

2016 New York State DEC/EFC Wastewater Infrastructure Engineering Planning Grant Program - Overview

Description

The New York State Department of Environmental Conservation (DEC), in conjunction with the New York State Environmental Facilities Corporation (EFC), will offer grants to municipalities to help pay for the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects. Up to \$2 million has been made available for this round of the Wastewater Infrastructure Engineering Planning Grant (EPG) program.

Grants of up to \$100,000¹ will be provided to municipalities with a Median Household Income (MHI) of \$65,000 or less to finance engineering and planning services for the production of an engineering report.

The ultimate goal of the EPG program is to advance water quality projects to construction for needy communities. Successful applicants can use the engineering report funded by the grant to seek financing through the CWSRF program or other funding entities to further pursue the identified solution.

Eligible Types of Applicants

- Municipalities as defined in the Key Definitions section of this document; and Median household income (MHI) of the municipality is equal to or less than \$65,000 according to the United States Census, 2013 American Community Survey. A summary of the United States Census, 2013 American Community Survey MHI data can be found on the EFC EPG website, www.efc.ny.gov/cwplanninggrants.
- Municipalities may only have two *active* EPG awards, they are not eligible to have three active awards.
 - An active EPG award means a project that has been awarded funding and awaiting an executed grant agreement or currently has an executed grant agreement with EFC.

Eligible Activities

Funding can be used by municipalities for the preparation of an engineering report² and planning activities to determine the scope of water quality issues, evaluate alternatives, and propose a capital improvement project. In addition, the costs to conduct an environmental review for the recommended alternative in the report are eligible.

Priority will be given to municipalities proposing planning projects that are:

- required by an executed Order on Consent;
- required by a State Pollutant Discharge Elimination System (SPDES) permit;
- upgrading or replacing an existing wastewater system;
- constructing a wastewater treatment and/or collection system for an unsewered area; or
- identified in a Total Maximum Daily Load (TMDL) implementation plan.

The report must follow EFC's current Engineering Report Outline. The report must contain a comprehensive analysis of the following alternatives, as applicable:

¹ See the "Award Criteria, Limitations" section of this document for details of funding amounts.

² See the "Key Definitions" section of this document for specific information on the required contents of the engineering report.

- No-action alternative (required)
- Green infrastructure in combination with gray infrastructure or individually (required for projects involving stormwater, including stormwater inflow to sewer systems)
 - A justification must be provided if a green infrastructure component is not part of the recommended alternative
- Repair or replacement versus new construction
- Regional consolidation opportunities
- Centralized versus decentralized (required for new systems), or a combination thereof (small cluster or individual systems)

Any alternatives considered technically infeasible should be identified as such and the rationale briefly discussed.

Smart Growth alternative(s) must be considered and documented in the engineering report.

In accordance with the laws, rules and regulations governing the CWSRF, projects defined in the federal Clean Water Act, Section 212 as treatment works must be publicly-owned.

Ineligible Activities

- Projects that do not lead to the restoration or protection of a surface waterbody.
- Projects that do not address improvements to a publicly-owned treatment works.³
- Projects and scope listed on the 2016 CWSRF Intended Use Plan Annual Project Priority List.
- Design and construction costs for any projects.

Grant Award Details

Option 1 - \$30,000 Grant

- Population of Municipality: 50,000 or less according to the United States Census, 2013 American Community Survey. Population data can be found on the EFC EPG website at www.efc.ny.gov/cwplanninggrants.
- Type of Planning Project: any wastewater infrastructure-related, including disinfection projects.
- Engineering Report Requirements: Due within 9 months of grant agreement execution.

Option 2 - \$50,000 grant

- Population of Municipality: Greater than 50,000 according to the United States Census, 2013 American Community Survey. Population data can be found on the EFC EPG website at www.efc.ny.gov/cwplanninggrants.
- Type of Planning Project: any wastewater infrastructure-related, including disinfection projects.
- Engineering Report Requirements: Due within 9 months of grant agreement execution.

³ See the “Key Definitions” section of this document on what is considered an eligible publicly-owned treatment works activity.

Option 3 - \$100,000 grant

- Population of Municipality: no limit
- Type of Planning Project: Only for wastewater infrastructure inflow and infiltration issues as a result of an Order on Consent or SPDES Permit Compliance Schedule.
- Engineering Report Requirements: Due within 1 year of grant agreement execution.

Match

All grants require a local match equal to 20 percent of the requested grant amount. The match can include cash and/or in-kind services⁴. Other grants may not be used for local match. The applicant should identify the source of the match at the time that the application is submitted. The grant will provide up to 80 percent of the eligible planning costs.

Grant Payment

The grant will be disbursed in two payments. The municipality will be eligible to receive half the award amount as an advance payment once the grant agreement is executed. The remainder of the grant award will be paid when the municipality’s engineering report has been completed and accepted by DEC and EFC.

Long Range Program Goals

The state encourages grant recipients to use the engineering report completed under this grant to seek financing through the CWSRF program or from other funding entities to further pursue the recommended solution.

Selection Criteria

Projects will be scored and selected based on the following criteria.

	Points Assigned	Criteria
Regional Economic Development Priority	20 points	Alignment with the goals and priorities of its Regional Economic Development Council (REDC).
Performance Measures	38 points	Severity of existing water quality impairments.
Strategies	22 points	Proposed project is required by an Order on Consent, SPDES permit or TMDL.
Vision	10 points	Planning project is identified in a formally adopted plan and has both public support and a committed local leadership.
Agency Priority	10 points	Alignment with DEC and EFC priorities

Projects will receive a final score and then be selected for grant funding beginning with the highest down to the lowest ranked scores.

In case of a tie, DEC will look at individual scoring categories to determine a grant award. The following evaluation criteria will be reviewed in the following order:

⁴ See the “Key Definitions” section of this document for specific information on what is considered in-kind services.

1. Performance measures
2. Agency priorities
3. REDC
4. Strategies
5. Vision

DEC and EFC will consider regional distribution in the determination of awards, to the extent practicable.

Multiple Application Submissions

Only one project per municipality may be awarded in this Round. If an applicant is submitting multiple applications for their municipality, they are asked to prioritize their applications. In addition, municipalities may only have two *active* EPG awards, they are not eligible to receive a third.

Successful Applicant Requirements

Documentation: Recipients must provide documentation of the following requirements before entering into a grant agreement for the planning project. Forms and examples can be found at: www.efc.ny.gov/cwplanninggrants.

- Legal right to own, operate and maintain the project for the duration of its useful life.
- Compliance with the NYS Smart Growth Infrastructure Policy Act of 2010.
- Compliance with the NYS Minority/Woman-owned Business Enterprises (MWBE) requirements. www.efc.ny.gov/mwbe
- Executed Engineering Agreement that includes MWBE contract language provided by EFC. An MWBE Work Plan and approved Utilization Plan will be required if the Engineering Agreement exceeds \$25,000. www.efc.ny.gov/mwbe
- Detailed final budget and plan of finance including all third party funding agreements, and satisfaction of the minimum 20 percent local match requirement.
- Local resolution authorizing and obligating local match funds. The match can include cash and/or in-kind services. Other grants may not be used for local match.
- Local resolution declaring State Environmental Quality Review Act (SEQR) findings or determinations for the planning activities associated with the grant.
- Local resolution for designation of an Authorized Representative for the project.
- Acknowledgement of project review by the New York State Office of Parks and Historic Preservation's State Historic Preservation Office (SHPO). EFC expects to obtain this on behalf of the recipients.

Key Definitions

Engineering Report - means the document or documents, which determines the technical and economic feasibility of a CWSRF eligible project. [Reference: 21 NYCRR 2602.2(a)(22) New York State Clean Water Revolving Fund Regulations]

Please refer to EFC's current Engineering Report Outline (www.efc.ny.gov/cwplanninggrants) for details on the required report components. In particular, the report must recommend a capital improvement project and consider both Smart Growth alternative(s) and green infrastructure alternative(s). Reports must be submitted electronically.

In-Kind Services - means services performed by capable and qualified employees of the grant recipient for technical and administrative force accounts that are directly related to and in support of the development of the Engineering Report and are deemed reasonable by the Environmental Facilities Corporation.

Municipality - means any county, city, town, village, district corporation, county or town improvement district, Indian reservation wholly within New York State, any public benefit corporation or public authority established pursuant to the laws of New York or any agency of New York State which is empowered to construct and operate a project, or any two or more of the foregoing which are acting jointly in connection with a project. [Reference: 21 NYCRR 2602.2(a)(49) New York State Clean Water Revolving Fund Regulations]

Planning - means the orderly development of a project concept from the original statement of need or purpose through the evaluation of alternatives to a final recommendation on a course of action and measures to implement the selected alternative, including completion of the environmental review process. [Reference: 21 NYCRR 2602.2(a)(51) New York State Clean Water Revolving Fund Regulations]

Treatment Works (Publicly-Owned) – means eligible activities identified in section 2.1.1.1 of the Clean Water State Revolving Fund Final Intended Use Plan (IUP) for Federal Fiscal Year 2016.

Additional Resources

For more information, visit <http://www.dec.ny.gov/pubs/81196.html> or www.efc.ny.gov/cwplanninggrants