



PROGRAM SUMMARY

EMERGING CONTAMINANTS PROJECT PLANNING GRANT

DESCRIPTION

The New York State Department of Health (“DOH”), in conjunction with the New York State Environmental Facilities Corporation (“EFC”), will offer grants to municipalities to help pay for the planning and development of an engineering report for eligible drinking water infrastructure projects that protect public health by removing or otherwise addressing emerging contaminants such as perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS) and 1,4-dioxane (an “Emerging Contaminants Project”).

Up to \$1 million is available for the Emerging Contaminants Project Planning Grant program (the “Program”). The Program will provide Planning Grants of up to \$50,000 to municipalities to fund engineering and planning services for the production of an engineering report for an Emerging Contaminants Project.

The Program’s purpose is to facilitate the construction of Emerging Contaminants Projects by providing funding for the initial planning phase. A municipality can use the engineering report funded by a Planning Grant to seek financing for the construction of the project from the Drinking Water State Revolving Fund, other additional grant funds, or other funding entities.

APPLICATION SUBMISSIONS

A municipality seeking a Planning Grant must submit an application to EFC no later than 5 p.m. on December 14, 2018, to: EmergingContaminants@efc.ny.gov.

ELIGIBLE APPLICANTS

The following types of municipalities are eligible to apply for and be awarded a Planning Grant:

- counties,
- cities,
- towns,
- villages,
- district corporations,
- county or town improvement districts,
- Indian reservations wholly within New York State,
- public school districts,
- public benefit corporations or public authorities 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.

To be eligible to apply for and be awarded a Planning Grant, a municipality must have a median household income (MHI) that is:

- Equal to or less than \$65,000 according to the United States Census, 2015 American Community Survey for municipalities located in REDC regions of Capital District, Southern Tier, North Country, Mohawk Valley, Central NY, Finger Lakes, or Western NY; or
- Equal to or less than \$85,000 according to the United States Census, 2015 American Community Survey for municipalities located in REDC regions of New York City and Mid-Hudson.
- Equal to or less than \$125,000 according to the United States Census, 2015 American Community Survey for municipalities located in the REDC region of Long Island.

A summary of the United States Census, 2015 American Community Survey MHI data can be found on the EFC website at: www.efc.ny.gov/ECAApply#AdditionalResources

ELIGIBLE ACTIVITIES

A Planning Grant must be used to fund the preparation of an engineering report and related planning activities¹ to: determine the scope of water quality and public health issues related to a municipally-owned public water system, evaluate alternatives, and propose an eligible Emerging Contaminants Project. Eligible Emerging Contaminants Projects include water quality infrastructure projects at municipally-owned public water systems for construction, replacement, or repair of infrastructure specifically to address emerging contaminants by:

- Providing treatment to remove emerging contaminants; or
- Extending or installing new public water system infrastructure to serve areas affected by emerging contaminants; or
- Developing or connecting to a new water source that is not affected by emerging contaminants.

A Planning Grant must result in the construction of the proposed Emerging Contaminants Project and the protection of water quality and public health.

The engineering report must follow DOH's current Engineering Report Outline (www.efc.ny.gov/DWSRFApply), which provides details on the required elements of the report. In particular, the report must recommend a capital improvement project and consider Smart Growth alternative(s). The report must contain a comprehensive analysis of the following alternatives, as applicable:

- No-action alternative;
- Repair or replacement versus new construction; and
- Regional interconnection opportunities.

The report should also identify any alternatives that are considered technically infeasible and discuss the reasons for that conclusion.

¹ Planning is 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.

INELIGIBLE ACTIVITIES

Planning Grants *may not* be used for:

- Projects and scope listed on the 2018 DWSRF Intended Use Plan Annual Project Priority List; or
- Design and construction costs related to an Emerging Contaminants Project.

GRANT AWARD DETAILS

Planning Grants are available in two amounts, based on a municipality's population, as determined by the United States Census, 2015 American Community Survey. Population data can be found on the EFC website at: www.efc.ny.gov/ECAApply#AdditionalResources

Option 1 - \$30,000 Grant

Population of Municipality: 50,000 or less.

Option 2 - \$50,000 grant

Population of Municipality: Greater than 50,000.

MATCH

A municipality receiving a Planning Grant must provide a local match equal to 20 percent of the requested Planning Grant amount. The local match can include cash and/or in-kind services,² but other grants may not be used for local match. A municipality must identify the source of the local match when submitting the grant application. A Planning Grant will provide funding for up to 80 percent of the eligible planning costs.

GRANT PAYMENT

EFC will disburse the Planning Grant in two payments: half the award amount will be provided as an advance payment once the grant agreement is executed, and the remainder of the grant award will be disbursed when the municipality's engineering report has been completed and accepted by DOH and EFC.

LONG RANGE PROGRAM GOALS

The State encourages municipalities seeking to upgrade their drinking water treatment systems, interconnect to another system, or locate an alternative source to address the emerging contaminants PFOA, PFOS, and 1,4-dioxane, and to apply to the Program for funding for their initial project planning activities.

SELECTION CRITERIA

The following selection criteria will be considered in evaluating Planning Grant applications:

- whether the Planning Grant relates to an Emerging Contaminants Project required by a DOH and/or EPA Consent Order or other state or federal requirement;
- whether the municipality is exceeding a Health Advisory Level (HAL) or a Maximum Contaminant Level (MCL);

² 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.

- whether the municipality is violating its treatment technique or its current treatment does not address the Emerging Contaminant;
- whether the Planning Grant relates to an Emerging Contaminants Project that proposes an interconnection or regionalization of water systems;
- whether the Planning Grant relates to an Emerging Contaminants Project that addresses a situation where system users are without water due to a compromised source, treatment, or distribution system;
- whether the Planning Grant relates to extending public water to an unserved area with private wells contaminated by emerging contaminants; and
- the population of the area affected by emerging contaminants.

SUCCESSFUL APPLICATION REQUIREMENTS

Documentation: A municipality that is awarded a Planning Grant must provide documentation of compliance with the following requirements before entering into a grant agreement for the planning project.

- The Emerging Contaminants Project is a regulated community or non-community public water system (PWS), or will result in the creation of a regulated PWS.
- 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 and Service Disabled Veterans Program requirements. www.efc.ny.gov/mwbe
- Executed Engineering Agreement that includes MWBE contract language provided by EFC.
- Detailed final budget and plan of finance including all third party funding agreements, and satisfaction of the minimum 20 percent local match requirement.
- Municipal 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.
- Municipal resolution declaring State Environmental Quality Review Act (SEQR) findings or determinations for the planning activities associated with the grant.
- Municipal 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.

CRITICAL DUE DATES

Grant Agreement Execution: Must be executed within 12 months of the grant award.

Engineering Report Submission: Due within 12 months of grant agreement execution.