



**Environmental
Facilities Corporation**

**Department
of Health**

The State Revolving Funds and New York State Water Grants

Association of Towns Annual Meeting & Training School

February 20th, 2024

Overview



- **About EFC**
- **The State Revolving Funds (SRFs)**
- **Federal Bipartisan Infrastructure Law (BIL)**
- **State Water Grants**
- **Technical Assistance**

About EFC

We Fund New York State Water Infrastructure

Clean Water State Revolving Fund
Eases the cost of capital for sewer and wastewater treatment projects.

Drinking Water State Revolving Fund
Eases the cost of capital for drinking water projects.

State Water Grants
Ease the cost burden of capital infrastructure costs.

Federal Bipartisan Infrastructure Administration Funding
Through the State Revolving Funds.

Nation-Leading Investment

\$35.8

B

Awarded to
Wastewater
Projects Since
1990

\$8.99

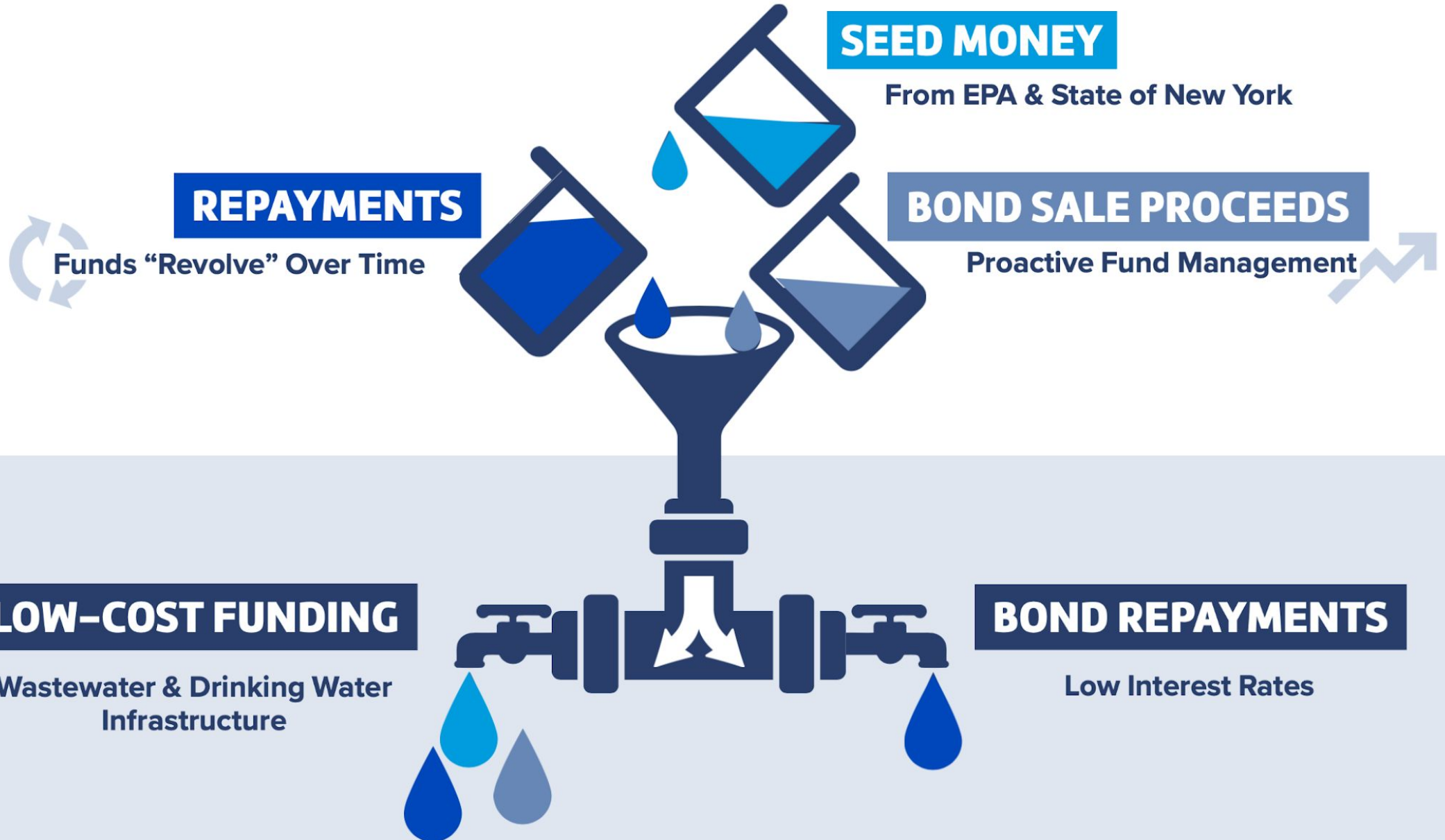
B

Awarded to
Drinking Water
Projects Since
1996

\$2B

EFC Water
Grants Awarded
to over 1000
Projects Since
2015

NEW YORK STATE REVOLVING FUND





Intended Use Plan

The First Step in
Seeking State
Revolving Funds



Prepared Annually By Law

The Intended Use Plans describe each SRF program, list the funds that are available and identify how the funds will be used



Project Rank and Score

Each project is ranked and scored based on water quality and public health impacts as described in the documents submitted by applicants

Eligible costs are based on documented estimates from engineering reports, plans and specifications, and contract awards

Project Priority Lists



How to Apply Financing

Process

List Your
Project

01

Projects Ranked
&
Scored

02

IUP Released

03

Gather
Application
Materials

04

Apply for
Financing

05

For the 2025 IUP, new project listings and project updates will be due by June 14, 2024.



01 List Your Project

Go online, list your project with the Project Listing and Update System for the CWSRF or for the DWSRF, submit your Project Listing Form to Design@health.ny.gov

An approvable engineering report and completed smart growth form must be submitted for the project to be included on the Annual List

02 Projects Ranked and Scored

Project listings must include an Engineering Report to be included on the Annual List, which includes projects that can apply for funding in a fiscal year.

Required by law, the IUP accounts for how the State Revolving Fund will be administered in a fiscal year.

03 IUP Released

04 Gather Application Materials

You must prepare various documents to submit with your application.

05 Apply for Financing

Applications are accepted through June in any given Federal Fiscal Year.

Applications received after the deadline may have to wait until the next year's Intended Use Plan is published.

Eligible Projects

Clean Water State Revolving Fund

Administered by EFC in partnership with DEC.

- Municipal Treatment Works
- Non-Point Source
- National Estuary Conservation and Management Plan
- Decentralized Systems
- Recycled Water and Water Re-Use

Drinking Water State Revolving Fund

Administered by EFC in partnership with DOH.

- Provide Public with Safe Drinking Water
- Upgrade or Replace Drinking Water Infrastructure
- Address Non-Compliance with Federal or State Health Standards
- Prevent Future Violations of Federal or State Health Standards

Engineering Report Outline

- **Each SRF program has its own Engineering Report Outline, which includes:**
 - Project background and history,
 - Alternatives analysis,
 - Summary and comparison of alternatives,
 - Recommended alternatives, and
 - Project objectives including Environmental Justice, Resiliency, and Green infrastructure.
- **Acceptability reviews will be performed to ensure all required items are included before a project can be on the Annual List.**



Engineering Report Outline

Required Report

Elements

Final and Stamped by
Professional
Engineer

01

Identify the
Problem

02

Enforcement action, aging
infrastructure, consolidation, etc.

Alternatives
Analysis

03

Do nothing, replacement in
kind, upgrade, etc.

Recommended
Capital
Improvement
Project

04

Total Project Costs

05

Project Location
Maps

06

Engineering Report
Certification

07

Smart Growth
Assessment

08



Mandatory Terms & Conditions (T&Cs)

- ✓ Contracts paid for with EFC funds must include T&Cs
- ▲ Any contracts that do not include the required language may be ineligible for funding
- ✓ Program requirements include:
MWBE/EEO/ DBE, Service-Disabled Veteran Owned Business, American Iron & Steel, Davis-Bacon Prevailing Wage



Federal Bipartisan Infrastructure Law (BIL)

BIL &

SRFs

Funding for water infrastructure is being administered through the State Revolving Funds over five years.

Required additional subsidy percentages are based on the full Cap Grant amounts and are not necessarily the percentage available per project.

2023 FFY Funding By Category

\$230M

CWSRF

General Supplemental
Required Additional Subsidy: 49%

\$23M

CWSRF

Emerging Contaminants
Required Additional Subsidy: 100%

\$98M

DWSRF

General Supplemental
Required Additional Subsidy: 49%

\$36M

DWSRF

Emerging Contaminants
Required Additional Subsidy: 100%

\$114M

DWSRF

Lead Service Line Repl.
Required Additional Subsidy: 49%

Eligible Projects – CWSRF BIL

BIL General Supplemental (GS)

Municipal water pollution control projects including, but not limited to: Wastewater treatment facilities, pumping stations and sewers, combined sewer overflow abatement; stormwater pollution abatement; and other municipally owned projects or portions of projects that maintain, protect or improve water quality.

BIL Emerging Contaminants (EC)

Construction costs on CWSRF eligible projects whose primary purpose is to address emerging contaminants that are manufactured or naturally occurring physical, chemical, biological radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or re-emerging risks to human health, aquatic life, or the environment, including but not limited to, groundwater or surface water contamination caused by perfluoroalkyl and polyfluoroalkyl substances (PFAS), pharmaceuticals, personal care products, and micro/nanoplastics.

CWSRF BIL GS

- **Grant funding up to 50% of eligible project costs, net of non-EFC grants, up to a maximum amount of \$25 million**
- **Project must be listed in IUP Category D**
- **Must not have:**
 - Closed an EFC financing or incurred SRF-eligible debt for the project before November 15, 2021;
 - Issued a Notice to Proceed to construction for the project dated before November 15, 2021;
 - Executed a long-term project financing agreement for the project;
 - Substantially completed the project before October 1, 2023;
 - Been on the Subcategory D1 list for two consecutive IUP years without closing on a project finance agreement with EFC.



CWSRF BIL GS

- **A BIL-GS Funding Line is established in IUP Subcategory D1 to identify projects that qualify for BIL-GS Additional Subsidy**
 - Projects are sorted in Blended Affordability Score order
 - Projects above the line, are eligible to receive a BIL-GS Additional Subsidy award letter for the amounts listed
 - Projects below the line, will NOT receive BIL-GS Additional Subsidy in that FFY



CWSRF BIL EC

- **Grant funding up to 100% of eligible project costs, up to a maximum amount of \$25 million.**
- **Additional Subsidy will be offered in Project Priority Score order.**
- **To be considered for Additional Subsidy, a municipality must have:**
 - **Been included in Category EC in the IUP;**
 - **Not executed a CWSRF short-term project financing agreement or incurred SRF-eligible debt before November 15, 2021;**
 - **Not executed a long-term project financing agreement; and**
 - **Not have substantially completed construction before October 1, 2023.**



Eligible Projects – DWSRF BIL

BIL General Supplemental (GS)

Municipally owned and privately-owned community water systems and non-profit non-community water projects including: construction, rehabilitation, and upgrading of water treatment plants; transmission and distribution mains; storage facilities; pump stations; rehabilitation or development of new drinking water sources; consolidation of water supply services; and capital investments to improve security of drinking water systems.

BIL Emerging Contaminants (EC)

DWSRF eligible projects with the primary purpose to address emerging contaminants in drinking water, with a focus on PFAS.

BIL Lead Service Line Replacement (LSLR)

DWSRF eligible projects that replace or are associated with an LSLR project or associated activity directly connected to the identification, planning, design, and replacement of lead service lines. Any project funded under this category involving the replacement of lead service lines must replace the entire lead service line (public and privately owned portion), not just a portion.

DWSRF BIL GS

- **Grant funding up to 70% of eligible project costs, net of non-EFC grants, but not to exceed \$5 million**
- **Projects on the BIL-GS Eligible Project List awarded additional subsidy and interest-free financing in public health priority score order.**
 - **Must not have closed a short-term financing before October 1 of the FFY in which the assistance is awarded.**
 - **Additional subsidy may not be used to forgive debt that was incurred prior to November 15, 2021**
- **Of the 85 DWSRF projects identified as BIL-GS eligible in the 2024 IUP, 12 were awarded funding**



DWSRF BIL EC

- **Grant funding up to 100% of eligible project costs, net of non-EFC grants, but not to exceed \$ 5 million for disadvantaged communities**
- **Grant funding up to 70% of eligible project costs, net of non-EFC grants, but not to exceed \$5 million for non-disadvantaged communities**
- **First priority given to projects that address PFAS**
- **23 DWSRF projects identified as BIL-EC eligible in the 2024 IUP, 10 were awarded.**
- **At least 25% of the BIL-EC funds will go to state-defined disadvantaged communities or systems with populations under 25,000**



DWSRF BIL LSLR

- **LSL Replacement Projects**
 - Grant funding up to 70% of eligible project costs, net of non-EFC grants, but not to exceed \$ 10 million
- **LSL Inventory Projects**
 - Grant funding up to 100% of eligible project costs, net of non-EFC grants, but not to exceed \$2 million
- **Grants will only be awarded to applicants that meet state's disadvantaged community criteria.**
 - Remainder of funding as 0% loan to any eligible applicant.
- **Communities are limited to \$14M in interest-free financing in any FFY**
- **Projects will be awarded in public health priority score order until the available funds have been exhausted**



BIL Program Requirements

Includes Base SRF
Program Requirements

American Iron and Steel (AIS):

Requires recipients to use iron and steel products produced in the United States in construction

DBEs

Goals applied to contracts and subcontracts to promote participation opportunities for certified DBEs in governmental procurement contracts

Davis-Bacon Prevailing Wage

Requires Contractors and Subcontractors to pay laborers and mechanics not less than the prevailing wage

Mandatory T&Cs

Additional Federal Requirements

- **Professional (A/E) Service Procurement requirements**
- **Build America, Buy America Act (BABA): expands domestic preference procurement requirements**
- **Telecom Exclusion**
- **Single Audit and federal thresholds (\$750,000)**
- **Additional coordination for Environmental Review**
- **Federal Equivalency Requirements are necessary for any project funded through BIL**



A/E Procurement Required Steps

Required for all projects with financing applications submitted after June 16, 2023



01 Public Announcement

Public announcement of the solicitation

02 Evaluation and Ranking

Evaluation and ranking of the submitted qualifications statements based on established, publicly available criteria

03 Discussion with at least 3 Firms

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

04 Selection of at least 3 Firms

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

05 Contract Negotiation

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

Grant Programs

**Water
Infrastructure
Improvement**

WIIA

**Intermunicipal
Grants**

IMG

**Green
Innovation
Grant
Program**

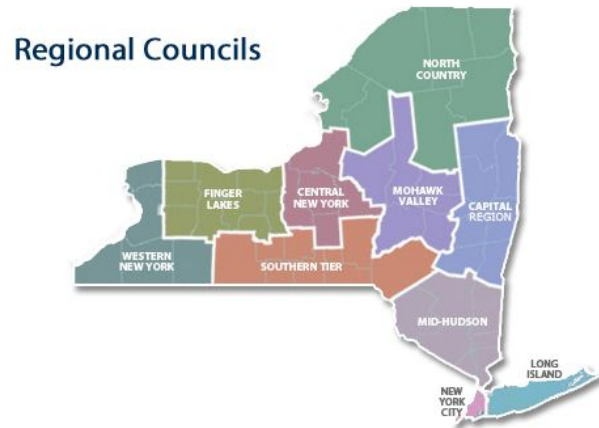
GIGP

**Engineering
Planning
Grant**

EPG

Engineering Planning Grants

- Funding for hardship communities to pay for the initial planning of eligible CWSRF projects.



**Anticipated
beginning of
application period -
Spring 2024**



This funding helps
develop an Engineering
Report

Engineering Reports are required to list your project on the Annual List of the Intended Use Plan.



Grant awards
up to \$100K

- Up to \$100,000 per locality for inflow/infiltration studies required by enforcement action
- Up to \$50,000 for all other projects

Green Innovation Grant Program

Supports projects that utilize unique EPA-designated green stormwater infrastructure design and create cutting-edge green technologies.



This funding supports projects that improve water quality and mitigate climate change.

SRF T&Cs (20% MWBE)



Projects must implement one of the following green practices:

- Green Stormwater Infrastructure
 - Maintain and restore natural hydrology by infiltration, evapotranspiration, and harvesting stormwater
- Energy Efficiency
 - Reduce Energy Consumption or Produce Renewable Energy for a Wastewater Treatment Plant
- Water Efficiency
 - Reuse, Conserve or Improve Water Efficiency
- Environmental Innovation



**Anticipated
beginning of
application period -
Spring 2024**

WIIA

Available to Municipalities to fund critical wastewater and drinking water infrastructure projects

New round opened for applications on February 5th
\$325 Million is available

Clean Water WIIA

Municipalities will be awarded 25% of total net eligible project costs, including phases of the project, up to \$25 million.

Grants administered through EFC will not be backed out of net eligible project costs (GIGP, CWSRF)



Eligible Entities:

- City
- Town
- Village
- County or Town Improvement District
- Indian Nation or Tribe (with Reservation wholly or partly within NYS)
- Public Authority
- Public Benefit Corporation
- School District

Drinking Water WIIA

Municipalities will be awarded 60% of total net eligible project costs, including the costs for all phases of the project, up to \$5 million. The maximum a municipality can receive is \$5 million in DWSRF grant and/or WIIA grant per year.

Projects addressing an emerging contaminant above the State determined Maximum Contaminant Level (MCL) may be awarded 60% of total net eligible project costs with no cap

Enhanced WIIA Award

- **Small, rural, and disadvantaged communities**
 - Population less than 3,500
 - Must meet hardship criteria OR
 - Without additional grant, the project would result in user rates exceeding 1.5% of the communities MHI
- **May qualify for the enhanced award which will fund up to 50% of net eligible project costs**

A photograph showing several large, blue, cylindrical pipes stacked in a warehouse. The pipes are arranged in a diagonal line, receding into the background. The lighting is warm, suggesting an indoor setting with overhead lights. The pipes are secured with metal bands.

Intermunicipal Grants

Available for clean water and drinking water projects that serve multiple municipalities.

- ✔ One municipality must be the lead municipality and apply on behalf of all cooperating municipalities
- ✔ Must have a current, valid, and binding project Intermunicipal Agreement (IMA) between at least two cooperating municipalities related to the financing and implementation of the project.

Technical Assistance



Governor's Priority

Governor Hochul announced the creation of Community Assistance Teams to build on EFC's history of assisting communities with accessing funding for water infrastructure projects

Virtual and In-person Support

EFC staff and staff from our partner agencies are available to provide support to municipalities interested in accessing our funding opportunities through one-on-one consultations and community events

Visit Our Website

EFC has information about upcoming events and how to request assistance on our website.



Thank you!

- CWSRFinfo@efc.ny.gov
- design@health.ny.gov
- www.efc.ny.gov