



**Department of  
Environmental Conservation**

**Environmental  
Facilities Corporation**

# **FINAL INTENDED USE PLAN**

## **Clean Water State Revolving Fund Federal Fiscal Year 2016**

Effective October 1, 2015 - September 30, 2016  
**AMENDMENT NO. 1**

Final April 2016



**ANDREW M. CUOMO**  
Governor

**BASIL SEGGOS**  
Acting Commissioner

**SABRINA M. TY**  
President and CEO





**FINAL AMENDMENT NO. 1**  
**CLEAN WATER STATE REVOLVING FUND**  
**FFY 2016 INTENDED USE PLAN**  
**REVISIONS TO THE ANNUAL CWSRF PROJECT PRIORITY LIST, GIGP**  
**PROJECTS, SMART GROWTH REVIEW, MODIFICATION OF THE SOURCES AND**  
**USES, ADDITION OF TARGET SERVICE CHARGE FORMULA, AND FUNDING OF**  
**STORMWATER PROJECTS.**  
**April 2016**

## **OVERVIEW**

The New York State Environmental Facilities Corporation (EFC) administers the Clean Water State Revolving Fund (CWSRF) on behalf of the New York State Department of Environmental Conservation (DEC). This amendment to the Federal Fiscal Year 2016 CWSRF Intended Use Plan (IUP) addresses six topics:

1. Revisions to the FFY 2016 Annual Project Priority List
2. Green Innovation Grant Program (GIGP) Round 7 projects
3. Smart Growth review of projects added to the Final 2016 Annual List
4. Modification of Sources and Uses
5. Modification to Section 4.4.5 to add Target Service Charge formula
6. Funding of stormwater projects

### **1. REVISIONS TO THE FFY 2016 ANNUAL PROJECT PRIORITY LIST**

The FFY 2016 Annual Project Priority List is being amended as described below. Consistent with Section 3.6, these changes do not affect funding for projects that were offered subsidy in the Final FFY 2016 IUP.

- a. The Town of Poughkeepsie C3-7323-03-00 project is added to the FFY 2016 Annual List for \$9,795,735. The project was removed from the Annual List in the Final FFY 2016 IUP due to a clerical error. The addition of this project to the Annual List does not affect the ability of other applicants to access subsidized financing.
- b. Certain NYC projects on the Final FFY 2016 IUP have short-term financings that will convert to long-term financings during FFY 2016. Additionally, new short-term financings will be opened for the next phase of these projects. Project numbers for the new phases were not included in the Final FFY 2016 IUP. The new project numbers are C2-5201-30-02, C2-5203-01-08, C2-5204-01-01, C2-5206-12-02, C2-5209-02-14, C2-5209-24-14, C2-5209-40-01, C2-5209-50-02, C2-5225-16-01, C2-5246-01-02, and C2-5246-02-01. This change does not result in a net change in available funding for the projects.

- c. The Villages of Carthage/West Carthage C6-6021-03-01 project is added to the FFY 2016 Annual List for \$4,375,000. Along with this addition, the Villages of Carthage/West Carthage C6-6021-03-00 project is reduced by \$6,025,000 from \$7,900,000 to \$1,875,000. The modifications are the result of a change in the financing of the proposed joint project between the two villages. This change does not result in a net increase in available funding for the project.
- d. The applicant name for project number C8-6499-01-00 is changed from “Macedon, Village of” to “Macedon, Village of-Macedon, Town of”, and the estimated amount is reduced by \$2,800,000 from \$7,000,000 to \$4,200,000. Along with this change, the project C8-6499-01-01 is added to the FFY 2016 Annual List for \$2,800,000. The modifications are the result of a change in the financing of the proposed project between the Village and the Town. This change does not result in a net increase in available funding for the project.
- e. The projects listed in the table below are added to the FFY 2016 Annual List for the amounts shown. These projects applied for Round One of New York State Water Grants but were not previously listed. The addition of these projects to the Annual List does not affect the ability of other applicants to access subsidized financing.

Applicant Name	CWSRF Project No.	Estimated Amount	Category	Score
ONONDAGA COUNTY	C7-6330-20-00	\$5,000,000	B	112
MAMARONECK, VILLAGE OF	C3-7358-01-00	\$1,000,000	B	101
NORTH HEMPSTEAD, TOWN OF	C1-5153-18-00	\$1,350,000	B	92
SCARSDALE, VILLAGE OF	C3-5371-02-00	\$680,000	B	86
CLARENCE, TOWN OF	C9-6652-01-00	\$1,347,225	B	76
DUNKIRK, CITY OF	C9-6630-05-00	\$10,175,000	B	44
CICERO, TOWN OF	C7-6391-04-00	\$360,000	B	39
NEWBURGH, TOWN OF	C3-5321-10-00	\$1,160,000	B	36

**2. GREEN INNOVATION GRANT PROGRAM (GIGP) ROUND 7 PROJECTS**

On December 10, 2015 the Governor announced the latest round of funding requested through the Consolidated Funding Application, including FFY 2015 GIGP - Round 7 projects. The list of FFY 2015 GIGP - Round 7 projects is added as Attachment 1 to this draft amendment. The source of the funds for the FFY 2015 GIGP - Round 7 projects is the FFY 2015 CWSRF capitalization grant and remaining funds from previous rounds of GIGP funding.

### **3. SMART GROWTH REVIEW OF PROJECTS ADDED TO THE 2016 ANNUAL LIST**

EFC reviews all applicable projects in accordance with the New York State Smart Growth Public Infrastructure Policy Act of 2010. During the public comment period for the draft 2016 IUP, EFC sought comments regarding Smart Growth for the projects listed on the draft Annual List. In draft Amendment 1, EFC sought comments from the public with regard to projects that are listed on the Annual List of the 2016 CWSRF Final IUP but were not included in the draft IUP. No comments were received during the comment period.

### **4. MODIFICATION OF SOURCES AND USES**

Section 2.2.7 is replaced in its entirety with the following:

*States can use a portion of the Federal Capitalization Grants as provided by Section 603(d)(7) of the Clean Water Act to support the cost of program and project administration, as well as fees charged to CWSRF Recipients.*

The fifth paragraph of Section 7.0 is replaced with the following:

*States can use a portion of the Federal Capitalization Grants as provided by Section 603(d)(7) of the Clean Water Act to support the cost of program and project administration,. EFC is planning to use 0.2% of "Total Net Position" of the fund as defined by the Governmental Accounting Standards Board (GASB) as the amount of administrative funds from the FFY 2016 Capitalization Grant. EFC estimates this amount at \$9.5 million. Costs of program administration not covered by Capitalization Grant this amount will be paid from fees charged to CWSRF Recipients.*

Section 7.3, Estimated Sources of Funds and Financing Potential for Subsidized Financing, is replaced with Attachment 2 to this amendment.

Section 13.2.1 is replaced in its entirety with the following:

*States can use a portion of the Federal Capitalization Grants as provided by Section 603(d)(7) of the Clean Water Act to support the cost of program and project administration, as well as fees charged to CWSRF Recipients.*

### **5. MODIFICATION TO SECTION 4.4.5 TO ADD TARGET SERVICE CHARGE FORMULA**

Insert the following in Section 4.4.5 after the existing paragraph:

*The projected first year sewer service charge (PSC) for a typical household will be compared to the Target Service Charge (TSC). The TSC is a value based on the 2013 MHI of the service area as reported by the American Community Survey or other source acceptable to EFC. The TSC is calculated by using the following formula:*

$$TSC = [(MHI/10,000)^2 \times 24] + [(MHI/10,000) \times 2] + 70$$

## **6. FUNDING OF STORMWATER PROJECTS**

Section 5.3.2 describes EFC's expected use of funds from the administrative fee account during FFY 2016. In addition to the items listed in the Final FFY 2016 IUP, EFC is also providing \$1 million from the administrative fee account to fund stormwater projects at the New York State Fair.

## **PUBLIC REVIEW AND COMMENT ON AMENDMENT NO. 1**

A public notice on the availability of Draft Amendment No. 1 and request for comments was published in the Environmental Notice Bulletin. EFC accepted comments on Amendment No. 1 to the 2016 CWSRF IUP until close of business April 1, 2016. In particular, it is noted that the draft amendment requested comment regarding Smart Growth review for projects added to the FFY 2016 IUP and for the seventh round of GIGP projects. No comments were received during the comment period.

For additional information regarding the EFC program, please visit the EFC website at [www.efc.ny.gov](http://www.efc.ny.gov) or call EFC at 518-402-7396.

Attachment 1

2016 FINAL CWSRF INTENDED USE PLAN

Final Amendment No. 1

Green Innovation Grant Program Round 7/FFY 2015 Awardees



**FINAL AMENDMENT 1 - 2016 CWSRF INTENDED USE PLAN  
PROPOSED GREEN INNOVATION GRANT PROGRAM RECIPIENTS - ROUND 7/FFY 2014 AND FFY 2015 FUNDING**

Project Number	Applicant Name	Service Area	Description	Cat	Estimated Amount	Additional Subsidization	Green Project Reserve	SPDES No
C3-5345-08-00	ORANGETOWN, TOWN OF	H4H SITE NEAR THE SPARKILL CREEK	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT AND BIORETENTION AND CONSTRUCTED WETLAND]	G	\$895,000	\$895,000	\$895,000	NO SPDES
C4-5415-03-00	HUDSON, CITY OF	UPPER UNION STREET	NPS [GIGP7 - GI SW STREET TREES]	G	\$248,400	\$248,400	\$248,400	NO SPDES
C4-5459-02-00	ALBANY HOUSING AUTHORITY	IDA YARBROUGH HOMES REDEVELOPMENT GREEN ROOFS AND STORMWATER	NPS [GIGP7 - GI SW BIORETENTION, STORMWATER TREES, RAINWATER HARVESTING AND USE AND GREENROOFS]	G	\$1,000,000	\$1,000,000	\$1,000,000	NO SPDES
C5-5512-06-00	LAKE PLACID, VILLAGE OF	MAIN STREET	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT AND BIORETENTION]	G	\$1,850,000	\$1,850,000	\$1,850,000	NO SPDES
C1-9207-03-00	SUFFOLK COUNTY COMMUNITY COLLEGE	CAMPUS GREEN ROOFS INITIATIVE	NPS [GIGP7 - GI SW GREEN ROOFS]	G	\$203,708	\$203,708	\$203,708	NO SPDES
C2-9230-02-00	NEW YORK CITY DEPARTMENT OF TRANSPORTATION	3 POROUS PAVEMENT SIDEWALK DEMONSTRATION PROJECTS	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT]	G	\$1,200,000	\$1,200,000	\$1,200,000	NO SPDES
C8-9238-02-00	ROCHESTER MUSEUM & SCIENCE CENTER	POROUS PAVEMENT AND BIORETENTION - PHASE II	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT AND BIORETENTION]	G	\$526,300	\$526,300	\$526,300	NO SPDES
C4-9249-01-00	ALBANY WATER BOARD	BEAVER CREEK SEWERSHED OVERFLOW ABATEMENT AND FLOOD MITIGATION	NPS [GIGP7 - GI SW CONSTRUCTED WETLAND]	G	\$450,000	\$450,000	\$450,000	NO SPDES
C7-9246-01-00	CORNELL UNIVERSITY	PETERSON GREEN PARKING LOT - POROUS PAVEMENT AND BIORETENTION	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT, BIORETENTION AND STORMWATER TREE PLANTING]	G	\$362,468	\$362,468	\$362,468	NO SPDES
C9-9250-01-00	ATLANTIC STATES LEGAL FOUNDATION	REVITALIZING URBAN VACANT PROPERTIES FOR GREEN STORMWATER INFRASTRUCTURE	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT, BIORETENTION, STORMWATER TREES, AND DOWNSPOUT DISCONNECTION]	G	\$1,100,000	\$1,100,000	\$1,100,000	NO SPDES
C7-9251-01-00	ONONDAGA COMMUNITY COLLEGE	MAWHINNEY HALL GATEWAY PLAZA AND WEST QUAD	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT, BIORETENTION, STORMWATER TREES, AND RAINWATER HARVESTING SYSTEM]	G	\$711,000	\$711,000	\$711,000	NO SPDES
C4-5409-05-00	RENSSELAER, CITY OF	EAST STREET	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT AND BIORETENTION]	G	\$927,000	\$927,000	\$927,000	NO SPDES

**FINAL AMENDMENT 1 - 2016 CWSRF INTENDED USE PLAN  
PROPOSED GREEN INNOVATION GRANT PROGRAM RECIPIENTS - ROUND 7/FFY 2014 AND FFY 2015 FUNDING**

Project Number	Applicant Name	Service Area	Description	Cat	Estimated Amount	Additional Subsidization	Green Project Reserve	SPDES No
C6-6037-13-00	ROME, CITY OF	RACE TO THE HARBOR BROWNFIELD PROJECT	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT AND BIORETENTION AND STORMWATER TREE PLANTING]	G	\$450,000	\$450,000	\$450,000	NO SPDES
C9-6602-25-00	BUFFALO SEWER AUTHORITY	SCAJAQUADA CREEK RESTORATION	NPS [GIGP7 - HYDROMOD - STREAMBANK RESTORATION AND WETLAND RESTORATION]	G	\$1,815,000	\$1,815,000	\$1,815,000	NO SPDES
C8-9235-03-00	I-SQUARE DEVELOPMENT INC.	TITUS AVE AND COOPER ROAD, IRONDEQUOIT	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT, BIORETENTION, GREEN ROOF, AND RAIN WATER HARVESTING SYSTEM]	G	\$800,000	\$800,000	\$800,000	NO SPDES
C9-9245-01-00	BUFFALO RIVERWORKS, LLC	359 GANSON STREET, BUFFALO	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT, GREEN ROOF, GREEN WALL, RAINWATER HARVESTING AND USE, AND BIORETENTION]	G	\$900,000	\$900,000	\$900,000	NO SPDES
C4-9248-01-00	THE COMMUNITY BUILDERS, INC	599 RIVER STREET, TROY	NPS [GIGP7 - GI SW RETROFIT GREEN ROOF, AND RAIN WATER HARVESTING SYSTEM]	G	\$289,350	\$289,350	\$289,350	NO SPDES
C7-9247-01-00	CITY CENTER LOFTS	75 COURT STREET, BINGHAMTON	NPS [GIGP7 - GI SW GREEN ROOF AND RAINWATER HARVESTING AND USE]	G	\$284,400	\$284,400	\$284,400	NO SPDES
C7-6275-06-00	CORTLAND, CITY OF	CLINTON AVENUE	NPS [GIGP7 - GI SW RETROFIT POROUS PAVEMENT AND BIORETENTION AND STORMWATER TREE PLANTING]	G	\$837,374	\$837,374	\$837,374	NO SPDES
					<b>\$14,850,000</b>	<b>\$14,850,000</b>	<b>\$14,850,000</b>	

Attachment 2

2016 FINAL CWSRF INTENDED USE PLAN

Final Amendment No. 1

Estimated Sources of Funds and Financing Potential for Subsidized Financing

Attachment 2

2016 FINAL CWSRF INTENDED USE PLAN

Final Amendment No. 1

**7.3 Table B: Estimated Sources of Funds and Financing Potential for Subsidized Financing**

Sources & Uses of Subsidized Financing for 2016 CWSRF IUP

**Estimated Sources of Funds for Federal Fiscal Year 2016**

Estimated remaining resources on October 1, 2015	363,463,615
Federal Capitalization Grant*	100,000,000
State Match for Federal Capitalization Grant	20,000,000
Additional Subsidization from FFY 2015 Capitalization Grant	46,189,500
Undisbursed GIGP funds from previous years	43,959,157
Repayments 10/1/15 – 9/30/16	507,804,449
Investment Returns	189,887,565
<b>Total</b>	<b>\$1,271,304,286</b>

**Proposed Uses of Funds During FFY 2016**

Category A, B & C (Funds for Long-Term Leveraged or Short-Term Financings)	\$378,936,096
Category D (Long-Term Direct Financings - hardship)	250,701,458
Category D (Long-Term Direct Financings - hardship) - Additional Subsidization	33,589,500
IUP Section 5.1 Projects with Complete applications in FFY 2015	12,934,000
Undisbursed GIGP funds from previous years	43,959,157
Green Innovation Grant Program (FFY 2015 Funds)	<u>12,600,000</u>
<b>Subtotal - amount available for projects</b>	<b>\$732,720,211</b>
Bond Debt Service	486,582,075
Investment Future Deposits	42,500,000
Program Administration	<u>9,502,000</u>
<b>Subtotal - amount allocated for non-project expenses</b>	<b>\$538,584,075</b>
<b>Total</b>	<b>\$1,271,304,286</b>

**Detail of Project Use of CWSRF Funds during FFY 2016**

	Adjusted PPL		New 2016	Potential
	Amount	Percentage	reserve funds	Leveraged Loan
			for projects	Amount
Cat A	307,878,157	6.17%	23,380,357	46,760,714
Cat B	1,932,696,777	38.74%	146,799,844	293,599,688
Cat C	2,748,146,781	55.09%	208,755,895	417,511,790
Category D			284,290,958	
Green Innovation Grant Program			<u>12,600,000</u>	
Funds Available to Projects in 2016			675,827,054	757,872,192

\* Based on the assumed \$100 million Capitalization Grant, there will be no authorization for additional subsidization in FFY 2016