



## WASTEWATER INFRASTRUCTURE ENGINEERING PLANNING GRANT (EPG) PROGRAM SUMMARY

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### FUNDING AVAILABLE: UP TO \$3 MILLION

The New York State Environmental Facilities Corporation (EFC) will offer grants to municipalities to help fund the initial planning of water quality capital projects meeting Clean Water State Revolving Fund (CWSRF) eligibility requirements. Up to \$3 million has been made available for this round of the Wastewater Infrastructure Engineering Planning Grant (EPG) program.

Grants of up to \$100,000<sup>1</sup> are available to municipalities to fund engineering and planning activities that result in an acceptable engineering report. Engineering services must be procured in accordance with federal qualifications-based requirements.

The goal of the EPG program is to encourage communities to advance water quality projects to the design stage, and ultimately construction, by funding the development of an engineering report. This allows the community to seek financing through the CWSRF program or funding from other sources.

### ELIGIBLE APPLICANTS

Municipalities, as defined in the Definitions section of this document, with a median household income (MHI):

- Equal to or less than \$90,000 according to the United States Census, 2023 American Community Survey 5-year estimates<sup>2</sup> for municipalities located in Regional Economic Development Council (REDC) regions of Capital District, Southern Tier, North Country, Mohawk Valley, Central NY, Finger Lakes, or Western NY; or
- Equal to or less than \$110,000 according to the United States Census, 2023 American Community Survey 5-year estimates for municipalities located in REDC regions of Long Island, New York City, and Mid-Hudson.
- A municipality may have no more than two active EPG awards at one time. If a municipality has two active EPG awards, no more than one active EPG award may be associated with inflow/infiltration removal. An active EPG award means a project that has been awarded funding and awaiting an executed grant agreement or currently has an executed grant

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<sup>1</sup> See "Grant Awards" section of this document for details of funding amounts.

<sup>2</sup> A summary of the United States Census, 2023 American Community Survey MHI data can be found on the EPG page on EFC's website. See the link in the Additional Resources section below.

agreement with EFC. EPGs are considered closed once the engineering report has been accepted by EFC/DEC and final disbursement has been made.

## ELIGIBLE ACTIVITIES

A municipality must use EPG funding for the preparation of an engineering report<sup>3</sup> for an eligible CWSRF project. This includes planning activities to determine the scope of water quality issues, evaluation of alternatives, and the recommendation of a capital improvement project. An environmental review for the recommended alternative is also an eligible activity. Design and construction costs are not eligible.

Funding priority will be given to municipalities whose planning activities are for a capital project:

- Required by an executed United States Environmental Protection Agency (EPA) Administrative Order, or NYS Department of Environmental Conservation (DEC) Order on Consent;
- Required by a DEC final or publicly-noticed draft State Pollutant Discharge Elimination System (SPDES) permit (e.g. nutrient removal, inflow and infiltration, disinfection);
- For upgrading or replacing an existing wastewater system;
- For constructing a wastewater treatment and/or collection system for an area with failing onsite septic systems; or
- Addressing a pollutant of concern in a watershed implementation plan (see Definitions section).

## REPORT REQUIREMENTS

The report must:

- Follow the current DEC/EFC Engineering Report Outline,
- Consider storm and flood resiliency (sea level rise, storm surge, potential for flooding impacts, or other extreme weather events)<sup>4</sup>
- Consider impacts on Potential Environmental Justice Area(s) (PEJA) and/or Disadvantaged Communities (DAC) (see section on PEJA and DAC).
- Consider Green infrastructure, in combination with gray infrastructure or individually, 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.
- Include an overall plan and map associated with potential phasing of capital improvements for projects intended to address inflow and infiltration.

Additionally, at a minimum, a comprehensive analysis of the following alternatives must be included:

- No-action alternative.

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<sup>3</sup> See the "Definitions" section of this document for specific information on the required contents of the engineering report.

<sup>4</sup> Must be consistent with the [New York State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act](#).

- Green infrastructure.
- Repair or replacement versus new construction.
- Regional consolidation opportunities.
- Centralized versus decentralized (for new systems), or a combination thereof (small cluster or individual systems).

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

Smart Growth alternative(s) must be considered and documented in the engineering report. For more information regarding Smart Growth see the Definitions section below.

### Projects Affecting Water Quality in Potential Environmental Justice Areas and Disadvantaged Communities

New York State is committed to benefiting PEJAs and DACs and supporting remedies for communities that may be burdened by negative environmental consequences. PEJA is defined by the State as the fair treatment and meaningful involvement of all people, regardless of race, income, national origin or color, with respect to the development, implementation and enforcement of environmental laws, regulations and policies. An application to fund a report for a proposed capital improvement project that will benefit positively impact water quality in a PEJA or DAC or will benefit the quality of drinking water serving a PEJA or DAC will receive additional consideration in the evaluation. Maps of PEJAs or DACs in New York State are available at the link provided in the Additional Resources section below.

To qualify for PEJA and DAC points, the application must include specific details demonstrating the water quality improvement the proposed project will make to a PEJA, DAC or to drinking water serving a PEJA or DAC. The community that will benefit from improved water quality or the exact street location(s) where the project will be implemented should be identified.

### INELIGIBLE ACTIVITIES

A municipality may not use EPG funding for planning activities related to a proposed capital project that is not a CWSRF eligible project, or for the preparation of or amendment to an existing engineering report.

Ineligible activities include planning activities for a capital project that:

- Will not restore or protect a surface waterbody or groundwater.
- Is not for capital improvements to a publicly owned treatment works.<sup>5</sup>
- Is listed on the 2025 CWSRF Intended Use Plan Annual Project Priority List.
- Has an engineering report that was previously funded by an EPG.

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<sup>5</sup> 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. See the "Definitions" section of this document for what is considered an eligible publicly owned treatment works activity.

- Does not identify a plan to address the entire collection system when inflow and infiltration is identified as the primary need for the project.
- Has completed or submitted an engineering report to EFC.

## GRANT AWARDS

Category	Amount	Eligible Scope
1	Up to \$50,000	For any wastewater infrastructure-related project
2	Up to \$100,000	For inflow and infiltration projects required by an Order on Consent or SPDES Permit Compliance Schedule (proof of enforcement must be provided)

## LOCAL MATCH

All grants require a local match equal to 20 percent of the requested grant amount. The match may include cash and/or in-kind services<sup>6</sup>. Grants from other sources may not be used to satisfy the local match requirement. The applicant municipality must identify the source of the match in the application.

## GRANT PAYMENTS

Grants are disbursed in three payments based on the municipality’s progress toward completion of an approvable engineering report. The municipality will receive the first disbursement in the amount of 25% of the total grant amount as an advance payment upon execution of the grant agreement with EFC. The second disbursement in the amount of 25% of the total grant amount will be made to the municipality when an engineering report containing the minimum requirements for EFC funding, as referenced in the DEC/EFC Engineering Report Outlined, has been submitted for review. Invoices and cost documentation are needed for this second disbursement. The third and final disbursement will be made once the engineering report has been accepted as complete by EFC/DEC and the remaining invoices have been submitted.

## LONG RANGE PROGRAM GOALS

The State encourages each municipality to use their accepted engineering report funded through the EPG program to seek funding through the CWSRF program or from other funding sources to pursue the recommendations provided in the engineering report.

## PROJECT EVALUATION CRITERIA

Projects for which a complete application has been received will be evaluated based on the criteria outlined below. EFC will evaluate applications, determine a final score, and rank projects from highest to lowest score. Projects with the highest scores will be selected for grants.

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<sup>6</sup> See the “Definitions” section of this document for specific information on what is considered in-kind services.

In the case of a tie between two or more projects, EFC will evaluate individual scoring categories in the following order of priority to determine a grant award:

1. Performance Measures (30%)
2. Strategies (13%)
3. Vision (18%)
4. Performance Measures (26%)
5. Hardship, PEJA, DAC (13%)

## MULTIPLE APPLICATION SUBMISSIONS

A municipality may submit only one application per project. If a municipality submits multiple applications for separate projects, they must prioritize the applications. A municipality may only have two active EPG awards. EFC reserves the right to select the project with the greatest potential for water quality impact.

## REQUIREMENTS FOR SELECTED APPLICANTS AFTER GRANT AWARD

Successful applicants must enter into a grant agreement with EFC to receive grant funds. The following items must be submitted to EFC prior to the execution of the grant agreement.

1. Detailed final budget and plan of finance, including all third-party funding agreements and satisfaction of the minimum 20 percent local match requirement.
2. Board resolution authorizing and obligating local match funds.
3. Board resolution designating an Authorized Representative for the municipality.
4. Fully executed engineering agreement.
5. EFC Certification for Architectural/Engineering Services Procurement. All A/E services must be procured in accordance with 40 U.S.C 1101.

Documentation required to enter into a grant agreement must be submitted within 6 months of the grant award or the grant funds may be reallocated.

## DEFINITIONS

**Engineering Report:** The document that determines the technical feasibility and estimated cost of a CWSRF eligible project. Engineering reports are prepared by a qualified professional engineer licensed to practice in New York State and must follow the DEC/EFC Engineering Report Outline. The DEC/EFC Engineering Report Outline can be downloaded from EFC's webpage. See the link in the Additional Resources section below.

**In-Kind Services:** Services performed by capable and qualified employees of the municipality 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 EFC.

**Municipality:** Any county, city, town, village, district corporation, county or town improvement district, school district, Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of 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 an eligible project, or any two or more of the foregoing which are acting jointly in connection with an eligible project.

**Planning:** 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.

**Publicly Owned Treatment Works:** Any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances, if they convey wastewater to a publicly owned treatment plant.

**Watershed Implementation Plan:** An Estuary Management Plan, Action Plan, Total Maximum Daily Load (TMDL), Nine Element Watershed Management Plan, or DEC Harmful Algal Blooms (HABs) Action Plan. See the links in the Additional Resources section below.

**Smart Growth:** The State Smart Growth Public Infrastructure Policy Act of 2010 is intended to augment the state's environmental policy by maximizing the social, economic, and environmental benefits of public infrastructure development while minimizing unnecessary environmental degradation, disinvestment in urban and suburban communities, and the loss of open space resulting from sprawl development.

## ADDITIONAL RESOURCES

EFC/DEC Engineering Report Outline:

<https://efc.ny.gov/engineering-report-outline-clean-water>

Summary of the United States Census, 2023 American Community Survey MHI data:

<https://efc.ny.gov/american-community-survey-data>

Architectural/Engineering Services Procurement Certification and Guidance:

<https://efc.ny.gov/architecturalengineering-ae-services-procurement>

DEC Info Locator: Waterbody Segment Assessment Factsheets, Potential Environmental Justice Areas, and Disadvantaged Communities:

<https://www.dec.ny.gov/pubs/109457.html>

TR-16 Guides for the Design of Wastewater Treatment Works, Latest Edition—New England Interstate Water Pollution Control Commission:

<http://neiwpc.org/learning-center/tr-16-guides-design-wastewater-treatment-works/>

The New York State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act:

<https://www.dec.ny.gov/energy/102559.html#Implementation>

Clean Water Management Plans:

<https://dec.ny.gov/environmental-protection/water/water-quality/clean-water-plans>

For more information, visit [www.efc.ny.gov/epg](http://www.efc.ny.gov/epg)