



**Environmental
Facilities Corporation**

The State Revolving Funds and Funding Opportunities for Water Infrastructure Projects

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**Genesee/Finger Lakes Regional Planning Council – Spring Local
Government Workshop**

Agenda



- ✓ About EFC
- ✓ The State Revolving Funds (SRFs)
- ✓ Federal Bipartisan Infrastructure Law (BIL)
- ✓ Grant Programs
- ✓ The Bond Act
- ✓ Technical Assistance Opportunities
- ✓ Q&A



About EFC

About EFC

We Fund New York State Water Infrastructure

Clean Water State Revolving Fund

Low-cost capital for sewer and wastewater treatment projects.

Drinking Water State Revolving Fund

Low-cost capital for drinking water projects.

State Water Grants

Ease the cost burden of capital infrastructure costs.

Federal Bipartisan Infrastructure Law Funding

Administered through the State Revolving Funds.

Nation-Leading Investment

\$35.8B

Provided to
Wastewater
Projects Since
1990

\$8.99B

Provided to
Drinking Water
Projects Since
1996

\$2B

EFC Water
Grants Awarded
to 1,000 Projects
Since 2015

Types of Financial Assistance

Offered by EFC

Short-Term Financing



- Available to provide recipients with funding to design and construct projects
- Up to 5 Year Term

Interest-Rates



- Interest-Free
- Subsidized
- Market-Rate

Long-Term Financing



- Amortized up to a term of 30 years

Grant Programs

Engineering
Planning
Grant

EPG

Water
Infrastructure
Improvement

WIIA

Intermunicipal
Grants

IMG

Green
Innovation
Grant
Program

GIGP

State
Revolving
Fund Grants

SRF

Bipartisan
Infrastructure
Grants

BIL

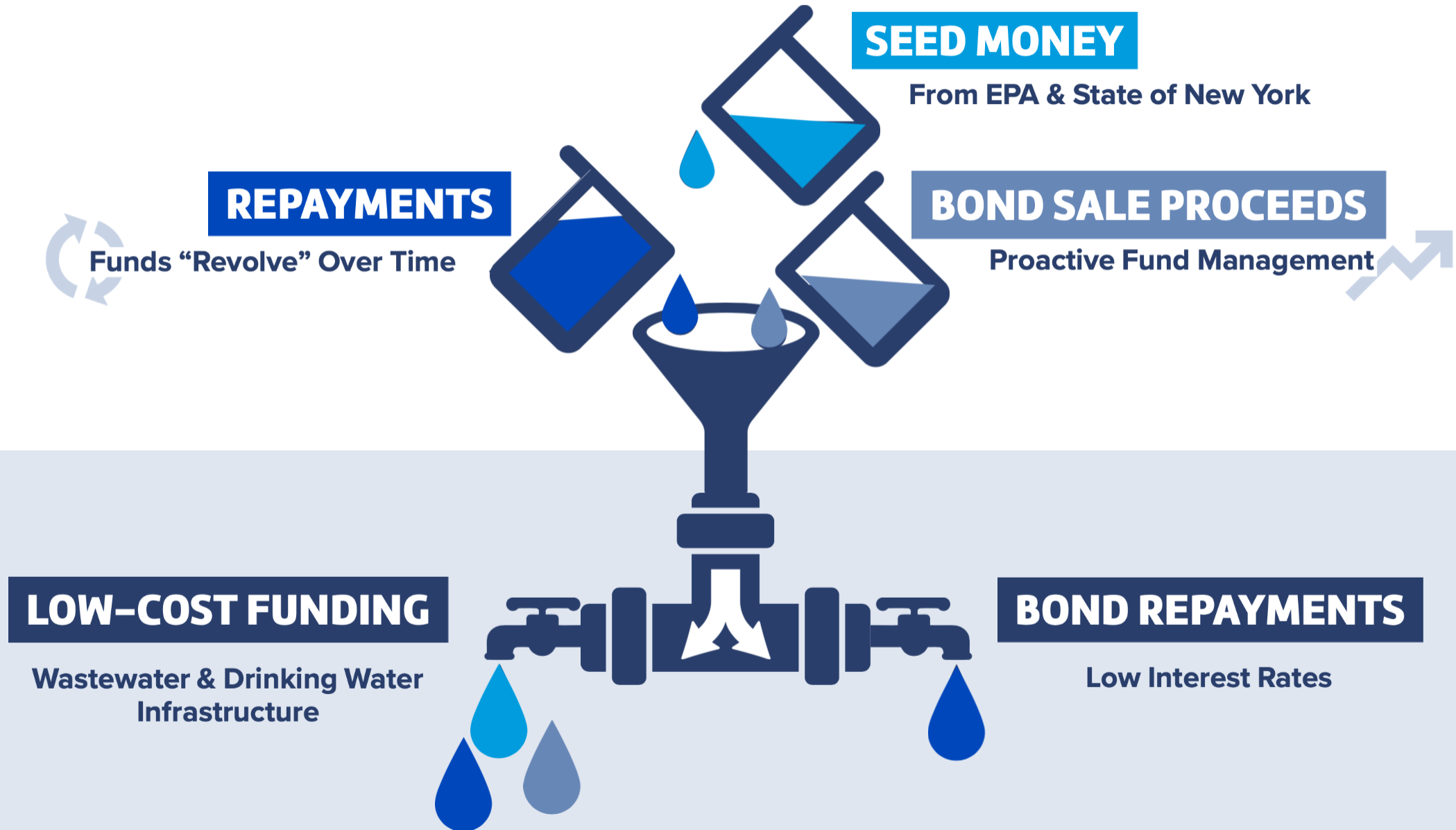
Green
Resiliency
Grants

GRG



State Revolving Funds (SRF)

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

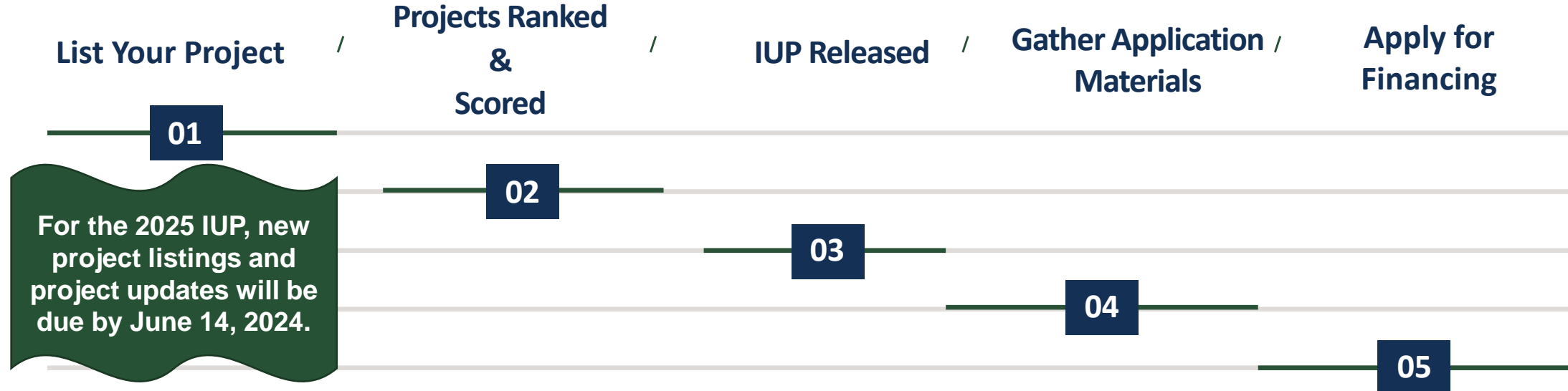
Eligible costs are based on documented estimates from engineering reports, plans and specifications, and contract awards



Project Priority Lists



How to Apply Financing Process



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.

03 IUP Released

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

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

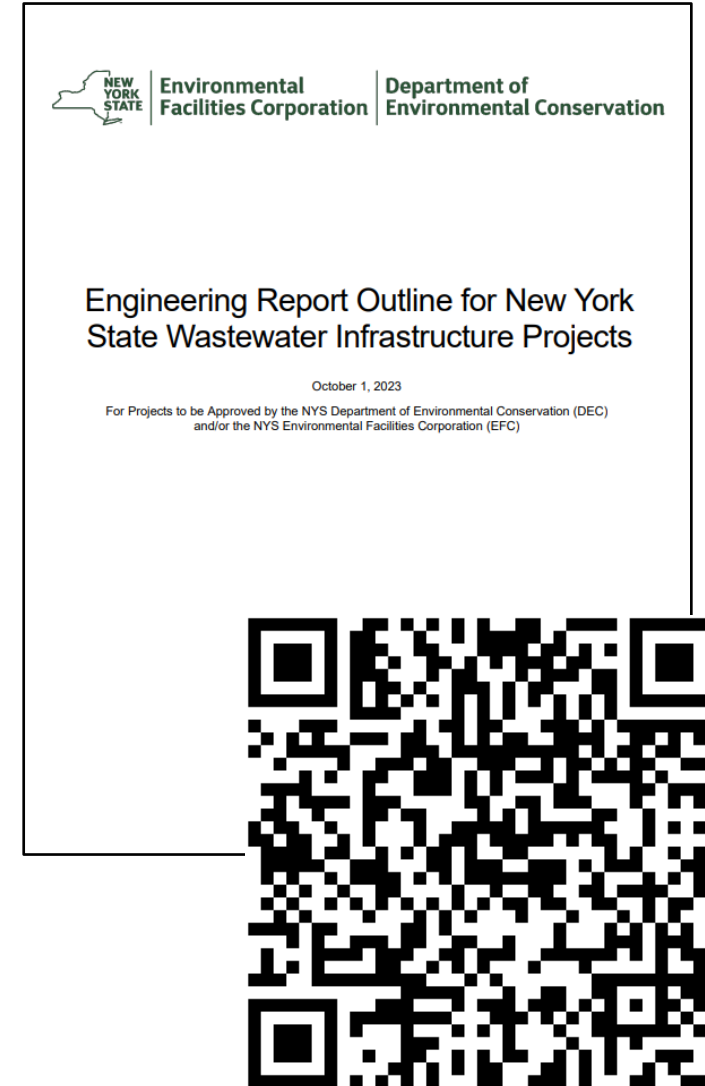
Drinking Water State Revolving Fund

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

- ✓ The CWSRF and DWSRF Programs have separate Engineering Report Outlines
- ✓ Developed such that it covers requirements from various funding agencies
- ✓ Used to list your project on the Annual List of the Intended Use Plan
- ✓ 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

Engineering Report Outline

✓ Additional items required include:

- Present Worth Life Cycle Analysis
 - ✓ Compare Capital Costs + O&M over 30-year period
- Environmental Justice (EJ) maps
- Disadvantaged Community (DAC) maps
- FEMA Flood Maps
- Soils mapping
- Consent Orders, SPDES permits, Long Term Control Plans, Notices of Violation, etc.
- Manufacturer cut sheets for evaluated technologies
 - ✓ UV systems, Filtration systems, mechanical bar screens, grit removal systems
- Flow data and Hydraulic modeling
- Sizing and Design calculations





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

SRF Application

- ✓ **Project must be on Annual List**
- ✓ **Used for both CWSRF and DWSRF**
- ✓ **Required Documents**
 - SRF Financing Application
 - Bond Resolution
 - Environmental Review
 - SHPO Letter
 - District Formation, if applicable





Federal Bipartisan Infrastructure Law (BIL)

BIL & SRFs

BIL 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.

2024 FFY Funding By Category

\$251M

CWSRF

General Supplemental
Required Additional Subsidy: 49%

\$23M

CWSRF

Emerging Contaminants
Required Additional Subsidy: 100%

\$107M

DWSRF

General Supplemental
Required Additional Subsidy: 49%

\$35M

DWSRF

Emerging Contaminants
Required Additional Subsidy: 100%

\$129M

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
- ✓ For state defined disadvantaged communities
- ✓ 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
- ✓ Of the 23 DWSRF projects identified as BIL-EC eligible in the 2024 IUP, 10 projects were awarded funding.
- ✓ 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

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
- ✓ Disadvantaged Business Enterprise
- ✓ Single Audit and federal thresholds (\$750,000)
- ✓ Additional coordination for Environmental Review
- ✓ Federal Equivalency Requirements are necessary for any project funded through BIL

➤ Equivalency projects are identified on CWSRF IUP with an “E” notation



A/E Procurement Requirements

- ✓ Architectural/Engineering Services Procurement
- ✓ Required for all projects with financing applications submitted after June 16, 2023
- ✓ Consult with your EFC project team if you have additional questions



A/E Procurement Required Steps



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

Build America, Buy America (BABA) Act

- ✓ All of the iron, steel, manufactured products, and construction materials used in the project must be produced in the United States.
BABA was effective May 14, 2022
- ✓ What this means:
 - Iron, steel, and construction materials: All manufacturing processes occurred in the United States
 - Manufactured products: The product was manufactured in the United States, and the cost of components that are mined, produced, or manufactured in the United States is greater than 55% of the product costs



Grant Programs

Engineering Planning Grants (EPG)

- Funding for hardship communities to pay for the initial planning of eligible **CWSRF projects**.
- Coordinated jointly with DEC staff

EFC will announce the
2024 application
period this summer



This funding helps develop
an Engineering Report

Engineering Reports are
required to list your
project on the Annual
List of the CWSRF
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



**Next application
period in 2025**

Green Resiliency Grant Program

Supports municipal projects that implement green infrastructure practices, including green roofs, green streets, and permeable pavement.

**New \$60 Million Grant
Program!**

**Application period is
open**

Due August 16, 2024



- Projects must have a minimum total project cost of \$1 million
- Capable of capturing, treating, or reducing the time of concentration for a minimum of 100,000 cubic feet of stormwater runoff annually.
- Grant may fund up to 90% of eligible project costs
- Maximum grant amount of \$10 million



Projects must implement one of the following green practices:

- Restoration of non-instream features recommended in the Resiliency NY Program
- Creation/enhancement of nature-based landscape features such as flood plains, riparian buffers, streams, and wetlands
- Installation of:
 - Bioretention and bioswales
 - Cisterns
 - Downspout disconnection
 - Green roofs and green walls
 - Permeable pavement or other permeable surfaces
 - Stormwater street trees
 - Urban forestry programs
 - Stormwater retention, retrofits, and slow-release designs

WIIA

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

Applications due June 14,
2024

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 3500
 - 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 50% of net eligible project costs**



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.
- ✓ Municipalities will be awarded 40% of total net project costs, up to \$30 million



The Clean Water, Clean Air, and Green Jobs Environmental Bond Act

Bond Act

Investing \$4.2B in New York's Environment and Communities

- ✓ Approved by overwhelming support of New York voters on November 8, 2022, the Bond Act will protect water quality, help communities adapt to climate change, improve wildlife habitats, and create green jobs

**BROWSE BOND
ACT WEBPAGE**



\$650M
**For Water
Infrastructure
Improvement**

Bond Act

Funding Allocation

\$650M

**Water Quality Improvement
& Resilient Infrastructure**

\$650M

**Open Space Land Conservation &
Recreation**

\$1.1B

**Restoration & Flood
Risk Reduction**

\$1.5B

**Climate Change
Mitigation**



Water Quality Improvement & Resilient Infrastructure

Minimum \$200 million for water improvement and infrastructure projects

Minimum \$250 million to support municipal storm-water grants

\$200 million to support:

- ✓ Green infrastructure
- ✓ Projects to reduce agricultural nutrient run off and promote soil health
- ✓ Projects to reduce the frequency of harmful algal blooms (HABs)
- ✓ Lead service line replacement

Bond Act Priorities

Advance Environmental Justice

At least 35% of Bond Act funds will be directed towards disadvantaged communities

Mitigate Climate Change

Reimagine, redesign, and rebuild with climate resilience in mind to strengthen our ability to withstand future high-risk environmental events

Create Jobs

The Bond Act will create an estimated 84,000 green jobs



Technical Assistance

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!

- ✓ Carole.Sitterly@efc.ny.gov
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