

**SELECT BOARD MEETING AGENDA
TOWN OF PETERBOROUGH**

Tuesday, September 1, 2026 – 5:00 PM
1 Grove Street, Peterborough, New Hampshire

PUBLIC HEARING

- Pursuant to RSA 41:14-a, a Public Hearing to discuss the merits of selling property located at 58 Sharon Road. More information can be found on our website, www.peterboroughnh.gov
- Pursuant to RSA 31:95-b, a Public Hearing to discuss the merits of accepting the following a donation of \$500.00 to support Conservation Commission activities

APPOINTMENT

- Utility Rate Task Force Recommendation

OLD BUSINESS

- Review and approve meeting minutes from August 4, 2026

NEW BUSINESS

- AHC request to apply for NH Housing Mini Grant for ADU Booklet
- Review responses to Renewable Energy Credit RFP
- Vote request to expend from GDTIF Expendable Trust Fund
- Update of Revenue and Fund Balance
- Treasurer Resignation

CONSENT AGENDA

- EPA Notice of Award- Water Main Replacement Project

ADJOURN

**PUBLIC HEARINGS
TOWN OF PETERBOROUGH
SALE OF TOWN-OWNED PROPERTY
ACCEPTANCE OF MONEY**

On September 1, 2026 the Select Board will conduct the following public hearings:

- Pursuant to RSA 41:14-a, a Public Hearing to discuss the merits of selling property located at 58 Sharon Road. More information can be found on our website, www.peterboroughnh.gov
- Pursuant to RSA 31:95-b, a Public Hearing to discuss the merits of accepting the following a donation of \$500.00 to support Conservation Commission activities.

The Public Hearings will be held in the Selectmen's Meeting Room of the Town House and will be broadcast live over Comcast Channel 22 and streamed live over the Town's UStream and YouTube channels. All interested parties are invited to attend, but seating is limited. Persons who wish to submit comments prior to the date of the hearing may do so by email to selectboard@peterboroughnh.gov, by phone at (603) 924-8000 x. 101, or by mail to Select Board, Town of Peterborough; 1 Grove Street; Peterborough, NH 03458.

Select Board
Town of Peterborough



New Hampshire Ball Bearings, Inc.

MinebeaMitsumi Group

June 18, 2026

Town of Peterborough, NH
Select Board
c/o Nicole MacStay
Town Administrator
1 Grove Street
Peterborough, NH 03458

Dear Ms. MacStay:

In keeping with our preliminary discussions, including your email to me dated September 22, 2025, I am writing to summarize the offer that New Hampshire Ball Bearings, Inc. (NHBB) is making to purchase the property known as the South Municipal Well Site (the "Property") from the Town of Peterborough (the "Town").

The primary terms of NHBB's offer are as follows, which will be subject to execution of a mutually agreeable Purchase and Sales Agreement with the Town:

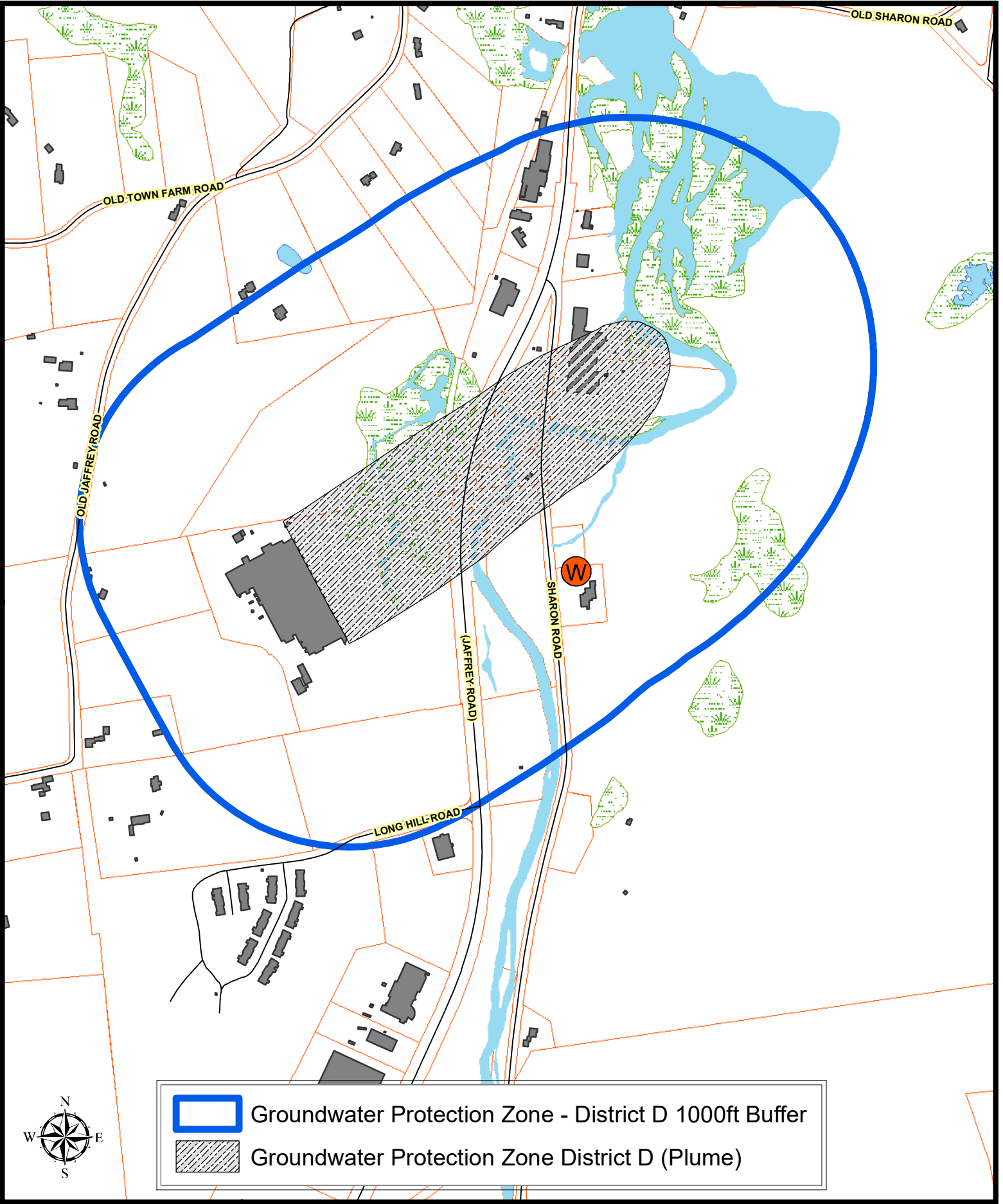
1. The purchase price will be \$110,000.
2. The Town will release NHBB from any and all claims and obligations arising from:
 - a. The inability of the Town to use the Property and its groundwater within the Groundwater Protection Zone ("GPZ") (see enclosed map for boundaries of GPZ) for drinking water or other municipal purposes.
 - b. The unavailability of groundwater within the GPZ for drinking water or other uses.
 - c. Lost revenue from drinking water and for other purposes pumped from the Property and distributed to customers of Peterborough's municipal water utility.
3. The Town will provide a written commitment that it will not pump water from the GPZ for any municipal purpose for the next 99 years.
4. NHBB will record a conservation restriction on the Property after it becomes the record owner.
5. Upon endorsement of this non-binding offer, it will submitted to the Select Board for its consideration pursuant to RSA 41:14-a and if approved, a comprehensive purchase and sale agreement will be drafted for the Select Board's review and approval.

Should you or the Select Board have further questions before proceeding as proposed, please contact me at (603) 273-1076 or ncasolaro@nhbb.com.

Respectfully,


Nicholas F. Casolaro
Principal Counsel

Groundwater Protection Zone - District D



NOTE: This map only serves as a guide to Peterborough's Land Use Regulation Chapter 245. Written descriptions are the official Zoning Delineations.



Town of Peterborough

PLANNING BOARD

1 Grove Street
Peterborough, NH 03458
(603) 924-8000 x 104

Monday – Thursday
7:00 AM to 5:30 PM

Tuesday, August 11, 2026

Re: Offer to Purchase Peterborough South Municipal Well Property pursuant to RSA 41:14-a

Dear Select Board,

The Planning Board met on Monday, August 10, 2026 to discuss the offer from New Hampshire Ball Bearing (NHBB) to purchase the 'South Municipal Well Property. After review and discussion, the Board made an informal motion to support (6:1) the sale, citing the following reasons:

- *Natural Constraints of the Property.* The Board recognizes that this property is highly constrained by natural resources including the regulatory floodway, shoreland area, and wetland areas; all of which will make any future development highly unlikely.
- *Conservation Restrictions.* NHBB's offer letter indicates that the property would be put under conservation restriction. These restrictions will help ensure the preservation of the natural functions and features of this property.
- *Amount of Offer.* The offer letter indicates NHBB is interested in purchasing the property for \$110,000. In reviewing the property record card for this property, the Board recognizes that this offer is well over the current assessed value.
- *Revenue from Taxes.* The Board understands that if this property is to sell to NHBB, it will become taxable and thus a revenue generator.

Lastly, the Board acknowledges that it does not have complete knowledge of the history and details related to the contamination and recognizes that this recommendation may be redundant. However, the Board respectfully recommends that the Select Board seek a written affidavit or other appropriate assurance from NHBB that remediation efforts continue until all applicable requirements are satisfied.

Thank you for your consideration,

Carl Staley, Chair
Michael McGill, Vice Chair
Lisa Stone
Jason Moore
Stephanie Hurley
Andrew Dunbar
Mike Dias, alternate
Sarah Steinberg Heller, alternate
Bonnie Tucker, Select Board liaison



August 21, 2026

Dear Peterborough Office of Planning and Building,

We understand that a part of New Hampshire (NH) RSA 41:14-a regulations is that any Town performing a real estate transaction must consult with the local Conservation Commission, among others, regarding the proposed disposition of land. Further, we understand that New Hampshire Ball Bearing (NHBB) has offered to purchase the South Municipal Well Site (South Well) as noted in your letter dated July 13, 2026 to our Commission.

After careful review of the materials provided and discussion at our August 20, 2026 public meeting the Peterborough Conservation Commission voted 6-0 to recommend sale of the subject property based upon the following:

1. The South Well was decommissioned previously by the Town and will never be able to be used as a drinking water supply in the future. Further, we understand that the recent interconnection with Jaffrey more than compensates for any lost supply.
2. The purchase by NHBB will allow them to better control land within the limits of the potential plume and assist in continued clean-up actions.
3. Despite NHBB's control of the property the fact that the chemicals of concern will ever likely be fully remediated remains a concern and this land sale will ensure that NHBB controls the land under which the plume lies.
4. Town Counsel has reviewed the proposal and concurs that the sale is a publicly responsible and financially wise act.
5. The Town will continue to receive information on continued clean-up efforts and sampling results from both NHDES and/or EPA or their successors.

Sincerely,

Peterborough Conservation Commission



Town of Peterborough
Office of Planning & Building

1 Grove Street
Peterborough, NH 03458
(603) 924-8000 x 104

Monday – Thursday
7:00 AM to 5:30 PM

To: Select Board
From: Danica Miller
Date: Tuesday, August 17, 2026
Re: Donation to Conservation Commission

On Tuesday, August 17, 2026 the Office of Planning & Building received one donation for the Conservation Commission. This memo is to recommend that the Select Board accept this donation.

Amount: \$500.00

General purpose: support for Conservation Commission activities

MINUTES
SELECT BOARD MEETING
TOWN OF PETERBOROUGH

Tuesday, August 4, 2026 – 5:00 PM
1 Grove Street, Peterborough, New Hampshire

Present: Tyler Ward, Bill Kennedy, Bonnie Tucker

Also Present: Nicole MacStay, Justine Hanson, Fash Farashahi, Craig Fraley

This meeting was broadcast live on Ustream, YouTube, and Channel 22 (Comcast)

Chair Ward welcomed everyone to the meeting and introduced the other members of the Select Board, Bonnie Tucker and Bill Kennedy, along with Town Administrator Nicole MacStay. He then reviewed the agenda for the meeting before opening the Public Hearing.

Motion: Chair Ward motioned to open the Public Hearing pursuant to RSA 31:95-b, to discuss the merits of accepting unanticipated monies. Mr. Kennedy seconded the motion.

Vote: All in favor. Motion carried.

PUBLIC HEARING

\$10,000 from the Friends of Peterborough Recreation for the purchase of a box trailer to store and haul the Pedal Together Bikes around.

Recreation Department Director, Criag Fraley, presented a \$10,000 grant from the Hundred+ Women Who Care organization for the Pedal Together program. This program serves individuals with disabilities, and the funds are designated for the purchase of a box trailer to store and transport bicycles. Mr. Fraley explained that currently, bikes are stored in various private locations, requiring an hour of travel each morning for collection. The new trailer will be stored at the Department of Public Works during the summer and in a non-plowed area during the winter. Bonnie Tucker inquired if there would be a fee for bike storage, and Mr. Fraley confirmed that the existing five-dollar per person hauling fee would continue.

Motion: Chair Ward motioned to accept the \$10,000 donation from The Friends of Peterborough Recreation for the purchase of a box trailer. Ms. Tucker seconded the motion.

Vote: All in favor. Motion carried.

\$500 from MCH for a new program we are starting in the fall. "Mission Move" is an afterschool program designed for the less active child to have a healthy snack and be active in the program. The program will be led by MCH staff, FPU physical therapy students, and Recreation Staff

Mr. Fraley discussed a \$500 donation from Monadnock Community Hospital (MCH) to support a new after-school program called Mission Move. This initiative, run in partnership with MCH and Franklin Pierce University (FPU), focuses on less active elementary school children. MCH's nutrition and physical therapy departments will provide healthy snack recipes, while FPU therapy students will lead games and activities. The program will initially be held outdoors at Adams Playground before moving to the Community Center for the winter.

Motion: Mr. Kennedy motioned to accept the \$500 donation from Monadnock Community Hospital to fund the Mission Move program. Chair Ward seconded the motion.

Vote: All in favor. Motion carried.

Motion: Mr. Kennedy moved to closed the Public Hearing at 5:06pm.Chair Ward seconded the motion.

Vote: All in favor. Motion carried.

Website Updates/Redesign

Justine Hanson and Fash Farashahi presented the plans for a comprehensive town website redesign. This project is primarily driven by the need to comply with Title II of the Americans with Disabilities Act (ADA) and Web Content Accessibility Guidelines (WCAG) 2.1 level AA. Failure to meet these guidelines by the April 26, 2028, deadline could result in legal penalties and civil rights lawsuits. The redesign will improve compatibility with screen readers and keyboard navigation while addressing text-to-background color contrast.

Mr. Farashahi noted that the transition would involve a significant reduction in the number of documents hosted on the site, dropping from approximately 4,000 to 1,000. While essential applications and current minutes will remain, approximately 3,000 historical or non-compliant documents will need to be removed. These archived records will remain available to the public upon request via a comment form, but they will not be directly searchable on the new site. Nicole MacStay explained that most website traffic is for current information like recycling hours or town clerk requirements, rather than historical archives.

The discussion touched on transparency and security. Chair Ward expressed concern that removing documents might make the government appear opaque. Mr. Farashahi and Ms. MacStay stated that the current site is difficult to navigate and that removing staff photos and direct emails is a necessary security measure to protect against AI-driven phishing, scraping, and the targeting of police officers. Ms. Tucker suggested using focus groups to ensure the new interface is user-friendly, while Mr. Kennedy recommended a streamlined approach similar to the planning department's methods to avoid the need for another task force

Review and Vote to approve meeting minutes from July 7, 2026 and July 14, 2026

Motion: Mr. Kennedy motioned to approve the meeting minutes from July 7, 2026, and July 14, 2026. Ms. Tucker seconded the motion.

Vote: All in favor. Motion carried.

Review Building Permit & Third-Party Inspection Policy

Ms. MacStay introduced a new building permit policy and a third-party inspection services policy. The update was necessitated by state legislation (SB188) adopted in 2025. This law allows property owners to hire their own licensed and insured third-party inspectors—such as architects or engineers—to conduct inspections. This is intended to provide an "off-ramp" for developers during peak times when town staff may be limited. Once a third-party inspection is complete, a report is submitted to the town building official, who has ten days to either issue or deny a certificate of occupancy.

A significant portion of the discussion centered on the specifics of town oversight. Ms. Tucker voiced concern that the draft policy included a requirement for town inspectors to physically re-inspect work already completed by a third party. She argued this "double inspection" contradicts the law's intent to streamline the process and noted that the law only requires the town to certify the third party's credentials and perform random audits. Ms. MacStay explained that the attorney likely included this right to ensure municipal inspectors could still check specific components, like electrical work, if a third-party inspector was only hired for structural elements. The board agreed that the language needed further review to ensure it aligned with the goal of efficiency without sacrificing safety.

Vote to Expend from Fleet Management Capital Reserve Fund

Ms. MacStay presented the Select Board with pricing of two new plow trucks. These pickup trucks meet the specific requirement of not having a crew cab and come equipped with plows. She noted that the purchase fell under the budgeted amount.

Motion: Mr. Kennedy motioned to approved the expenditure of up to \$135,000 from Fleet Management Capital Reserve Fund to purchase and outfit two trucks, a Ford F250 and a Ford F350. Chair Ward seconded the motion.

Vote: All in favor. Motion carried.

ADJOURN

Motion: Mr. Kennedy motioned to adjourn at 6:06pm pm. Ms. Tucker seconded the motion.

Vote: All in favor. Motion carried.

Respectfully Submitted,
Justine Hanson, Administrative Assistant

PETERBOROUGH SELECT BOARD:

Chair Ward

William Kennedy

Bonnie Tucker

Published August 2026

Accessory Dwelling Units

A Guide to Design and Development

An ADU Design Catalog with a summary of ADU policies and initiatives within Peterborough, NH



Disclaimer

The information contained in this booklet is current as of the date of publication. Since its release, state laws, local ordinances, regulations, and incentive programs may have changed. For the most current information or to discuss specific questions, please contact the Office of Planning & Building.

Danica Miller

Director of Planning & Building

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603-924-8000 ext 116

Trisha Cheever-Wolfe

Energy & Community Planner

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Tim Herlihy

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Planning & Building Coordinator

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If you do not reside in Peterborough, please reach out to your local town offices for information specific to your community.

This booklet was made in partnership with the Peterborough Affordable Housing Committee and the Office of Planning & Building

Information and ideas from this booklet are modeled after 'Accessory Dwelling Units: A Step by Step Guide to Design and Development' by AARP, Future of Housing, and Blink!LAB Architecture

The conceptual designs were developed by undergraduate architecture students at Keene State College as part of the 2026 Envision Town: Student Challenge for Affordable Housing project.

Affordable Housing Committee Members - 2026

Susan Howard, Chair

Carl Staley, Vice Chair

Amanda Allen, alternate

Mandy Carter

Jared Chism, alternate

Kate Coon

Sarah Ellis

Stephanie Hurley

James Kelly

Michael Redmond, alternate

Bonnie Tucker, Select Board Liaison

Office of Planning & Building

Danica Miller, Director of Planning & Building

Trisha Cheever-Wolfe, Energy & Community Planner

Tim Herlihy, Code Enforcement Officer

Phillip Mullen, Planning & Building Coordinator

Keene State College - School of Architecture

Donna Paley, Professor & Department Chair

Taygan Lewis, Senior Student - Project 1

Justin Nicholas, Senior Student - Project 2

Archer Correia, Senior Student - Project 3

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Executive Summary

Accessory Dwelling Units & Affordable Housing Efforts in Peterborough, NH

The Town of Peterborough is actively advancing a coordinated, multi-board effort to address its growing housing needs, with particular emphasis on expanding diverse rental options, including Accessory Dwelling Units (ADUs). Representatives from the Select Board, Planning Board, Economic Development Authority (EDA), Affordable Housing Committee, Master Plan Steering Committee, and Zoning Board are working collaboratively to support housing solutions that serve residents across income levels and life stages.

Recognizing the increasing demand for affordable, workforce, and market-rate housing, the Affordable Housing Committee has played a leading role in shaping policy discussions and public outreach. This includes promoting ADUs as a flexible, lower-impact housing strategy that can increase rental supply while gently infilling neighborhoods. ADUs offer opportunities for homeowners to create smaller, independent living spaces—supporting aging in place, multigenerational living, and modestly priced rental options for local workers.

Key strategies include:

- Zoning and land use updates, including support for ADU development
- Partnerships with organizations like Contoocook Housing Trust and regional agencies
- Incentives, such as Community Revitalization Tax Relief (RSA 79-E)
- Local and regional housing programs to improve affordability

Central to this work is a shared commitment: ensuring that Peterborough remains a vibrant, inclusive community where people who live and work locally—such as healthcare workers, educators, service employees, artists, and young families—can find attainable housing. Expanding ADUs is a key part of this broader strategy to increase housing diversity, affordability, and resilience.

All participating boards reaffirm their dedication to ongoing collaboration and invite community members to engage in open meetings and contribute feedback as Peterborough advances its housing goals.

Common ADU Terms

Accessory dwelling units (ADUs) go by many different names, including in-law suites, mother-in-law suites, granny flats, secondary suites, carriage houses, garage apartments, basement apartments, coach houses, and accessory apartments.

Is an ADU for you?

Building an accessory dwelling unit (ADU) is an exciting opportunity—but may also be a significant investment. Whether you're seeking greater independence, a way to keep a family member close by, or to make better use of your property, an ADU can be a versatile solution. As you plan, consider how it will fit into your lifestyle, your property, and your long-term goals. Taking time to think through your motivations, budget, design options, and the approval process will help ensure your ADU meets your needs now and in the future.

Where will the ADU be located?

ADU Type	Pros	Cons
<u>Attached</u> Located on the side or rear of the primary home, sharing at least one wall.	Shared utilities; easy access for family care situations.	May fall within zoning setbacks and trigger a hearing for variances.
<u>Interior</u> Alternative to an attached ADU. Located within the basement or attic of an existing residence.	Lowest cost to build; uses existing structures; little visual impact.	Limited size; may require soundproofing and fire separation upgrades.
<u>Detached</u> A free-standing structure, often in the backyard or above a detached garage.	Greatest independence and flexibility for new uses over time.	Highest cost; separate building systems, utility and site work risks.

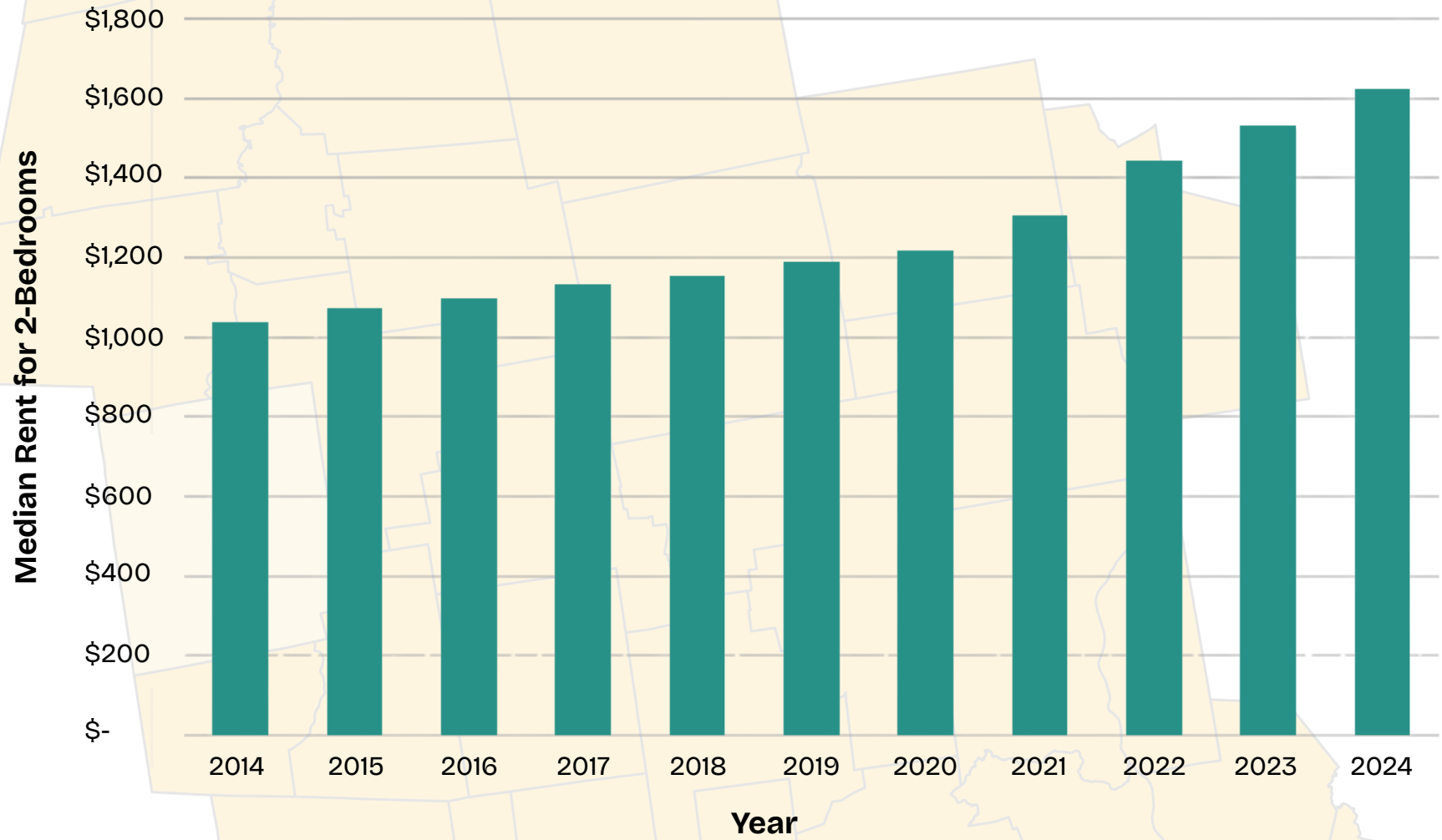
Goals

This booklet is intended to provide a cohesive, practical resource for those interested in constructing an ADU, offering real plan examples that can be replicated or used as a starting point.

- Establish a clear pathway for the development of Accessory Dwelling Units (ADUs) that can support affordable housing options for residents across all life stages, including older adults and low-income households;
- Demonstrate how the addition of second units within existing neighborhoods offers a low-density, cost-effective alternative to large-scale infill development;
- Identify and evaluate a range of financing options, including national, local, and non-traditional funding sources;
- Provide a flexible housing design that can be expanded and adapted to meet household needs;
- Create a straightforward, step-by-step roadmap that guides projects from initial design and budgeting through permitting and construction.

Median Monthly Rent for 2-Bedroom Units in Hillsborough County

Data from the U.S. Census Bureau; American Community Survey 5-Year Estimates Data Profile: Median Gross Rent





1 ADU Regulations

ADU Regulations

New Hampshire law (RSA 674:71-73) requires every municipality to allow at least one attached or detached ADU wherever single-family homes are permitted without having to justify the project to the local planning or zoning board.

Under Peterborough's zoning ordinance (RSA 245-24.1), one Accessory Dwelling Unit (ADU) is permitted by right in any zoning district allowing single-family homes, on lots with one existing legal single-family dwelling, subject to these conditions:

- The ADU must not exceed 1,000 sq. ft. or 30% of the main dwelling's living area and is limited to 3 bedrooms.
- No additional lot size, frontage, or setback requirements apply.
- The ADU may be attached, within, or detached (e.g., garage or standalone).

General provisions:

- All single-family regulations apply to the combined property.
- Interior-connected ADUs require a door (not required to be unlocked).
- Adequate water and sewage must be demonstrated; separate systems are not required.
- Building and fire codes must be met.
- Parking must include 1 off-street parking spot for the ADU.
- Exterior changes or new structures must match or be compatible with the main home's design.

Ownership and use:

- The property owner must live in either the main unit or ADU; the other may be rented.
- Owner occupancy must be documented and recorded with the deed.
- ADUs cannot be sold separately unless subdivision meets zoning requirements.

Application process:

- Applications are submitted to the Code Enforcement Officer with required materials.
- Compliance with zoning, building, and fire codes is reviewed.
- Exterior changes may require design review.
- A recorded notice of owner-occupancy is required before final occupancy approval.



2

Costs &
Finance
Options

Cost to Construct an ADU

The cost to construct an ADU varies greatly from design to design and site to site. Main contributors to the cost include size, location, and construction type. NH Housing was able to assemble a chart of estimated costs that are associated with the various kinds of ADU types:

Figures & Numbers estimated as of March 2026

ADU Type	Typical Size	Approx. Cost	Est. Total Cost	Notes
Interior ADU	150 - 300 sf	\$150 - \$300/sf	\$75k - \$165k	Least expensive; Uses existing structure
Attached ADU	500 - 900 sf	\$250 - \$400/sf	\$200k - \$350k	Shares walls/utilities with main residence
Detached ADU	600 - 1,000 sf	\$300 - \$600/sf	\$200k - \$400k	More privacy; requires full systems
Prefab/Modular Unit	400 - 800 sf	\$185 - \$350/sf	\$185k - \$300k	Faster build, limited customization

Referenced from: [A Guide for NH Homeowners - Accessory Dwelling Units](#)

As you refine your vision for the ADU's design, size, placement, and construction approach, cost estimates will become increasingly accurate. Collaborating with a professional can help you develop more detailed, itemized budgets, making it easier to track progress and manage expenses throughout the construction process.

If you need to finance your ADU project, lenders will typically require plans detailed enough to estimate construction costs, materials, and timelines. Some institutions may also require a licensed contractor to oversee the work, while others permit homeowners to manage construction independently. You can explore financing options with your local lender, as outlined on the next page.

Finance Options

Information gathered as of March 2026

Borrowing Option	How It Works
Home Equity Line of Credit (HELOC)	Borrow against the equity in the home. Funds are drawn as needed during construction, with interest payments in the draw period.
Home Equity Loan (Fixed-Rate Second Mortgage)	Borrow a fixed amount (beyond your existing mortgage) and repay it in equal monthly payments.
Cash-Out Refinance	Replace the existing mortgage with a larger one and pocket the difference.
Construction Loan (Construction-to-Permanent)	Loan funds are released in stages as construction progresses. Once complete, the loan converts to a permanent mortgage.
Renovation Loans (FHA 203k and HomeStyle)	Borrow based on the “after-improved” value, like a construction loan but wrapped into a standard mortgage.
Reverse Mortgage (Age 62+)	Borrow against home equity without monthly repayment. The loan is repaid when the borrower sells or passes away.

Referenced from: [A Guide for NH Homeowners - Accessory Dwelling Units](#)



3 ADU
Designs

Considerations

When approaching Keene State College with this project idea, there was a clear intent to focus on detached Accessory Dwelling Units (ADUs). While detached ADUs represent just one of several typologies, emphasizing this form allows designs to be more easily transferred across different properties. Additionally, detached designs offer greater flexibility, making them easier to adapt into attached or semi-attached configurations if needed.

The renderings presented here represent examples of what is possible rather than fixed designs. Each concept can be readily customized to meet the unique needs, preferences, and circumstances of individual homeowners and tenants, demonstrating the adaptability and potential of ADUs as a housing solution.

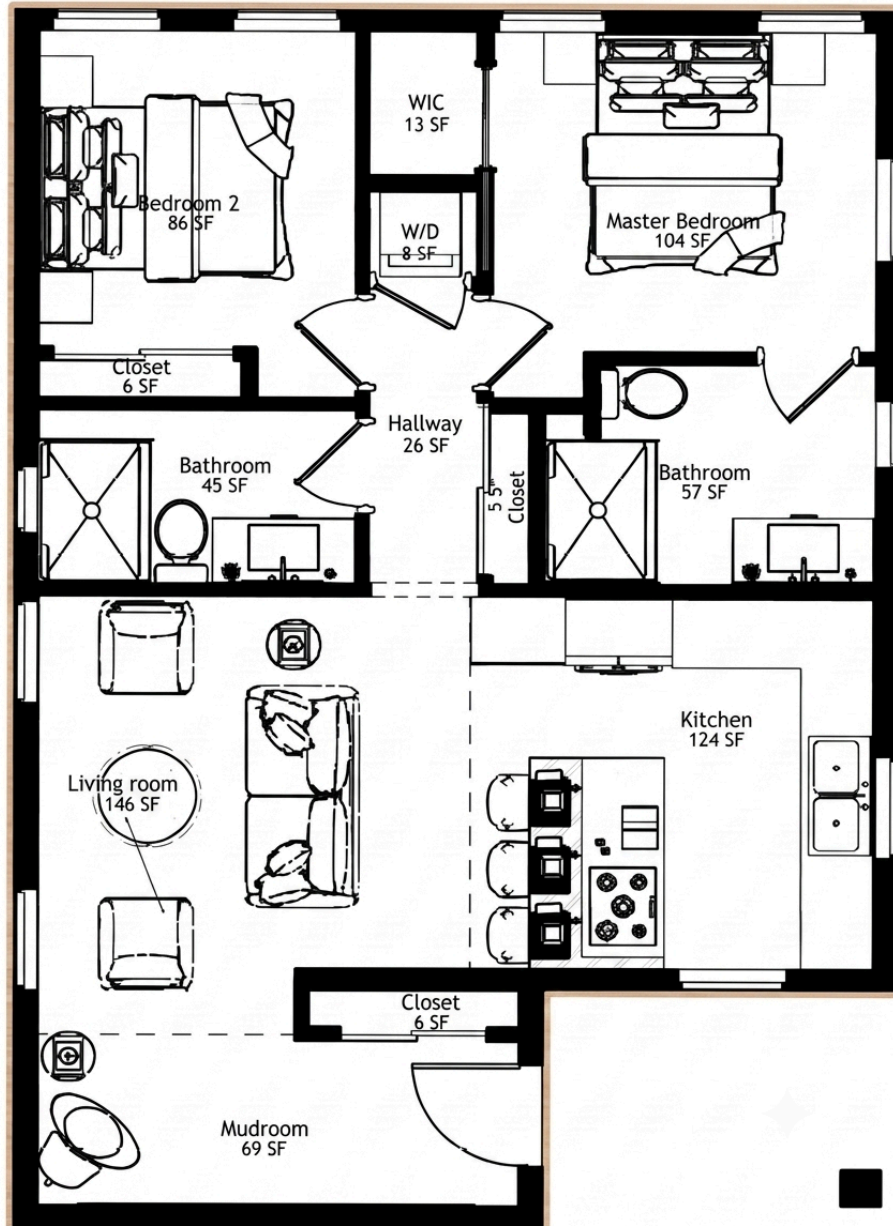
Before starting their projects, the students took it upon themselves to visit Peterborough and to tour our various neighborhoods to get a feel for the different kinds of architectural styles and environments that encompass the town. This was important to the students in order for their designs to be more appealing and transferrable to residents.



Taygan Lewis - 1



Taygan Lewis - 1

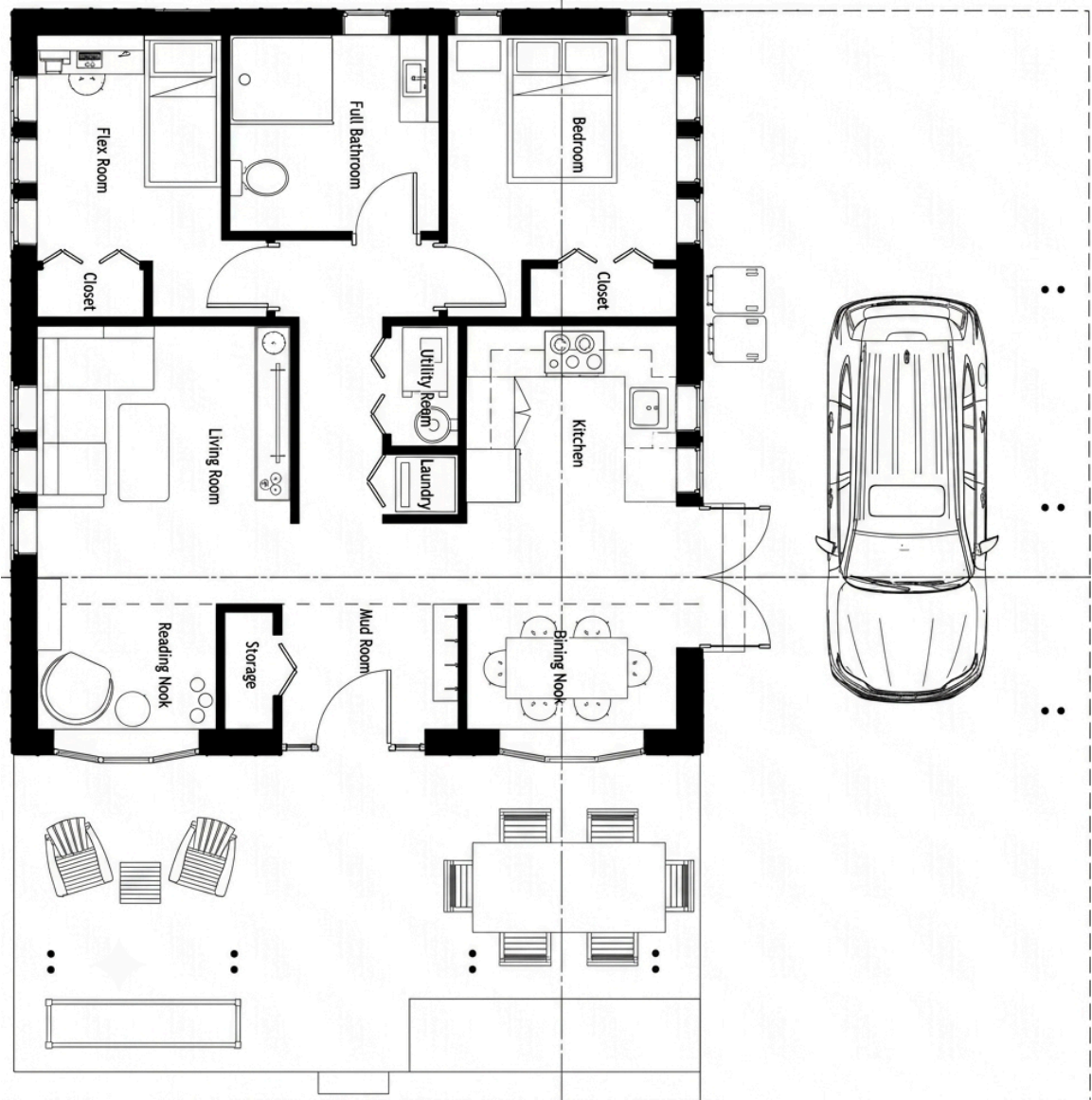


Area	Sq. ft.
Mudroom	69
Kitchen	124
Living Room	146
Primary Bedroom	104
Bedroom 2	86
Bathroom 1	45
Bathroom 2	57
Closet 1	6
Closet 2	5
Closet 3	6
Walk-In Closet	14
Washer/Dryer	8
Total Usable Sq Ft	670

Justin Nicholas - 2



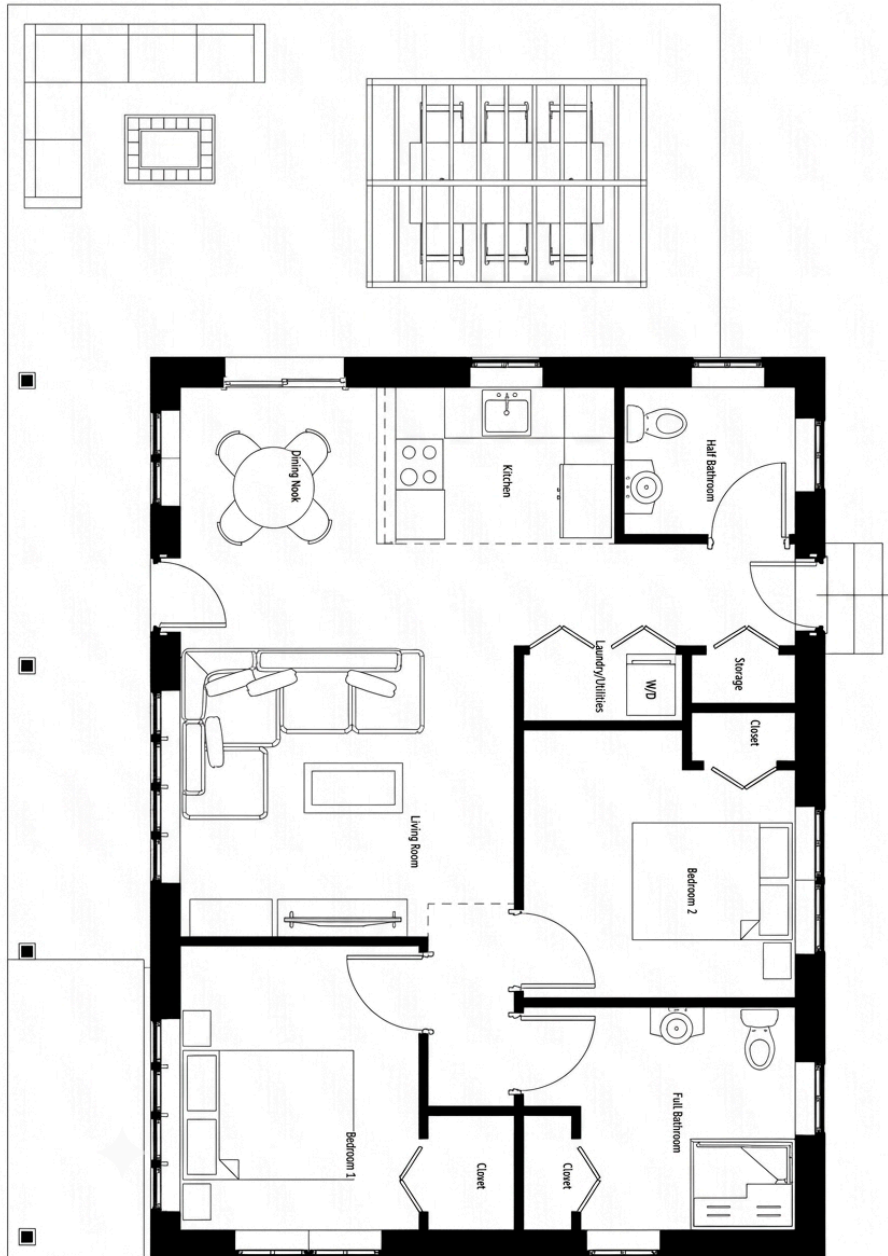
Justin Nicholas - 2



Area		Sq. ft.
Bedroom		96
Flex Room		84
Bathroom		70
Living Room		122
Reading Nook		38
Kitchen		100
Dining Nook		45
Mud Room		38
Total Usable Sq Ft		757



Archer Correia - 3



Area	Sq. ft.
Kitchen	63
Dining	57
Living Room	156
Full Bath	89
Half Bath	42
Bedroom 1	112
Bedroom 2	112
Total Usable Sq Ft	631

Ready to Start your ADU project?

1. Confirm ADU Eligibility

- Ensure the property contains a single-family home
 - Only 1 ADU is allowed per lot

2. Check Possible Site Constraints

- Parking availability
- Septic capacity and/or Town utility connections
- Setbacks and building placement (dependent on ADU type)

3. Pre-Permit Planning

- Site Plan showing:
 - Existing home
 - Proposed ADU location and footprint of available parking areas
 - Identify utilities
- Architectural plans of the ADU
 - More detail, the better

Once all this information is gathered, submit all materials with accompanying application and permits.

4. ADU Application

- Visit the Peterborough Town website or stop by the Office of Planning and Building to obtain your ADU permit

5. Permits

- Energy Code Compliance
- Electrical
- Plumbing
- Mechanical/HVAC permit
- Septic approval (if applicable)
- Driveway (if applicable)
 - These are completed through the Department of Public Works
- Gas or Oil Systems
 - These are completed through the Fire Department

Accessory Dwelling Unit Initiatives

ADU Seminar

In June 2022, the Peterborough Affordable Housing Committee and the Office of Planning & Building partnered to host a two-part educational seminar, Accessory Dwelling Units Made Easy: How to Add a Small, Secondary Home to Your Property. The program was designed to help residents understand the opportunities, requirements, and benefits of creating an Accessory Dwelling Unit (ADU) on their property. The sessions for this event focused on understanding ADUs, navigating local and state regulations, financing options, and firsthand experiences from Peterborough residents who own and live in ADUs.

Panelists included:

- Danica Miller, Town of Peterborough Director of Planning & Building
- James Vayo, New Hampshire ADU Specialist
- Jaime Frederes, Director of Residential Lending, Bar Harbor Bank & Trust
- Peterborough ADU Owners, Michael & Nancy Weil
- Peterborough ADU Occupant, Aaron Smith-Walter
- Matt Lambert, Owner, HNL Contracting

Scan to watch
the videos



Recordings of both sessions remain available and continue to serve as valuable resources for homeowners interested in creating an ADU and contributing to Peterborough's diverse and affordable housing supply.

ADU Tour

To help residents better understand the role Accessory Dwelling Units (ADUs) can play in addressing local housing needs, the Peterborough Affordable Housing Committee and the Office of Planning & Building collaborated to host a community ADU Bus Tour. This unique educational event provided participants with an opportunity to see a variety of ADUs firsthand and learn directly from homeowners and housing professionals.

The guided tour visited several ADUs throughout Peterborough, showcasing different designs, sizes, and approaches to creating small, secondary homes. Participants were able to explore the properties, ask questions, and gain practical insights into topics such as design, construction, permitting, financing, and day-to-day living in an ADU. Several homeowners opened their units for interior tours, allowing attendees to experience the functionality and character of these spaces up close.

By moving the conversation beyond presentations and plans, the bus tour demonstrated how ADUs can successfully provide housing for family members, caregivers, workers, and renters while fitting comfortably within existing neighborhoods. The event offered a valuable opportunity for residents to learn from real examples and better understand how ADUs can contribute to a more diverse, flexible, and affordable housing supply in Peterborough.

Scan to watch
the videos



Envision Town: Student Challenge for Affordable Housing

This project was a collaborative initiative led by the Peterborough Affordable Housing Committee and the Office of Planning & Building to explore innovative solutions to local housing needs with the aid of Keene State College Architecture students. Focused on reimagining underutilized and undeveloped properties as vibrant mixed-use developments, the project promoted affordable housing while supporting broader community goals. Its success was recognized with the Project of the Year Award from the Northern New England Chapter of the American Planning Association (NNECAPA) in 2025.

A key component of the initiative was a partnership with senior architecture students from Keene State College, who developed redevelopment concepts for real sites in Peterborough. Their proposals reflected the Town's Master Plan, zoning regulations, and vision for sustainable growth, demonstrating how thoughtful design can expand housing opportunities while enhancing community character.

As the project evolved, Envision Town expanded to highlight Accessory Dwelling Units (ADUs) in 2026 as an important strategy for increasing housing choice. While larger redevelopment projects remain a critical part of addressing housing needs, ADUs offer a smaller-scale, neighborhood-friendly solution that can create new homes while preserving the character of existing residential areas. Their inclusion reinforced the project's goal of promoting a diverse range of housing options to meet the needs of seniors, young professionals, families, and the local workforce.

Scan to see all
the projects



This project culminates in a public presentation attended by developers, affordable housing organizations, financiers, property owners, real estate professionals, architects, and community members. Alongside the student proposals, Town staff shared information on funding opportunities, including grants and tax credits, that can help support housing development.

By combining community engagement, academic partnership, and innovative planning, Envision Town demonstrated how communities can think creatively about land use and housing. The concepts, renderings, and ADU-focused strategies developed through the initiative continue to serve as valuable examples of how Peterborough can foster a more diverse, attainable, and resilient housing future.

Monadnock Region ADU Design Challenge

Hosted by the Southwest Region Planning Commission (SWRPC), the Monadnock Region ADU Design Challenge was created to help homeowners explore the potential of adding an Accessory Dwelling Unit (ADU) to their property while building greater community awareness of this important housing tool. The initiative connected interested homeowners with architects, design professionals, builders, and students who developed conceptual ADU designs tailored to the participating properties.

For homeowners, the challenge provided an opportunity to receive free design assistance and professional ideas for how an ADU could be integrated into their property. For participating designers and building professionals, it offered valuable experience, public recognition, and the chance to compete for cash prizes.

By showcasing a variety of site conditions, design approaches, and housing needs, the challenge demonstrated that there is no single solution to the housing shortage. Instead, ADUs can serve as a practical and flexible strategy for creating homes for aging parents, young professionals, caregivers, local workers, and others seeking housing within the Monadnock Region.

To encourage continued learning and collaboration, all design submissions, participant biographies, and contact information were made publicly available, providing residents with resources and professional connections as they consider housing solutions of their own.

Scan to see all
the projects



Conclusion

Peterborough's commitment to expanding housing choice is strengthened through continued collaboration among local boards, regional organizations, housing advocates, educational institutions, and community members. Initiatives such as public seminars, ADU tours, design challenges, and Envision Town have shown that meaningful progress is possible when residents are empowered with information, resources, and examples of successful projects.

Whether you are exploring an ADU for a family member, considering a rental unit, or simply looking for ways to make better use of your property, we encourage you to take the next step. Connect with the Office of Planning & Building, to start your project today!

Danica Miller

Director of Planning & Building
Danica@peterboroughnh.gov
603-924-8000 ext 116

Trisha Cheever-Wolfe

Energy & Community Planner
Trisha@peterboroughnh.gov
603-924-8000 ext 107

Tim Herlihy

Code Enforcement Officer
THerlihy@peterboroughnh.gov
603-924-8000 ext 118

To schedule an appointment, contact:

Phillip Mullen

Planning & Building Coordinator
PMullen@peterboroughnh.gov
603-924-8000 ext 104



www.peterboroughnh.gov

Knollwood Energy

Effective Date: July 23, 2026

Facility: 35 Elm Street, Peterborough, NH 03458

Contract End Date (Initial Term): December 31, 2028

Town Receives: 95% of Knollwood's average net REC sales price

Knollwood Minimum Commission: \$3.50 per REC. This means Knollwood keeps at least \$3.50 per REC regardless of the sale price

Automatic Renewal: The agreement automatically renews for successive one-year periods unless either party gives at least 90 days' written notice before the next renewal period

Considerations:

- The Town transfers all rights, title, and interest in RECs generated by the facility to Knollwood during the contract period. The Town cannot sell these RECs elsewhere or claim them for other renewable energy accounting purposes.
- The Town is not receiving a fixed REC price. Instead, it receives 95% of Knollwood's average net sales price, after Knollwood retains at least its minimum commission.
- The Town can request that RECs be sold at a specific time, but overall sales management remains largely under Knollwood's control.
- The contract automatically renews annually after 2028 unless notice is provided at least 90 days before renewal.
- Knollwood pays the Town within 10 business days after Knollwood receives payment from the ultimate REC buyer.
- The agreement places sole responsibility on the Town to ensure production data is reported correctly.
- The contract specifically warns that if monthly meter readings are not provided, the Town may lose production records and the associated RECs.
- Knollwood may terminate if: RECs become ineligible for sale; state REC programs change significantly; required information is not provided; the Town breaches warranties.
- If RECs have been generated but not yet sold when the contract ends, Knollwood retains the right to sell them. The Town does not recover those RECs.

Question:

Is there any way you could share historical REC pricing information? This will give them an idea as to an estimate to revenue that will be coming in.

Answer:

The value of RECs has been between \$37-\$40 before our minimum fee, which in this case would be \$3.50/credit. Therefore, based on system capacity, the estimated annual value of RECs would be around \$950 to \$1,000 per year. However, we will not know the exact value of the RECs until they mint each quarter, based on the state's production reporting schedule.

You earn one credit for every 1000 kWh (1 MWh) of solar energy your system generates. We will sell your credits and provide reimbursement on a quarterly basis according to the following schedule:

- * Production from January - March: RECs created on July 15th, with payment issued 2-4 weeks following.
- * Production from April - June: RECs created on October 15th, with payment issued 2-4 weeks following.
- * Production from July - September: RECs created on January 15th, with payment issued 2-4 weeks following.
- * Production from October - December: RECs created on April 15th, with payment issued 2-4 weeks following.

Question:

The effective date within the provided Contract is July 23, 2026—will this date be adjusted at any point—i.e. if a contract is signed with Knollwood? Is there significance to this date?

Answer:

The date you are referring to is when we originally sent you the contract. However, the actual start date of any contract is the date the state agency approves the registration. Once customers sign the contract, we register the system with the state. The state reviews the registration and determines when the system is eligible for RECs, which is usually based on the interconnection date and when a quarter has minted and closed.



TOWN OF
PETERBOROUGH
Finance Department

1 Grove Street
Peterborough, NH 03458
Office: (603) 924-8000, Ext 114
Cell: (603) 831-3039
Email: lgilligan@peterboroughnh.gov

To: The Peterborough Select Board
From: Lilli Gilligan, Finance Director
Date: August 12, 2026
Re: Vote Request to Expend from Trust Funds

A vote to use from the Greater Downtown District Expendable Trust Fund for the:

- Annual Porta-potties in Depot Square expenses: \$5,000



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PETERBOROUGH
Finance Department

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Peterborough, NH 03458
Office: (603) 924-8000, Ext 114
Cell: (603) 831-3039
Email: lgilligan@peterboroughnh.gov

To: The Peterborough Select Board
From: Lilli Gilligan, Finance Director
Date: August 13, 2026
Re: Update of Revenues and Fund Balance

I have reviewed the Revenue projections for FY27 for Tax Rate Setting as they are due to the DRA by September 1st. My recommended adjustments were to:

- Decrease the bank interest from \$500,000 to \$375,000 due to current cash balances and a steady 2.7% interest rate.
- Increase the Land Use Change Taxes from \$25,000 to \$76,300 based on current applications.
- Increase the due from local governments from \$1,062,011 to \$1,321,691 due to our new contract with Hancock for policing. I have made an assumption that we will continue this coverage until the end of the calendar year. If we will be continuing for a longer period, we can re-update this figure before setting Tax Rate in October.
- The net effect is a 1.51% reduction to the raise and appropriate figure over last year, which is \$185,980 less.

FY26 has concluded and our auditors were here this week. We will have an auditor approved Fund Balance figure in six weeks, but the highlights are:

- Increase of \$541,652 from revenues that exceeded projections.
- Increase of \$108,040 from the unspent expenditures after encumbering the paving and sidewalk budgets in FY27.
- We did not need to use the Emergency Use of Fund Balance of \$215,548.
- New approximate figure of Fund balance that can be used to lower Tax Rate or offset the amount to raise and appropriate for Warrant Articles is \$1,892,743.

August 26, 2026

Dear Members of the Peterborough Select Board,

Please accept this letter as my resignation from the elected position of Town Treasurer, effective August 31, 2026.

This was not an easy decision. When I was elected to a second three-year term, I fully intended to serve through its conclusion in May 2027. However, as I prepare to begin a new full-time professional role, I have given considerable thought to the time and attention I want to devote to that transition. I have concluded that stepping away from my responsibilities as Treasurer is the right decision and will allow me to give my new role the focus necessary to be successful.

It has been a privilege to serve the Town of Peterborough and its residents as Treasurer. I am grateful for the trust the voters placed in me and for the opportunity to work alongside Town staff, the Select Board, and others who take such care in stewarding the Town's financial resources.

I have spoken with Deputy Treasurer Leslie Lewis about my decision, and she is willing and prepared to serve as Treasurer upon my resignation. Leslie is fully trained in the responsibilities of the office, and I am confident in her ability to serve the Town well and provide continuity through this transition.

Thank you for the opportunity to serve Peterborough in this capacity. I remain deeply appreciative of the trust placed in me and proud to have contributed to the community I call home.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mandy Sliver', with a stylized, cursive script.

Mandy Sliver

Cc:

Linda M. Guyette, Town Clerk
Nicole MacStay, Town Administrator
Lilli Gilligan, Finance Director
Leslie Lewis, Deputy Treasurer

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement	GRANT NUMBER (FAIN): 00A01765 MODIFICATION NUMBER: 0 PROGRAM CODE: CG	DATE OF AWARD 08/05/2026
		TYPE OF ACTION: New	MAILING DATE 08/10/2026
		PAYMENT METHOD: ASAP	ACH#
		RECIPIENT TYPE: Municipal	
RECIPIENT: Town of Peterborough 1 Grove Street Peterborough, NH 03458 EIN: 02-6000690		Send Payment Request to: Contact EPA RTPFC at: rtpfc-grants@epa.gov	
PROJECT MANAGER Nicole MacStay 1 Grove Street Peterborough, NH 03458 Email: NMacstay@peterboroughnh.gov Phone: 603-924-8000		EPA PROJECT OFFICER Ted Lavery 5 Post Office Square, Suite 100 Boston, MA 02109 Email: Lavery.Ted@epa.gov Phone: 617-918-1683	EPA GRANT SPECIALIST Trevor Tavano Grants Management Branch 5 Post Office Square, Suite 100 Boston, MA 02109 Email: Tavano.Trevor@epa.gov Phone: 617-918-1235
PROJECT TITLE AND DESCRIPTION Town of Peterborough Water Main Replacement Project See Attachment 1 for project description.			
BUDGET PERIOD 11/01/2021 - 03/01/2025	PROJECT PERIOD 11/01/2021 - 03/01/2025	TOTAL BUDGET PERIOD COST \$ 297,057.00	TOTAL PROJECT PERIOD COST \$ 297,057.00
NOTICE OF AWARD Based on your Application dated 08/28/2024 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$ 277,804.00. EPA agrees to cost-share 80.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$ 277,804.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 1, EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		ORGANIZATION / ADDRESS U.S. EPA, Region 1, EPA New England R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Arthur Johnson - Director, Mission Support Division			DATE 08/05/2026

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$ 0
2. Fringe Benefits	\$ 0
3. Travel	\$ 0
4. Equipment	\$ 0
5. Supplies	\$ 0
6. Contractual	\$ 0
7. Construction	\$ 347,255
8. Other	\$ 0
9. Total Direct Charges	\$ 347,255
10. Indirect Costs: 0.00 % Base -	\$ 0
11. Total (Share: Recipient <u>20.00</u> % Federal <u>80.00</u> %)	\$ 347,255
12. Total Approved Assistance Amount	\$ 277,804
13. Program Income	\$ 0
14. Total EPA Amount Awarded This Action	\$ 277,804
15. Total EPA Amount Awarded To Date	\$ 277,804

Attachment 1 - Project Description

This agreement provides funding to Town of Peterborough, New Hampshire to implement its project for the Town of Peterborough Water Main Replacement Project as directed in the 2022 Consolidated Appropriations Act. The purpose of the project is to install water supply pipeline to improve drinking water and fire suppression for the Town of Peterborough NH. The project pipeline was included within the NH DOT construction of a bridge project. The activities to be performed include the execution and implementation of constructing a drinking water main project inside the US Route 202/NH Route 101 Bridge (Bridge No. 087/077). Workplan activities consist of: the construction of a water main within a newly constructed bridge over the Contoocook River in Peterborough, New Hampshire. The project involves the replacement of the US Route 202/NH Route 101 Bridge (Bridge No.087/077) over the Contoocook River in Peterborough, NH. The project also includes minor approach road work and stormwater improvements. Materials installed include: 848 linear feet (LF) of 12" cement-lined ductile iron water pipe, 234 LF of 12" supported cement-lined DI water pipe and associated fittings (gate valves) and appurtenances.

The anticipated deliverables include the construction of a drinking water main inside the US Route 202/NH Route 101 Bridge (Bridge No.087/077), The necessary connections, hydrants and valves to operate the water main on both sides of the bridge.

The expected outcomes include improved water service and fire protection access for residents of Peterborough, NH. Specifically, service line connections, curb stops with boxes, hydrant installation. Project eliminated an aging, high-risk pipe located beneath the riverbed.

The intended beneficiaries include the residents of Peterborough, NH. The project will enhance the water distribution network with improved access for maintenance.

No subawards are included in this assistance agreement.

Administrative Conditions

National Administrative Terms and Conditions

The recipient agrees to comply with the current Environmental Protection Agency (EPA) general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2025-or-later>

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>.

A. Correspondence Condition

The terms and conditions of this agreement require the submittal of reports, specific requests for approval, or notifications to EPA. Unless otherwise noted, all such correspondence should be sent to the following email addresses:

- Federal Financial Reports (SF-425): rtpfc-grants@epa.gov
- All other forms/certifications/assurances, Indirect Cost Rate Agreements, Requests for Extensions of the Budget and Project Period, Amendment Requests, Requests for other Prior Approvals, updates to recipient information (including email addresses, changes in contact information or changes in authorized representatives) and other notifications: **Grants Specialist and Project Officer on Page 1 of Award Document**
- Workplan revisions, equipment lists, programmatic reports and deliverables: **Project Officer on Page 1 of Award Document**
- Quality Assurance documents, **Project Officer on Page 1 of Award Document AND** R1QAPPs@epa.gov

B. Pre-Award Costs

In accordance with 2 CFR 1500.9, the recipient may charge otherwise allowable pre-award costs (both Federal and non-Federal cost sharing) incurred from **11/01/2021** to the actual award date provided that such costs were contained in the approved application and all costs are incurred within the approved budget period.

C. Prior Approval of Payments for EPA Community Grants

The recipient must submit Payment Requests via email using Standard Form 270 (SF-270), "Request for Advance or Reimbursement" via email to the EPA Grants Management Specialist and EPA Project Officer listed in the award agreement. In addition, the recipient must attach supporting documentation substantiating costs listed on the SF-270 form. The SF-270 form and instructions for completing this form are available at <https://www.epa.gov/grants/epa-grantee-forms>. Payment Requests should report cumulative expenditures (both federal and non-federal) incurred under the grant. The EPA will approve payments for allowable expenditures at the ratio shown in the latest applicable grant agreement.

Supporting documentation must be submitted in pdf or other acceptable software format (e.g., DocuSign) and the

SF-270 form must be electronically or digitally signed by the recipient's authorized representative or their designee in accordance with EPA's Recipient/Applicant Information Notice (RAIN), [Establishment of Standards for Submission of Administrative and Financial Assistance Agreement Forms/Documents with Electronic or Digital Signatures by Email](#). Supporting documentation may include copies of bills (vouchers, invoices, etc.), along with a description of services rendered, time spent, and charges. The table below provides examples of acceptable supporting documentation.

As a reminder, please refer to the grant-specific Programmatic Terms and Conditions, as well as the [EPA General Terms and Conditions](#), applicable to this award for additional information regarding procurement documentation submission, American Iron and Steel (AIS), Build America, Buy America Act (BABA), Davis-Bacon, and other requirements.

After EPA review and written approval of Payment Request documentation, the recipient may request funds via the U.S. Treasury's Automated Standard Application for Payment (ASAP) system for 100% of the total allowable expenditures shown on the SF-270 for the covered period (i.e., the Federal share). If EPA has waived the cost-share requirement for the grant, EPA may pay 100% of the allowable costs reported for that period. If EPA identifies any unallowable or unresolved costs in the Payment Request documentation, the recipient must revise and resubmit the SF-270 to reflect the correct amount of costs. Any questioned or disallowed costs will be detailed in writing by the EPA Grants Management Officer (GMO) or authorized Award Official.

Payment for costs approved by the EPA and authorized for drawdown by the recipient via ASAP will be credited to the recipient's designated financial institution (Refer to the Financial Information section in the [EPA General Terms and Conditions](#) applicable to this award).

The EPA Grants Management Officer (GMO) or authorized Award Official reserves the right to adjust the prior approval requirement after a number of payments are processed successfully (e.g., where the recipient submits accurate SF-270s with complete supporting documentation). The EPA GMO or authorized Award Official will consult with the EPA Project Officer to discuss any potential changes to this requirement. Any changes to this requirement will be implemented via a formal grant amendment updating the terms and conditions in the award document.

SUPPORTING DOCUMENTATION BY BUDGET CATEGORY	
BUDGET CATEGORY	ACCEPTABLE DOCUMENTATION
1. PERSONNEL (for both EPA-funded and non-EPA funded employees whose services will count towards the recipient's cost share) Records must: •Meet the requirements in 2 CFR 200.430 (g) for producing accurate information regarding actual hours an employee worked performing the EPA agreement. •Reflect 100% of actual hours worked daily and the projects, programs or activities worked, not estimated amounts or percentages. They must also reflect non-working hours used during the pay period. •Be certified by an appropriate recipient manager indicating that the hours shown as worked in support of the EPA assistance agreement were actually spent on activities approved and eligible under the agreement for which the costs are claimed.	

• Contain names of employees charging time to the agreement, with explicit indication of number of hours charged, the hourly rate, and the total amount thereof charged.	
1a. Working Hours	Copies of time sheets or equivalent records
1b. Non-Working Hours (e.g., sick leave, annual leave, holiday pay, etc.) being charged to the agreement if not covered by a leave rate or included in fringe benefits.	A schedule or report showing the non-working hour cost calculations and amounts claimed, including the applicable accruals and distribution methodologies for the periods used in the calculations.
2. FRINGE BENEFITS – If applicable, approved fringe rate or actual costs per employee.	A schedule or report showing the fringe benefit cost calculations per employee, per pay period being claimed for payment and charged to the assistance agreement. Individual items included in approved fringe benefit rates must be identified.
3. INDIRECT COSTS – Must have an approved indirect cost rate agreement covering the period for the indirect costs being claimed or opt to use up to a 15% de minimis rate of Modified Total Direct Costs. Refer to the "Indirect Cost Rate Agreements" in the General Terms and Conditions for additional information.	A schedule or report showing the indirect costs calculations and amounts claimed and charged to the assistance agreement, including the applicable rates and cost basis for the periods used in the calculations.
4. TRAVEL Note: First class/business class travel costs are not allowable.	• Listing of trips taken, trip dates, location, purpose, and actual costs incurred. • Copy of signed and dated authorization documents for each trip. • Written certification by employee's supervisor or other authorized official that the trip took place. • Copies of signed and dated travel vouchers showing actual expenditures.
5. EQUIPMENT – Records must show equipment items, quantity, unit cost, and total amount consistent with the Purchase Order and Request For Proposal.	• Copies of procurement documentation, including quotes or bid announcements as required (unless already provided to the EPA). • Copies of vendor invoices. • Copies of sufficient AIS/BABA manufacturer certification letters, or documentation of appropriate waiver coverage, if applicable.
6. SUPPLIES	• Invoices showing supply items, quantity, unit cost, and total amount consistent with the Purchase Order. • Copies of procurement requests. • Copies of sufficient AIS/BABA certification letters or documentation of appropriate waiver coverage, if applicable.
7. CONTRACTUALS As required by 2 CFR 200.327, the recipient contracts must include all applicable clauses contained in Appendix II to 2 CFR Part 200, in addition to provisions relating	• Solicitation documents (e.g., requests for proposals or requests for qualifications, as applicable). • Evidence of the selection decision and a cost and price analysis, as applicable.

to American Iron and Steel and the Build America, Buy America Act, as applicable. NOTE: per the grant-specific programmatic Terms and Conditions of the award, all contracts should have already been reviewed and approved by the EPA Project Officer. Contracts for Architectural and Engineering services are included in this category. The costs for consultant compensation that are charged to the EPA assistance agreement (including cost shares) must not exceed the consultant cap (Level IV of the Executive Schedule) as described at 2 CFR 1500.10. More information is found in the General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance (RAIN-2019-G02-R2)	Copies of contractor invoices*(unless previously provided to the EPA)
8. CONSTRUCTION This category includes contracts for general construction and other contractor costs for activities described in EPA's Small and Disadvantaged Business (DBE) rule at 40 CFR 33.103. More information is found in the General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance (RAIN-2019-G02-R2). As required by 2 CFR 200.327, the recipient contracts must include all applicable clauses contained in Appendix II to 2 CFR Part 200, in addition to provisions relating to American Iron and Steel and the Build America, Buy America Act, as applicable. NOTE: per the grant-specific programmatic Terms and Conditions of the award, all contracts should have already been reviewed and approved by the EPA Project Officer.	• Solicitation documents (e.g., requests for proposals or quotes).* • Evidence of the selection decision and a cost and price analysis.* • Copies of contractor and vendor invoices. • Copies of sufficient AIS/BABA certification letters or documentation of appropriate waiver coverage, if applicable.*(unless previously provided to the EPA)
9. OTHER If subaward costs are being claimed, a copy of the executed subaward agreement must be provided to the EPA (unless already provided). The subaward agreement must comply with the requirements of the subaward term and condition of the EPA award and 2 CFR 200.331 and 200.332.	• Copies of procurement requests.* • Copies of sufficient AIS/BABA certification letters or documentation of appropriate waiver coverage, if applicable. • Quotes or bid announcements, as required. • Documentation of participant support cost payments approved in the budget. • Cost Calculations/Allocations of shared costs like rent, utilities, etc. *(unless previously provided to the EPA)

Programmatic Conditions

GRANT-SPECIFIC PROGRAMMATIC TERMS AND CONDITIONS FOR EPA COMMUNITY GRANTS

A. Performance Reporting ([2 CFR 200.329](#))

The recipient agrees to submit semi-annual performance reports to the EPA Project Officer **on a semi-annual basis, no later than April 30 and October 30 of each year**. The final performance report must be submitted no later than 120 calendar days after the period of performance end date.

Performance reports must relate financial data and accomplishments to performance goals and objectives; include brief information on each of the following areas: 1) a comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement workplan for the period; 2) the reasons for slippage if established outputs/outcomes were not met; and 3) additional pertinent information, including, when appropriate, analysis and formation of cost overruns or high unit costs.

The recipient agrees to inform EPA as soon as problems, delays, or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement workplan.

B. Project Changes

The recipient must obtain written EPA approval before implementing changes which alter the project performance standards; change the scope or objectives of the project or substantially alter the design of the project; transfer funds between construction and non-construction budget categories; significantly delay or accelerate the project schedule; substantially alter the facilities plan, design drawings and specifications, or the location, size, capacity, or quality of any major part of the project.

C. Right of Access ([2 CFR 200.337](#))

EPA will have access to all records which are pertinent to the assistance agreement (including fiscal, procurement, and engineering data and files), and EPA may conduct site visits and inspections related to progress of the assistance agreement workplan activities.

• Procurement Document Submission

(1) With the exception of projects that qualify for the procurement flexibilities in the FY 2024 Consolidated Appropriations Act (P.L. 118-42) discussed below in term and condition D. Procurement, the recipient shall submit a copy of all proposed and/or executed contracts for services (including professional and construction), supplies, and equipment over \$250,000 to the EPA Project Officer for review. The submittal of the proposed and/or executed contracts must include procurement records.

(a) Recipient agrees to submit plans and specifications, requests for proposals, invitations for bids, scopes of work, and/or plans and specifications to the EPA Project Officer for review prior to advertising for bids, or as soon as practicable thereafter if a contract has been executed or performance under the contract has begun. Recipient will also submit any addenda to these documents to the EPA Project Officer for review prior to the opening of bids, or as soon as practicable thereafter if a contract has been executed or performance under the contract has begun.

(b) Recipient agrees to submit to the EPA Project Officer, within ten calendar days after a bid opening, or as soon as practicable thereafter if a contract has been executed or performance under the contract has begun, the bid

package of the lowest responsive, responsible bidder for review prior to the award of a contract, or as soon as practicable thereafter if a contract has been executed or performance under the contract has begun. The bid package will include a bid tabulation, a copy of the proof of advertising, the bid bond of the low bidder, the MBE/WBE proposed utilization by the low bidder with a statement from Recipient that the efforts taken by the low bidder meet the regulatory requirements, and the recommendation to award a contract to the low bidder.

(c) Recipient agrees to submit to the EPA Project Officer for review any proposed and/or executed contract for services, such as architectural/engineering or grant management or construction, prior to signing each contract, or as soon as practicable thereafter if a contract has been executed or performance under the contract has begun, as well as any change orders executed after the award of the contract. A description of the process used to procure those services will also be submitted. To be accepted as allowable project costs, such procurements/contracts must comply with all statutory and regulatory requirements, including [40 U.S.C. 1101 et seq. \(the Brooks Act\)](#) or an equivalent State qualifications-based procurement requirement, as applicable; [2 CFR Part 200](#); [2 CFR Part 1500](#); and/or [40 CFR Part 33](#).

(2) Recipients that qualify for the procurement flexibilities discussed below in term and condition D. Procurement, must provide to the EPA upon request solicitation documents (e.g., Request for Proposals or Request for Qualifications), contracts, and/or any other pertinent documents relating to the process used to enter the contract.

(3) All recipients, to include those that qualify for the procurement flexibilities in the FY 2024 Consolidated Appropriations Act (P.L. 118-42) discussed below in term and condition D. Procurement must comply with the requirements in the Davis-Bacon Act, American Iron and Steel (AIS), and Build America, Buy America (BABA) in any procurements and resulting contracts as applicable. These requirements include incorporating the appropriate prevailing wage determinations and AIS/BABA in the solicitation documents.

D. PROCUREMENT

The FY2024 Consolidated Appropriations Act (P.L. 118-42), which was signed into law on March 9, 2024, states:

Provided further, that the funds made available under this heading for Community Project Funding/Congressionally Directed Spending grants in this or prior appropriations Acts are not subject to compliance with Federal procurement requirements for competition and methods of procurement applicable to Federal financial assistance, if a Community Project Funding/Congressionally Directed Spending recipient has procured services or products through contracts entered into prior to the date of enactment of this legislation that complied with state and/or local laws governing competition.

(a) Recipient with projects identified in the FY 2024 or prior (i.e., FY 2022 and FY2023) Appropriations Acts are not subject to compliance with Federal procurement requirements for competition and methods of procurement applicable to Federal financial assistance if the recipient has:

procured services or products through contracts entered into prior to March 9, 2024; and

complied with state and/or local laws governing competition (including laws/policies relating to participation by disadvantaged business enterprises or equivalent, as applicable, and method of payment).

The recipient must provide a written statement to the EPA Project Officer affirming any contracts entering into prior to March 9, 2024, complied with state and/or local laws governing competition (including laws/policies relating to participation by disadvantaged business enterprises or equivalent as applicable, and method of procurement). The statement must also include the date the contracts were entered into. The contract will be

considered covered by the provision upon receipt of written confirmation from EPA.

The recipient must retain documentation (e.g., solicitation documents, procurement certifications from state and/or local officials) demonstrating compliance of such contracts with state and/or local laws governing competition, including such laws relating to participation by disadvantaged business enterprises or equivalent as applicable.

(a)(1) Contract Amendments after March 9, 2024, and FY2024 Procurement Flexibility

Recipients with projects identified in the FY2024 or prior (i.e., FY2022 and FY2023) Appropriations Acts may not be subject to compliance with Federal procurement requirements for competition and methods of procurement applicable to Federal financial assistance (with the exception noted below in paragraph (a)(2) for contract modifications over the Simplified Acquisition Threshold in effect at the time of award) for contract amendments that occur after March 9, 2024, if the recipient has:

- (i) procured services or products through contracts entered into prior to March 9, 2024;
- (ii) entered into said contracts in compliance with state and/or local laws governing competition (including laws/policies relating to participation by disadvantaged business enterprises or equivalent, as applicable, and method of procurement); and
- (iii) complied with state and/or local laws relating to contract amendments as applicable.

The recipient must provide a written statement to the EPA Project Officer affirming any contracts entered into prior to March 9, 2024, and contract amendments after that date, complied with state and/or local laws governing competition (including laws/policies relating to participation by disadvantaged business enterprises or equivalent as applicable, and method of procurement). The statement must also include the date the contracts were entered into. The contracts and contract amendments will be considered covered by the provision upon receipt of written confirmation from EPA

The recipient must retain documentation (e.g., solicitation documents, procurement certifications from state and/or local officials) demonstrating compliance of such contracts and amendments with state and/or local laws governing competition, including such laws relating to participation by disadvantaged business enterprises or equivalent as applicable.

(2) Consistent with 2 CFR 200.324, the recipient further agrees that for all contract modifications/amendments in excess of the Simplified Acquisition Threshold in effect at the time of award, the recipient will: (i) perform a cost or price analysis; and (ii) negotiate profit as a separate element of the price for each contract amendment in all cases where cost analysis is performed.

(b) All other recipients who do not qualify for the procurement flexibilities discussed in section (a) must procure all services (professional, construction, etc.), supplies, and equipment awarded under this grant in accordance with all applicable federal requirements, including: [40 U.S.C.1101](#) et seq. (the Brooks Act) or an equivalent State qualifications-based procurement requirement, as applicable; [2 CFR Part 200](#); [2 CFR Part 1500](#); and/or [40 CFR Part 33](#). This includes all services (professional, construction, etc.), supplies, and equipment for which costs are approved as preaward costs.

(c) Recipient must comply with the procurement processes for architectural and engineering (A/E) services as described in [40 U.S.C. 1101 et seq.](#), or an equivalent State qualifications-based requirement.

Where equivalent State qualifications-based requirements are complied with, the source of the requirement (e.g., existing State legislation or regulation, etc.) must be stated, and a certification from the Governor of the State that the State's A/E procurement requirements are equivalent to [40 U.S.C. 1101 et seq.](#) must accompany the grant application. In lieu of a certification from the Governor, the Attorney General's certification submitted with each grant application may include this certification. The requirements of [40 U.S.C. 1101 et seq.](#) are:

Public announcement of the solicitation (e.g., public announcement of a Request for Qualifications);

Evaluation and ranking of the submitted qualifications statements based on established, publicly available criteria (e.g., criteria identified in the solicitation);

Evaluation criteria should be based on demonstrated competence and qualifications for the type of professional services required (e.g, past performance, specialized experience, and technical competence in the type of work required);

Discussion with at least three firms to consider anticipated concepts and compare alternative methods for furnishing services;

Selection of at least three firms considered to be the most highly qualified to provide the services required; and

Contract negotiation with the most highly qualified firm to determine compensation that is fair and reasonable based on a clear understanding of the project scope, complexity, professional nature, and the estimated value of the services to be rendered;

In the event that the recipient is unable to negotiate a satisfactory contract with the firm, the recipient shall formally terminate negotiations and then undertake negotiations with the next most qualified of the selected firms, continuing the process until an agreement is reached. If the recipient is unable to negotiate a satisfactory contract with any of the selected firms, the agency head shall select additional firms in order of their competence and qualification and continue negotiations in accordance with this section until an agreement is reached.

In the event that the State has no existing equivalent qualifications-based requirement for procurement, the federal requirements in [40 U.S.C. 1101 et seq.](#) apply.

(d) All recipient, to include those that qualify for the procurement flexibilities discussed in section (a), must comply with the requirements in the Davis-Bacon Act, American Iron and Steel (AIS), and Build America, Buy America (BABA) in any procurements and resulting contracts as applicable. These requirements include incorporating the appropriate prevailing wage determinations and AIS/BABA in the solicitation documents.

E. CYBERSECURITY CONDITION

Cybersecurity Grant Condition for Other Recipients, Including Intertribal Consortia and Non-profit Organizations

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State or Tribal law cybersecurity requirements.

(b) (1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system

for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient will contact the EPA Project Officer no later than 90 days after the date of this award and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(2) The recipient agrees that any subawards it makes, under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: (i) by including this requirement in subaward agreements; and (ii) during subrecipient monitoring deemed necessary by the recipient under [2 CFR 200.332\(d\)](#), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

F. SIGNAGE

The FY 2022 Consolidated Appropriations Act (Pub. Law 117-103), FY 2023 Consolidated Appropriations Act (Pub. Law 117-328), and FY 2024 Consolidated Appropriations Act (Pub. Law 118-42) provide that those federal requirements that would apply to a Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF) project grant recipient shall apply to a grantee receiving a Community Grant. Consequently, these Appropriations Acts extend Signage requirements applicable to SRF projects to Community Grants. The recipient agrees to comply with the SRF Signage Guidelines in order to enhance public awareness of EPA assistance agreements nationwide.

Basic Requirements

Recipients should note that they have the option of selecting different implementation options depending on the location, project type, and available resources. The costs of compliance with the signage requirements are allowable under the grant, provided the costs are reasonable. Recipients must ensure limited English proficient individuals have meaningful access to activities receiving EPA funds, consistent with Executive Order 13166 and EPA Order 1000.32. In this regard, to increase public awareness of projects serving communities where English is not the predominant language, EPA encourages recipients to translate the language used (excluding the EPA logo or seal) into the appropriate non-English language(s). The costs of such translation are allowable under the grant, provided the costs are reasonable.

Summary of Options

The SRF Signage Guidelines present a number of options which communities can explore to implement EPA's signage policy. The option selected should meet all of the Basic Requirements above while remaining cost-effective and accessible to a broad audience. The following strategies are acceptable options for communities to follow:

Standard Signage

Posters or wall signage in a public building or location

Newspaper or periodical advertisement for project construction, groundbreaking ceremony, or operation of the new or improved facility

Online signage placed on community website or social media outlet

Press release

Each of these options is described in more detail in the sections below.

Implementation Option: Standard Signage

EPA recommends that large projects that involve significant expansion or construction of a new facility elect to publicize through standard signage. This option should be selected for projects where the sign would be near a major road or thoroughfare or where the facility is in a location at which this would effectively publicize the upgrades. Some facilities will not find this an appropriate or cost-effective solution. For example, investing in a large road sign for a facility that is located in a rural area or where access is limited to a smaller service road would likely not be an optimal solution.

Signs can also be located away from the project site if there is another reasonable alternative. For example, a community may elect to place a sign advertising the project near a body of water that receives discharge from a particular facility.

Recipients selecting projects that will implement this requirement through use of a traditional sign should ensure the following are included:

The name of the facility, project, and community

Project cost (total grant award amount, i.e., federal share plus recipient contribution)

The EPA and Recipient logos (EPA logo may only be used on a sign)

If the EPA logo is displayed along with logos of other participating entities, the EPA logo must not be displayed in a manner that implies that EPA itself is conducting the project. Instead, the EPA logo must be accompanied with a statement indicating that the recipient received financial assistance from EPA for the project. As provided in the sign specifications from the EPA Office of Public Affairs (OPA), the EPA logo is the identifier for assistance agreement projects. Recipients are responsible to comply with the sign specifications provided by the OPA, available at [https://www.epa.gov/sites/default/files/2015-](https://www.epa.gov/sites/default/files/2015-01/documents/epa_logo_seal_specifications_for_infrastructure_grants.pdf)

01/documents/epa_logo_seal_specifications_for_infrastructure_grants.pdf. To obtain the appropriate EPA logo graphic file, the recipient should send a request directly to OPA and include the EPA Project Officer in the communication; contact information can be found at <https://www.epa.gov/aboutepa/using-epa-seal-and-logo#download>.

Implementation Option: Posters, Brochures, and/or Pamphlets

Smaller projects, projects located in rural areas, and other efforts may find that it is more cost-effective and practical to advertise efforts through creation of a poster or smaller sign. If the project involves nonpoint source or green infrastructure components, those can be described at the discretion of the recipient.

The poster or brochure and acknowledgement should be visible, as well as a website or other source of information

for individuals that may be curious about the Community Grants program. The recipient may also implement this option as a short pamphlet that is placed in one of the locations noted below for community members to read.

Posters, brochures, and/or pamphlets should be placed in a public location that is accessible to a wide audience of community members. This can include, but is not limited to:

Town or City Hall

Community Center

Locally owned or operated park or recreational facility

Public Library

County/municipal government facilities

Court house or other public meeting space

Given the low cost for producing multiple copies of the same poster, brochure, and/or pamphlet, communities can explore options for displaying these posters in several locations simultaneously. This would achieve the overall objective of reaching a broad audience and publicizing the project.

Projects that will implement this requirement through use of posters, brochures, and/or pamphlets should ensure the following are included:

Name of facility, project, and community

Project is wholly or partially funded with EPA funding

Brief description of project

Brief description of the water quality benefits the project will achieve

Implementation Option: Newsletters, Periodicals, and/or Press Releases

For communities where there is no suitable public space or where advertisement through signage is unlikely to reach community members effectively, projects can be advertised in a community newsletter or similar periodical. States can use guidelines from their standard public notice practices. For new construction, if a groundbreaking ceremony is to be held, an announcement could publicize or accompany publicity for this event.

In some cases, it may be appropriate for the recipient to issue a formal press release announcing construction of a new facility. Distributing a single prepared statement concisely summarizing the project purpose and the joint funding from EPA and community resources can reach a wide audience as the statement goes through multiple news outlets.

If the recipient decides on a public and/or media event to publicize the accomplishment of significant events related to the project as a result of EPA support, the recipient must provide EPA with at least ten working days' notice of the event and the opportunity to attend and participate in the event.

Recipients that will implement this requirement through use of a newsletter, periodical, or press release should ensure the following are included:

Name of facility, project, and community

Project is wholly or partially funded with EPA funding

Brief description of project

Brief description of the water quality benefits the project will achieve

Implementation Option: Inserts and/or Pamphlets in Water/Sewer Bills

Utilities can consider including a single-page insert within water and sewer bills that are mailed to residents and users in the affected community. This approach would effectively publicize the project to those individuals directly benefitting from the project. The flyer or insert could emphasize the environmental and public health benefits to the community.

Recipients that will implement this requirement through use of a newsletter, periodical, or press release should ensure the following are included:

Name of facility, project, and community

Project is wholly or partially funded with EPA funding

Brief description of project

Brief description of the water quality benefits the project will achieve

Implementation Option: Online and/or Social Media Publicity

Many communities are increasingly finding that the internet is the most cost-effective approach to publicizing their projects and reaching a broad audience of stakeholders. Online “signage” should follow the minimum information guidelines above and may appear on the town, community, and/or facility website if available. In some cases, communities may be active on social media sites such as Facebook or X, formally known as Twitter. These can be used as an opportunity for publicizing projects and information about how EPA funds are being used in the community.

These online announcements/notices may be appropriate for settings where physical signage would not be visible to a wide audience. They can be a more cost-effective option than traditional signs or publicity in print media outlets. This option may be most useful where the community's website is a well-recognized source of information for its residents.

In the case of some projects, such as nonpoint source, there might be additional opportunities for online publicity through partner agencies or organizations. This could take place either on the organization's website or through other social media outlets.

Projects that will implements this requirement through use of online and/or social media publicity should ensure the following are included:

Name of facility, project, and community

Project was wholly or partially funded with EPA funding

Brief description of the project

Brief listing of water quality benefits to be achieved

Suggested Language for Alternate Options

For any of the alternate implementation options listed above, recipients have discretion to structure their signage as they see appropriate. The language below is offered as an option for use in posters, pamphlets, brochures, press releases, and/or online materials. Communities may consider using the following:

“Construction of upgrades and improvements to the [Name of Facility, Project Location, or WWTP] were financed by the grant funding administered by the U.S. Environmental Protection Agency (EPA). EPA's Community Grant Program. This project will (description of project) and will provide water quality benefits [details specifying particular benefits] for community residents and businesses in and near (name of town, city, and/or water body or watershed to benefit from project.)”

For projects in certain areas, recipients should consider whether it is appropriate to include additional details about the project. Specific benefits, such as reduction of CSO events, lessening of nutrient pollution, reducing contaminant levels or water pumping costs, or improvements to a particular water body, may be of interest to community residents. In these cases, including additional detail would further serve to showcase positive efforts financed by EPA. Additionally, recipients may elect to detail improvements in energy efficiency or water conservation achieved by project upgrades. If the project includes green infrastructure components such as rain gardens and green roofs that have environmental and aesthetic benefits to the community, these can be described briefly as well. Again, this additional information can be included at the discretion of the recipient when it is appropriate, given the project type, location, and the type of signage or publicity effort selected.

G. Public or Media Events

The recipient will notify the EPA Project Officer listed in this award document of public or media events publicizing the accomplishment of significant events related to the project as a result of EPA support and provide the opportunity for attendance and participation by federal representatives with at least ten working days notice.

H. Federal Cross-cutting Requirements/Other Applicable Federal Laws

Recipient must comply with federal cross-cutting requirements as well as other applicable federal laws as provided in EPA's [Community Grants Program Final Implementation Guidance](#). For additional information on cross-cutting requirements, as well as applicability for recipients and subrecipients, visit <https://www.epa.gov/grants/epa-subaward-cross-cutter-requirements>.

I. American Iron and Steel (AIS)

AIS requirements apply to State Revolving Fund assistance agreements signed on or after January 17, 2014, including all treatment works projects funded by a CWSRF assistance agreement and all public water system projects funded by a DWSRF assistance agreement. Based on the directive Congressional language in the FY 2022, FY 2023, and FY 2024 Consolidated Appropriations Acts' (i.e., “Applicable Federal requirements that would

apply to a Clean Water State Revolving Fund or Drinking Water State Revolving Fund project grant recipient shall apply to a grantee receiving a CPF grant under this section”), AIS requirements apply to this award agreement.

(a) *Definitions.* As used in this award term and condition—

(1) “iron and steel products” mean the following products made primarily of iron or steel, where “primarily” means 50% or greater iron/steel, measured by materials costs: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and ferrous construction materials.

(2) “steel” means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

(b) *Domestic preference.*

(1) This award term and condition requires that all iron and steel products used for a project for the construction, alteration, maintenance or repair of a public water system or treatment work are produced in the United States except as provided in paragraph (b)(2) of this section and condition. “Produced in the United States means all manufacturing processes, beginning with initial melting, must occur in the United States.

(2) This requirement shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency finds that—

(i) applying the requirement would be inconsistent with the public interest;

(ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(3) The Build America, Buy America (BABA) Act requirements do not supersede the AIS requirements, and both provisions still apply and work in conjunction. Compliance with AIS requirements meets the BABA requirements for iron and steel.

(c) *Request for a Waiver under (b)(2) of this section*

(1) Any recipient request to use foreign iron or steel products in accordance with paragraph

(b)(2) of this section shall include adequate information for federal Government evaluation of the request, including—

(i) A description of the foreign and domestic iron and/or steel, ;

(ii) Unit of measure;

(iii) Quantity;

(iv) Cost;

(v) Time of delivery or availability;

(vi) Location of the project;

(vii) Name and address of the proposed supplier; and

(viii) A detailed justification of the reason for use of foreign iron or steel products cited in accordance with paragraph (b)(2) of this section.

(2) If the Administrator receives a request for a waiver under this section, the waiver request shall be made available to the public for at least 15 days prior to making a finding based on the request.

(3) Unless the Administrator issues a waiver of this term, use of foreign iron and steel products is noncompliant with Section 608 of the Clean Water Act and Section 1452(a)(4) of the Safe Drinking Water Act.

(d) This term and condition shall be applied in a manner consistent with United States obligations under international agreements.

J. Build America, Buy America Act

This term and condition supplements the “Build America, Buy America” term and condition included in EPA's [General Terms and Conditions](#).

(a) Definitions.

As used in this award term and condition —

(1) “Build America, Buy America Preference” means the “domestic content procurement preference” set forth in section 70914 of the Build America, Buy America Act, which requires the head of each Federal agency to ensure that none of the funds made available for a Federal award for an infrastructure project may be obligated unless all of the iron, steel, manufactured products, and construction materials incorporated into the project are produced in the United States.

(2) “Infrastructure” encompasses public infrastructure projects in the United States, which includes, at a minimum, the structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property; and structures, facilities, and equipment that generate, transport, and distribute energy including electric vehicle (EV) charging.

(3) “Infrastructure Project” means any activity related to the construction, alteration, maintenance, or repair of infrastructure in the United States regardless of whether infrastructure is the primary purpose of the project.

(b) Domestic Preference.

This term and condition implements the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, including Build America, Buy America Act, Pub. L. No. 117-58, §§70901-52. None of the funds provided under this award may be used for a project for infrastructure unless:

(1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;

(2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard that meets or exceeds this standard has been established under applicable law or regulation for determining the minimum amount of domestic content of the manufactured product; and

(3) all construction materials are manufactured in the United States. All manufacturing processes for the construction material occurred in the United States. Construction materials includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives—that is or consists primarily of:

non-ferrous metals;

plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);

fiber optic cable (including drop cable);

optical fiber;

glass (including optic glass);

lumber;

drywall; and

engineered wood

(4) The Build America, Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

(c) Waiver Request.

(1) When necessary, recipients may apply for a waiver from these requirements.

(2) A request to waive the application of the domestic content procurement preference must be in writing and submitted following the waiver instructions at <https://www.epa.gov/cwsrf/build-america-buy-america-baba>.

(3) Waiver requests are subject to public comment for at least 15 days prior to making a finding based on the request.

(4) Waiver requests are subject to review by the Office of Management and Budget's Made in America Office.

(5) There may be instances where an award qualifies, in whole or in part, for an existing waiver described at <https://www.epa.gov/cwsrf/build-america-buy-america-baba-approved-waivers>.

(6) The U.S. Environmental Protection Agency may grant a waiver based upon one of the exceptions as established in Section 70914(b) of the Infrastructure Investment and Jobs Act and further described in the Office of Management and Budget Memorandum M-24-02-.

(7) Any recipient waiver request to use foreign iron, steel, manufactured products, and/or construction materials in an infrastructure project shall include adequate information for the Federal Government evaluation of the request, including—

i. The Federal Award Identification Number (FAIN);

ii. Location and description of the project;

iii. Total cost of infrastructure expenditures, including federal and non-federal funds;

iv. List of iron or steel item(s), manufactured products, and construction material(s) proposed to be excepted from Buy America requirements, including name, cost, country(ies) of origin (if known), relevant Product Services Code (PSC) and North American Industry Classification System (NAICS) code for each, unit of measure, quantity, time of delivery or availability, and name and address of the proposed supplier;

v. Project schedule including earliest targeted installation dates of items requested to be waived;

vi. A detailed justification of the reason for use of foreign iron, steel, manufactured products, and/or construction materials;

vii. Recipient's Unique Entity Identifier (UEI);

vii. Anticipated impact if no waiver is issued; and

viii. A certification that the federal official or assistance recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.

(8) Unless a waiver applies, use of foreign iron, steel, manufactured products, and/or construction materials that are consumed in, incorporated into, or affixed to an infrastructure project is noncompliant with this term and condition pursuant to the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, including Build America, Buy America Act, Pub. L. No. 117-58 §§70901-52.

(d) Waiver Evidence Submission.

(1) The recipient must maintain documentation of any use of materials which are considered de minimis and are covered by an [existing waiver](#) (e.g. miscellaneous, generally low-cost products that are essential for construction and are incorporated into the physical structure of the project) with grant project files for a period of three years from the date of submission of the final expenditure report, in accordance with [2 CFR 200.334](#).

(2) If the recipient seeks coverage under an existing general applicability [BABA waiver](#), the recipient agrees to submit available evidence to the EPA Project Officer to support such a determination as identified in the BABA waiver. The recipient shall maintain this evidence with grant project files for a period of three years from the date of submission of the final expenditure report, in accordance with [2 CFR 200.334](#).

K. Environmental Review

In accordance with the requirements of the National Environmental Policy Act, EPA has issued a categorical exclusion for this project in accordance with provisions in [40 CFR Part 6](#). If EPA determines that a categorical exclusion is not appropriate for this project, the recipient agrees to submit information necessary for EPA to prepare an Environmental Assessment and issue a Finding of No Significant Impact. If the scope of the project changes, the recipient understands that additional environmental review may be necessary.

L. Davis-Bacon Labor Standards

1. Program Applicability

a. Program Name: Community Grants Program

b. Statutes requiring compliance with Davis-Bacon:

Consolidated Appropriations Act, 2022 (P.L. 117-103);

Consolidated Appropriations Act, 2023 (P.L. 117-328); and

Consolidated Appropriations Act, 2024 (P.L. 118-42)

c. Activities subject to Davis-Bacon:

For Community Grants Projects that are inclusive of CWSRF-eligible activities: Treatment works constructed in whole or in part with assistance made available by the FY 2022, FY 2023, and/or FY 2024 Consolidated Appropriations Acts discussed in section b.

For Community Grants Projects that are inclusive of DWSRF-eligible activities: Any construction project carried out in whole or part with assistance made available by the FY 2022, FY 2023, and/or FY 2024 Consolidated Appropriations Acts discussed in section b.

d. The recipient must work with the appropriate authorities to determine wage classifications for the specific project (s) or activities subject to Davis Bacon under this grant (or cooperative agreement).

2. Davis-Bacon and Related Acts

Davis-Bacon and Related Acts (DBRA) is a collection of labor standards provisions administered by the Department of Labor, that are applicable to grants involving construction. These labor standards include the:

Davis-Bacon Act, which requires payment of prevailing wage rates for laborers and mechanics on construction contracts of \$2,000 or more;

Copeland “Anti-Kickback” Act, which prohibits a contractor or subcontractor from inducing an employee into

giving up any part of the compensation to which he or she is entitled; and

Contract Work Hours and Safety Standards Act, which requires overtime wages to be paid for over 40 hours of work per week, under contracts in excess of \$100,000

3. Recipient Responsibilities When Entering Into and Managing Contracts:

a. Solicitation and Contract Requirements:

i. **Include the Correct Wage Determinations in Bid Solicitations and Contracts:** Recipients are responsible for complying with the procedures provided in [29 CFR 1.6](#) when soliciting bids and awarding contracts.

ii. **Include DBRA Requirements in All Contracts:** Include the following text on all contracts under this grant:

“By accepting this contract, the contractor acknowledges and agrees to the terms provided in the [DBRA Requirements for Contractors and Subcontractors Under EPA Grants](#).”

b. After Award of Contract:

i. **Approve and Submit Requests for Additional Wages Rates:** Work with contractors to request additional wage rates if required for contracts under this grant, as provided in [29 CFR 5.5\(a\)\(1\)\(iii\)](#).

ii. **Provide Oversight of Contractors to Ensure Compliance with DBRA Provisions:** Ensure contractor compliance with the terms of the contract, as required by [29 CFR 5.6](#).

4. Recipient Responsibilities When Establishing and Managing Additional Subawards:

a. **Include DBRA Requirements in All Subawards (including Loans):** Include the following text on all subawards under this grant:

“By accepting this award, the EPA subrecipient acknowledges and agrees to the terms and conditions provided in the [DBRA Requirements for EPA Subrecipients](#).”

b. **Provide Oversight to Ensure Compliance with DBRA Provisions:** Recipients are responsible for oversight of subrecipients and must ensure subrecipients comply with the requirements in [29 CFR 5.6](#).

5. The contract clauses set forth in this Term & Condition, along with the correct wage determinations, will be considered to be a part of every prime contract covered by Davis-Bacon and Related Acts (see [29 CFR 5.1](#)), and will be effective by operation of law, whether or not they are included or incorporated by reference into such contract, unless the Department of Labor grants a variance, tolerance, or exemption. Where the clauses and applicable wage determinations are effective by operation of law under this paragraph, the prime contractor must be compensated for any resulting increase in wages in accordance with applicable law.

R. Sites, Easements, and Rights-of-Way

The recipient must submit a written legal opinion from a licensed attorney in the State where the real property is located (i.e., a title opinion) that the necessary sites, easements, and/or rights-of-way have been obtained and that they are free of any restrictions or encumbrances that might restrict their use for the purpose intended to be carried out under the assistance agreement. The opinion shall address:

- the title examination conducted;
- the validity of the form and substance of the legal instruments creating the sites, easements, and/or rights-of-way for the purposes intended;
- whether the legal instruments adequately confer upon the recipient the necessary sites, easements, and/or rights-of-way to carry out the project for the purposes intended; and
- whether the legal instruments have been properly recorded in the appropriate public land records of each county, town, district, province, etc. in which any of the land affected thereby is situated.

The recipient must submit the opinion to EPA no later than the time at which the recipient requests approval to award contracts where sites, easements, or rights-of-way are involved, or as soon as practicable thereafter if a contract has been executed or performance under the contract has begun.

S. Recipient Work Force

The recipient agrees that the use of Recipient's work force to perform grant-funded construction is subject to the provisions in [2 CFR Part 200](#). Recipient agrees that both the rates paid for direct labor and the types of and costs for fringe benefits for Recipient's work force performing grant-funded activities will be in accordance with normal rates and benefits applicable to similar work performed by Recipient's work force but funded entirely with Recipient's funds. Recipient will maintain adequate file documentation to support both the basis for pay rates and benefits, and the total costs charged to the grant for work performed by Recipient's work force. Recipient will provide time sheets for each worker as back-up documentation when EPA payments are requested.

T. Flood Insurance

The recipient will acquire and maintain at its own cost any flood insurance made available to it under the National Flood Insurance Act of 1968, as amended, before the project is placed in operation. This condition shall not be applicable if, on the date of execution of this Grant Agreement by both parties, flood insurance was not available pursuant to the Flood Insurance Act of 1968, as amended, for property on the project location.