



GRANT SUMMARY

NYS WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA)

&

NYS INTERMUNICIPAL WATER INFRASTRUCTURE GRANTS (IMG) PROGRAM

OVERVIEW

The New York State Clean Water Infrastructure Act (CWIA) of 2017 invests \$3 billion in clean and drinking water infrastructure projects and water quality protection across the state. As part of CWIA, the New York State Environmental Facilities Corporation (EFC) is offering \$400 million in grants for clean and drinking water projects during the 2021-2022 state fiscal year to selected municipalities with infrastructure projects that protect public health and/or improve water quality. Various types of clean and drinking water infrastructure projects are eligible to apply for grants, including critical water infrastructure projects that combat emerging contaminants (EC), such as PFOA, PFOS and 1,4 dioxane with system upgrades and innovative pilot technologies, along with those that address combined and/or sanitary sewer overflow impacts from sustained rain events.

EFC and the NYS Department of Health (DOH) will evaluate all applications for projects received by the deadline (**5:00 p.m. on Monday, November 22, 2021**) based on factors including protection of public health and water quality; median household income; governmental and community support; consideration for Environmental Justice Areas; and readiness of the project to proceed expeditiously. Available grant funds may not be sufficient to offer grants to all eligible applicants.

PROGRAM CHANGES

The following changes have been made for this round of WIIA/IMG grant funding:

- Clean Water WIIA grant awards maximum thresholds have been revised to remove the project cost tiers
- IMG grant maximum award threshold has increased
- IMG grant project eligibilities have been further clarified
- Eligibility criteria for construction dates have been revised
- MWBE goals for the programs have been revised to be:
 - 20% for WIIA and IMG awards with SRF financial assistance
 - 30% for WIIA and IMG awards without SRF financial assistance



AVAILABLE FUNDING

WIIA Clean Water Projects

An applicant with an eligible clean water project may receive a WIIA grant award as described below:

- A project, including phases of the project, would be awarded the lesser of \$25 million or 25% of net eligible project costs.

Municipalities may apply for this grant on more than one project, but each municipality is limited to receiving no more than a \$5 million allocation per year. If a municipality is awarded grant funds totaling more than \$5 million for a project or projects, the grant(s) will be allocated over multiple years in increments not to exceed \$5 million per year.

If a municipality applies for more than one project during the current round, EFC will prioritize the awards based on the score of the project(s) until all of the projects have received 25% of eligible project costs or the \$5 million cap has been reached. If the award(s) exceed \$5 million, the remaining applications will not be eligible for additional grant in the current round.

WIIA Drinking Water Projects

An applicant with an eligible drinking water project may receive a WIIA grant award as described below:

- A project addressing an emerging contaminant above the State determined Maximum Contaminant Level (MCL) would be awarded 60% of net eligible project costs.
- A project that does not address emerging contaminants, including phases of the project, would be awarded the lesser of \$3 million or 60% of net eligible project costs.

Municipalities may apply for this grant on more than one project, but each municipality is limited to receiving no more than \$3 million per year. Municipalities are limited to \$3 million of combined Drinking Water State Revolving Fund (DWSRF) grant and WIIA grants annually.

IMG Clean Water and Drinking Water Projects

Cooperating municipalities with an eligible project may receive an IMG grant award as described below:

- The lesser of \$30 million or 40% of net eligible project costs.
- IMG grant awardees seeking SRF financing will only be eligible to apply for market-rate financing.

ELIGIBILITY REQUIREMENTS

WIIA and IMG grants are available only to the following: county, city, town, village, district corporation, county or town improvement district, school district, Indian nation or tribe



recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, any public benefit corporation or public authority established pursuant to the laws of New York or any agency of the State that is empowered to construct and operate a water quality infrastructure project. (School districts are eligible for DWSRF financial assistance but are ineligible for Clean Water State Revolving Fund (CWSRF) financial assistance.)

Eligible projects include water quality infrastructure projects at municipally-owned sewage treatment works¹ OR municipally-owned public water systems² for:

- Construction, replacement, or repair of infrastructure; or
- Compliance with environmental and public health laws and regulations related to water quality.

Each WIIA project must meet the following criteria:

- Result in construction of the project,
- Not have started construction before October 1, 2019, and
- Not have completed construction before November 1, 2021.

Each IMG project must meet the following criteria:

- Serve multiple municipalities;
- Be a shared drinking water or sewage treatment infrastructure project, such as:
 - More than one municipality undertaking a capital improvement project jointly,
 - Consolidation of intermunicipal facilities,
 - Shared water quality infrastructure,
 - Regional wastewater treatment facilities for multiple municipalities, or
 - The interconnection of multiple municipal water systems;
- Have a valid and binding project Intermunicipal Agreement (IMA) between at least two cooperating municipalities related to financing of the IMG project;
- Designate a "lead municipality" that applies on behalf of all cooperating municipalities;
- Result in construction of the project;
- Not have started construction before October 1, 2019;
- Not have completed construction before November 1, 2021;
- Not have closed an SRF financing; and

¹ Sewage treatment works as defined in Environmental Conservation Law Section 17-1903.

² Eligible project as defined in paragraphs (a), (b), (c), and (e) of subdivision 4 of Section 1160 of the Public Health Law.



- Not be for the construction of water infrastructure that exclusively supports new development, whether residential or commercial.

PROGRAM REQUIREMENTS

Program requirements for WIIA and IMG recipients include minority- and women-owned business enterprise (MWBE) participation, equal employment opportunity, service-disabled veteran-owned business (SDVOB) participation, smart growth and environmental review.

There are additional program requirements for recipients of WIIA and IMG funds that also utilize SRF financial assistance, such as American Iron and Steel and Davis-Bacon federal prevailing wage requirements.

All contracts entered into by recipients that are to be paid for with WIIA funds, IMG funds, or SRF financial assistance must demonstrate compliance with EFC's program requirements and must include the required contractual language from the applicable terms and conditions (EFC bid packets). Any contracts, including those that are executed prior to grant application, that do not include the required contractual language will be disqualified from funding.

Additional information on program requirements is available on EFC's website at www.efc.ny.gov, including EFC's terms and conditions (i.e. bid packets) and the current Intended Use Plans for the SRF programs.

APPLICATIONS

Applicants who would like to be considered for a WIIA and/or IMG grant must submit a grant application and the following required documentation to EFC no later than 5:00 p.m. on **Monday, November 22, 2021**.

- Engineering Report³, including a current project schedule and budget, if not previously submitted
- Smart Growth Assessment Form, if not previously submitted
- Environmental Review Documentation
- SHPO Project Review Determination Letter
- Authorizing Resolution: If debt will finance any portion of the project, a bond resolution is required, otherwise a board resolution is required
- If applying for IMG, a valid and binding Intermunicipal Agreement (IMA) between at least two cooperating municipalities related to the financing and necessary for the project
- If seeking SRF financing in addition to grant funds, a complete SRF Financing Application, if not previously submitted

³ The Engineering Report for projects must conform to EFC's Engineering Report Outline, available at <http://www.efc.ny.gov/cleanwater> for clean water projects, and <http://www.efc.ny.gov/drinkingwater> for drinking water projects.

**Town of Tusten
Town Board Meeting
Narrowsburg Water District
DWSRF Project No. 18835**

Resolution # _____-2021

<DATE>

**Board Resolution Authorizing Submission of the
New York State Environmental Facilities Corporation's
*Water Infrastructure Improvement Grant Funding Application***

WHEREAS, Town of Tusten, Sullivan County, New York (hereinafter the "Town") has established the public benefit to Town residents in the hamlet of Narrowsburg for the **Narrowsburg Water System Improvements Project** (hereinafter the "Project"); and

WHEREAS, the Town, on behalf of the Narrowsburg Water District (WD050), will undertake the Project that will upgrade aging, undersized and/or obsolete buildings, equipment and systems; and

WHEREAS, the Project has been determined to be necessary and prudent to ensure continued regulatory compliance, to improve system reliability and safety, and to protect public health; and

WHEREAS, the Town has approved a bond resolution in the amount of \$7,500,000 to fund the design and construction of the water system improvements; and

WHEREAS, the Town has submitted a financing application to the NYS Environmental Facilities Corporation (NYSEFC) to secure both short and long-term loans through the *Drinking Water State Revolving Fund* (DWSRF) program; and

WHEREAS, grant funding for the Project may be available through the New York State *Water Infrastructure Improvement Act* grant program that could provide additional grant funding of up to 60% of the non-grant funded portion of the project; and

WHEREAS, the Town, on behalf of the Narrowsburg Water District, is prepared to contribute matching funds, the balance of the Project cost not provided by the DWSRF funding and/or WIIA grants; and

WHEREAS, the Town, on behalf of the Narrowsburg Water District, will be submitting an application to the NYSEFC for the *Water Infrastructure Improvement Act* (WIIA) grant program as a possible means to lower the rate impact to system users.

THEREFORE, BE IT RESOLVED THAT

1. The Town Supervisor of the Town of Tusten, is authorized to sign the WIIA grant application, as well as any NYSEFC funding agreements and associated documents for the Project; and
2. Delaware Engineering D.P.C., on behalf of the Town, is authorized to submit the WIIA grant application for the Project; and
3. The Town agrees to contribute local matching funds for the balance of the Project cost not provided by the grants, through bonding or other means, with potential short-term and/or long-term loan financing for the balance through the DWSRF program.

Motion offered by: _____

Motion seconded by: _____

Roll Call Vote:

Jane Luchsinger – Council Member:	<u>Yes / No / Abstain / Not Present</u> (circle one)
Bruce Gettel - Council Member:	<u>Yes / No / Abstain / Not Present</u> (circle one)
Jill Padua - Council Member:	<u>Yes / No / Abstain / Not Present</u> (circle one)
Al Smith - Council Member:	<u>Yes / No / Abstain / Not Present</u> (circle one)
Ben Johnson - Town Supervisor:	<u>Yes / No / Abstain / Not Present</u> (circle one)

The motion **is/is not** (circle one) adopted.

I HEREBY CERTIFY THAT:

This Resolution is a true and accurate representation of the proceedings of the Town Board on this the < day of <, 2021.

Crystal Weston – Town Clerk
Town of Tusten, NY