolina’s comprehensive equity points score ranked seventh nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Unclear	Unclear	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	13	13	Points Total	6
Letter Grade	B	B	Letter Grade	C
			Cumulative Points Total	32
			Overall Grade	B

We recommend that North Carolina expand access to financial assistance by providing more than the statutorily mandated minimum amount of additional subsidization (and clearly explain in the IUP how much subsidy it will provide), and that it allow disadvantaged communities to receive their full awards in the form of additional subsidization. North Carolina should also adopt an LSLR mandate that requires utilities to bear the cost.

NORTH DAKOTA

North Dakota’s SRF program earned a D grade for equity. Its DWSRF program earned a C grade, while its CWSRF program and LSLR policies both received Ds. Overall, North Dakota’s comprehensive equity points score ranked 39th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	6	11	Points Total	4
Letter Grade	D	C	Letter Grade	D
			Cumulative Points Total	21
			Overall Grade	D

We recommend that North Dakota expand access to financial assistance by providing more than the statutorily mandated minimum amount of additional subsidization; allow disadvantaged communities to receive their full awards in the form of additional subsidization; adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged (and clearly explain that approach in the IUP); allow disadvantaged areas within non-disadvantaged communities to qualify for CWSRF subsidy, rather than evaluating metrics at the community level; and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side. North Dakota should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Finally, North Dakota should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

Ohio's SRF program earned a C grade for equity. Its CWSRF program earned a B grade, while its LSLR policies earned a C, and its DWSRF program received a D. Overall, Ohio's comprehensive equity points score ranked 23rd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state's additional subsidy eligibility criteria include a strict population cap?	No	Yes	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state's project-ranking system?	Yes	No	Do the state's LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	13	7	Points Total	6
Letter Grade	B	D	Letter Grade	C
			Cumulative Points Total	26
			Overall Grade	C

We recommend that Ohio allow disadvantaged communities to receive their full awards in the form of additional subsidization; adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged; allow disadvantaged areas within non-disadvantaged communities to qualify for DWSRF subsidy, rather than evaluating metrics at the system level; allow communities of any size to qualify for DWSRF subsidy; and incorporate applicants' financial need or disadvantaged status into the DWSRF project-ranking system, as it does on the CWSRF side. Ohio should also adopt an LSLR mandate that requires utilities to bear the cost.

OKLAHOMA

Oklahoma’s SRF program earned a C grade for equity. Its DWSRF program and LSLR policies earned B grades, while its CWSRF program received a D. Overall, Oklahoma’s comprehensive equity points score ranked 14th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	8	12	Points Total	8
Letter Grade	D	B	Letter Grade	B
			Cumulative Points Total	28
			Overall Grade	C

We recommend that Oklahoma expand access to financial assistance by providing more than the statutorily mandated minimum amount of additional subsidization; allow disadvantaged communities to receive their full awards in the form of additional subsidization; allow disadvantaged areas within non-disadvantaged communities to qualify for CWSRF subsidy, rather than evaluating metrics at the community level; and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side. Oklahoma should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Finally, Oklahoma should adopt an LSLR mandate that requires utilities to bear the cost.

OREGON

Oregon’s SRF program earned a D grade for equity. Its DWSRF program earned a B grade, while its CWSRF program received a D, and its failure to apply for LSLR funds resulted in an F. Overall, Oregon’s comprehensive equity points score ranked 41st nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	n/a*
Does the state provide more subsidy to applicants that are more disadvantaged?	No	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	n/a*
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	n/a*
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	n/a*
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	No	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	7	12	Points Total	0
Letter Grade	D	B	Letter Grade	F
			Cumulative Points Total	19
			Overall Grade	D

*Oregon has not applied for LSLR funding and thus has not adopted policies that we could evaluate.

We recommend that Oregon allow disadvantaged communities to receive their full awards in the form of additional subsidization; adopt a sliding-scale approach that provides more CWSRF additional subsidy to communities that are relatively more disadvantaged; allow disadvantaged areas within non-disadvantaged communities to qualify for CWSRF subsidy, rather than evaluating metrics at the community level; and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side. Oregon should provide at least a full month for public comment on draft IUPs and should provide written responses to all comments in the final versions of those plans. Finally, Oregon should adopt an LSLR mandate that requires utilities to bear the cost, and it should apply for funding to support LSLR projects in the state.

PENNSYLVANIA

Pennsylvania’s SRF program earned an A grade for equity. Its CWSRF and DWSRF programs both individually received As, while its LSLR policies received a C. Overall, Pennsylvania’s comprehensive equity points score ranked first nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	Yes	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	17	17	Points Total	6
Letter Grade	A	A	Letter Grade	C
			Cumulative Points Total	40
			Overall Grade	A

Pennsylvania is the only state to receive points for all of the CWSRF and DWSRF policies evaluated in this report. However, advocates have raised concerns that Pennsylvania’s disadvantaged-community eligibility criteria are structured in a way that prevents Philadelphia—a community with high income inequality that is known as the “poorest big city” in the country—from qualifying for subsidy for most projects. Pennsylvania also limits the total size of SRF awards, another policy choice that disadvantages large cities like Philadelphia with significant infrastructure needs. These concerns illustrate the limitations of this report card. While the grades are based on policies known to help or harm disadvantaged communities, not all policies could be evaluated, and a high grade does not imply that a state’s program is in fact reaching the communities most in need. Pennsylvania should assess all of its policies to understand how they might create barriers for Philadelphia and other communities that need assistance. Finally, Pennsylvania should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

RHODE ISLAND

Rhode Island’s SRF program earned a C grade for equity. Its LSLR policies earned an A grade, while its CWSRF and DWSRF programs each received a D. Overall, Rhode Island’s comprehensive equity points score ranked 21st nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	Yes
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	Yes
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	No		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	7	8	Points Total	12
Letter Grade	D	D	Letter Grade	A
			Cumulative Points Total	27
			Overall Grade	C

We recommend that Rhode Island expand access to financial assistance by providing more than the statutorily mandated minimum amount of additional subsidization; allow disadvantaged communities to receive their full awards in the form of additional subsidization, including for LSLR projects; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; offer lower interest rates and/or extended loan terms to disadvantaged communities; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. Rhode Island should also provide written responses to all public comments received on draft IUPs in the final versions of those plans.

SOUTH CAROLINA

South Carolina’s SRF program earned a failing grade for equity. Its LSLR policies earned a C grade, while its CWSRF and DWSRF programs each received an F. Overall, South Carolina’s comprehensive equity points score ranked 50th (last) nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	Yes	Yes	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	No		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	2	4	Points Total	6
Letter Grade	F	F	Letter Grade	C
			Cumulative Points Total	12
			Overall Grade	F

We recommend that South Carolina expand access to financial assistance by providing more than the statutorily mandated minimum amount of additional subsidization; allow disadvantaged communities to receive their full awards in the form of additional subsidization; adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged (and clearly explain that approach in the IUP); allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; allow communities of any size to qualify for subsidy; offer lower interest rates and/or extended loan terms to disadvantaged communities; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. South Carolina should provide written responses to all public comments received on draft IUPs in the final versions of those plans. Finally, South Carolina should adopt an LSLR mandate that requires utilities to bear the cost.

SOUTH DAKOTA

South Dakota’s SRF program earned a failing grade for equity. Its DWSRF program earned a D grade, while its CWSRF program and LSLR policies each received an F. Overall, South Dakota’s comprehensive equity points score ranked 49th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	No	No		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	4	8	Points Total	2
Letter Grade	F	D	Letter Grade	F
			Cumulative Points Total	14
			Overall Grade	F

We recommend that South Dakota allow disadvantaged communities to receive their full awards in the form of additional subsidization; adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. South Dakota should provide at least a full month for public comment on draft IUPs and should provide written responses to all comments in the final versions of those plans. It should also post all important SRF policies, including its project-ranking system, on the state’s SRF website. Finally, South Dakota should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

TENNESSEE

Tennessee’s SRF program earned a D grade for equity. Its CWSRF and DWSRF programs each received a C grade, while its LSLR policies received an F. Overall, Tennessee’s comprehensive equity points score ranked 34th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Unclear	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	9	11	Points Total	2
Letter Grade	C	C	Letter Grade	F
			Cumulative Points Total	22
			Overall Grade	D

We recommend that Tennessee expand access to financial assistance by providing more than the statutorily mandated minimum amount of additional subsidization, allow disadvantaged communities to receive their full awards in the form of additional subsidization, adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged, and allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level. Tennessee should also adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

TEXAS

Texas’s SRF program earned a C grade for equity, with all three of its sub-programs (CWSRF, DWSRF, and LSLR) earning Cs individually. Overall, Texas’s comprehensive equity points score ranked 31st nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	No	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	No	No		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	Yes	Yes		
Points Total	9	9	Points Total	6
Letter Grade	C	C	Letter Grade	C
			Cumulative Points Total	24
			Overall Grade	C

We recommend that Texas allow disadvantaged communities to receive their full awards in the form of additional subsidization, adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged, and allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy for all types of eligible projects, rather than evaluating metrics at the community level. Texas should provide at least a full month for public comment on draft IUPs and should provide written responses to all comments in the final versions of those plans. Finally, Texas should adopt an LSLR mandate that requires utilities to bear the cost.

Utah’s SRF program earned a D grade for equity. Its LSLR policies earned a B grade, while its DWSRF and CWSRF programs each received a D. Overall, Utah’s comprehensive equity points score ranked 34th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Unclear	Unclear	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	No	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Unclear	Unclear		
Does the state publicly respond to comments on the draft IUP?	No	No		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	6	8	Points Total	8
Letter Grade	D	D	Letter Grade	B
			Cumulative Points Total	22
			Overall Grade	D

We recommend that Utah expand access to financial assistance by providing more than the statutorily mandated minimum amount of additional subsidization (and clearly explaining in the IUP how much subsidy it will provide); adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; and incorporate applicants’ financial need or disadvantaged status into the project-ranking system. Utah should enhance transparency around public comment opportunities on its draft IUPs, including information on comment period length and written responses to all comments in the final versions of the plans. Utah should post important SRF policies, such as subsidy award procedures and project-ranking methodology, on its SRF website. Finally, Utah should adopt an LSLR mandate that requires utilities to bear the cost.

VERMONT

Vermont’s SRF program earned a C grade for equity. Its DWSRF program received a B grade, while its LSLR policies earned a C, and its CWSRF program received a D. Overall, Vermont’s comprehensive equity points score ranked 23rd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	No	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	8	12	Points Total	6
Letter Grade	D	B	Letter Grade	C
			Cumulative Points Total	26
			Overall Grade	C

We recommend that Vermont allow disadvantaged communities to receive their full awards in the form of additional subsidization; adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged (and clearly explain that approach in the IUP); allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; and offer lower CWSRF interest rates and/or extended loan terms to disadvantaged communities, as it does on the DWSRF side. Vermont should post important SRF policies, such as its project-ranking methodology and disadvantaged-community definition, on its SRF website. Finally, Vermont should adopt an LSLR mandate that requires utilities to bear the cost.

VIRGINIA

Virginia’s SRF program earned a B grade for equity. Its DWSRF program received an A grade, while its CWSRF program earned a C, and its LSLR policies received a D. Overall, Virginia’s comprehensive equity points score ranked ninth nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	No	No	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Unclear	Unclear	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	Yes		
Does the state post its IUPs and important SRF policies on its website?	No	Yes		
Points Total	11	15	Points Total	4
Letter Grade	C	A	Letter Grade	D
			Cumulative Points Total	30
			Overall Grade	B

We recommend that Virginia adopt a sliding-scale approach that provides more additional subsidy to communities that are relatively more disadvantaged (and clearly explain that approach in the IUP), and that it allow disadvantaged areas within non-disadvantaged communities to qualify for CWSRF subsidy, rather than evaluating metrics at the community level. Virginia should provide written responses to all public comments received on draft IUPs in the final versions of those plans. It should post important policies, such as its CWSRF project-ranking methodology, on the state’s SRF website. Finally, Virginia should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

WASHINGTON

Washington’s SRF program earned a C grade for equity. Its DWSRF program received an A grade, while its CWSRF program earned a C, and its LSLR policies received a D. Overall, Washington’s comprehensive equity points score ranked 14th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	No	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	No	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	Yes	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	Yes	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	No	Yes		
Does the state post its IUPs and important SRF policies on its website?	No	Yes		
Points Total	9	15	Points Total	4
Letter Grade	C	A	Letter Grade	D
			Cumulative Points Total	28
			Overall Grade	C

We recommend that Washington allow disadvantaged communities to receive their full awards in the form of additional subsidization; adopt a sliding-scale approach that provides more DWSRF additional subsidy to communities that are relatively more disadvantaged; allow disadvantaged areas within non-disadvantaged communities to qualify for CWSRF subsidy, rather than evaluating metrics at the community level; and allow communities of any size to qualify for CWSRF subsidy. Washington should provide written responses to all public comments received on draft IUPs in the final versions of those plans. It should post its SRF documents, including draft and final IUPs, on an easy-to-locate web page. Finally, Washington should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

WEST VIRGINIA

West Virginia’s SRF program earned a C grade for equity. Its DWSRF program earned a B grade, while its CWSRF program earned a C, and its LSLR policies received a D. Overall, West Virginia’s comprehensive equity points score ranked 23rd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	Yes
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	10	12	Points Total	4
Letter Grade	C	B	Letter Grade	D
			Cumulative Points Total	26
			Overall Grade	C

We recommend that West Virginia allow disadvantaged communities to receive their full awards in the form of additional subsidization; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. West Virginia should post all important SRF policies, including its project-ranking system, on its SRF website. Finally, West Virginia should adopt an LSLR mandate that requires utilities to bear the cost.

WISCONSIN

Wisconsin’s SRF program earned a C grade for equity. Its LSLR policies earned a B grade, while its CWSRF and DWSRF programs each received a C. Overall, Wisconsin’s comprehensive equity points score ranked 14th nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	No	No	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	Yes
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	Yes
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	Yes	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	10	10	Points Total	8
Letter Grade	C	C	Letter Grade	B
			Cumulative Points Total	28
			Overall Grade	C

We recommend that Wisconsin expand access to financial assistance by providing more than the statutorily mandated minimum amount of additional subsidization, allow disadvantaged communities to receive their full awards in the form of additional subsidization, and allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level. Wisconsin should post all important SRF policies, particularly its project-ranking system, on its SRF website rather than forcing stakeholders to track that information down in complicated regulations. Finally, Wisconsin should adopt an LSLR mandate that requires utilities to bear the cost.

WYOMING

Wyoming’s SRF program earned a C grade for equity. Its DWSRF program earned a B grade, while its CWSRF program earned a C, and its LSLR policies received a D. Overall, Wyoming’s comprehensive equity points score ranked 23rd nationwide.



Policy	CWSRF	DWSRF	Policy	LSLR
Does the state provide more than the minimum legally required amount of additional subsidy?	Yes	Yes	Does the state require all lead service lines to be replaced?	No
Does the state cap the amount of additional subsidy an applicant can receive?	Yes	Yes	Does the state explicitly prohibit the use of funding for partial LSLR?	No
Does the state provide more subsidy to applicants that are more disadvantaged?	Yes	Yes	Does the state require utilities to fully pay for LSLR?	No
Can disadvantaged areas within non-disadvantaged communities qualify for subsidy?	No	No	Does the state cap the amount of subsidy an applicant can receive for LSLR?	No
Do the state’s additional subsidy eligibility criteria include a strict population cap?	No	No	Can disadvantaged areas within non-disadvantaged communities qualify for subsidy for LSLR?	No
Is financial need and/or disadvantaged status considered in the state’s project-ranking system?	No	Yes	Do the state’s LSLR additional subsidy eligibility criteria include a strict population cap?	No
Does the state offer better loan terms to subsidy-eligible communities?	Yes	Yes		
Does the state provide adequate time for public comment?	Yes	Yes		
Does the state publicly respond to comments on the draft IUP?	Yes	Yes		
Does the state post its IUPs and important SRF policies on its website?	No	No		
Points Total	10	12	Points Total	4
Letter Grade	C	B	Letter Grade	D
			Cumulative Points Total	26
			Overall Grade	C

We recommend that Wyoming allow disadvantaged communities to receive their full awards in the form of additional subsidization; allow disadvantaged areas within non-disadvantaged communities to qualify for subsidy, rather than evaluating metrics at the community level; and incorporate applicants’ financial need or disadvantaged status into the CWSRF project-ranking system, as it does on the DWSRF side. Wyoming should post all important SRF policies, including a description of how it awards additional subsidy, on its SRF website and include those policies in its IUP. Finally, Wyoming should adopt an LSLR mandate that requires utilities to bear the cost, and it should affirmatively state that partial LSLR is not an eligible use of funds.

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- 31 40 C.F.R. §§ 35.3150(a) (Clean Water Act SRF rule providing that state IUPs “must be prepared annually and must be subjected to public comment and review before being submitted to EPA”) and §35.3555(b) (Safe Drinking Water Act SRF rule providing that for each annual IUP, the “State must seek meaningful public review and comment during the development of the IUP”).