

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Environmental Facilities Corporation
Division of Engineering and Program Management
625 Broadway
Albany, NY 12207-2997
and
Department of Health
Bureau of Water Supply Protection
Empire State Plaza
Corning Tower, Room 1135
Albany, NY 12237

**MUNICIPALITIES OF NEW YORK STATE; OWNERS/
OPERATORS OF PUBLIC DRINKING WATER SYSTEMS
Clean Water State Revolving Fund (CWSRF) for Water Pollution
Control; Drinking Water State Revolving Fund (DWSRF); Draft
Amendment 2 to the 2013 CWSRF and DWSRF Intended Use
Plans (IUP); Anticipated Funds Available; Project Eligibility;
Webinar; Public Information Meetings; Comments**

The New York State Environmental Facilities Corporation (EFC), the Department of Environmental Conservation (DEC), and the Department of Health (DOH) are pleased to announce the availability of draft Amendment 2 to the Federal Fiscal Year (FFY) 2013 Intended Use Plans (IUP) for the Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF). The CWSRF program is available to municipalities and certain non-municipal entities in NYS to finance water quality related projects. The DWSRF program is available to municipally and privately owned public water systems in NYS to finance drinking water infrastructure improvements. The amendments present guidance related to the implementation of the Storm Mitigation Loan Program (SMLP) and other minor changes.

On January 29, 2013, the President of the United States signed into law, P.L. 113-2, "Making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes." Included in this Act is the "Disaster Relief Appropriations Act, 2013" (DRAA).

The purpose of DRAA is to reduce flood damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or a natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act.

NYS' allotment from the \$500 million DRAA appropriation in CWSRF funds is approximately \$283.1 million. With the required 20% match from the state, the total funding available is approximately \$340 million. NYS' allotment from the \$100 million DRAA appropriation in DWSRF funds is approximately \$56.6 million. With the required 20% match from the state, the total funding available is approximately \$67.9 million. EFC and DOH will implement this funding through the CWSRF and DWSRF as the Storm Mitigation Loan Program (SMLP). DRAA requires that NYS offer between 20% and 30% of the available appropriated funding as additional subsidization. NYS intends to offer the maximum additional subsidization as a blend of 25% grant and 75% no-interest loan through SMLP

ELIGIBLE PROJECTS:

Eligible projects for both the CWSRF and DWSRF must be within the 14 counties declared disaster as a result of Hurricane Sandy (Suf-

folk, Nassau, Queens, Kings, Richmond, New York, Bronx, Westchester, Putnam, Rockland, Orange, Sullivan, Ulster, Greene) and must have experienced damage as a result of Hurricane Sandy, and/or suffered a loss or disruption of mission-essential functions that caused a potential impact to public health and/or the environment.

CWSRF - Projects must either be municipally-owned SPDES-permitted facilities and/or their associated systems (Section 212), or Non-Point Source (NPS) (Section 319) or Estuary (Section 320) projects directly impacting a SPDES-permitted facility. Section 319 or 320 projects may be eligible as long as their construction will result in a direct reduction in the risk of flood or other damage from future storms or other natural disasters to municipally-owned SPDES-permitted facilities and/or their associated systems.

Eligible projects are projects that prevent interruption of collection system operation in the event of a flood or natural disaster; prevent floodwaters from entering a treatment works; maintain the operation of a treatment works and the integrity of the treatment train in the event of a flood or natural disaster; preserve and protect treatment works equipment in the event of a flood or natural disaster; or planning projects that assess a treatment works' vulnerability to flood damage or that analyze the best approach to integrate system and community sustainability/resiliency priorities in the face of a variety of uncertain futures including natural disasters and more frequent and intense extreme weather events, provided the planning work is reasonably expected to result in a capital project.

DWSRF - Projects must be for community water systems, both publicly and privately owned, or non-profit, non-community water systems.

Eligible projects are projects that prevent interruption of water distribution system operation in the event of a flood or natural disaster; prevent floodwaters from entering a treatment plant or well house; maintain the operation of a drinking water treatment plant, intake or well in the event of a flood or natural disaster; preserve and protect water system equipment in the event of a flood or natural disaster; or planning projects that assess a treatment works' vulnerability to flood damage or that analyze the best approach to integrate system and community sustainability/resiliency priorities in the face of a variety of uncertain futures including natural disasters and more frequent and intense extreme weather events, provided the planning work is reasonably expected to result in a capital project.

TIMING

EFC and DOH expect to begin accepting applications for SMLP assistance in July 2013. All CWSRF related applications should be submitted to EFC and DWSRF related pre-applications be submitted to DOH as soon as possible but no later than December 1, 2013. All SMLP financial agreements must be closed by September 2016. All construction must be completed and all SMLP funds must be expended by July 2019.

DUE DATE FOR COMMENTS:

Written comments on the draft amendment must be submitted prior to the September 3, 2013 deadline.

CWSRF Program:

Submit comments by: Tuesday, September 3, 2013

Submit comments to: Mr. Timothy P. Burns, P.E., Director, Division of Engineering & Program Management, New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997, FAX: (518) 402-7456, e-mail: iupcomments@efc.ny.gov

DWSRF Program:

Submit comments by: Tuesday, September 3, 2013

Submit comments to: Mr. Michael Montysko, P.E., Design Section Chief, Bureau of Water Supply Protection, New York State Department of Health, Empire State Plaza, Corning Tower Rm. 1135, Albany, New York 12237, FAX: (518) 402-7659, e-mail: BPWSP@health.state.ny.us, (if sent by email put Draft IUP comment in the subject line)

WEBINAR:

EFC and DOH will host at least one webinar to review the draft amendment. The date and time of the webinar, along with log-on instructions, will be posted on EFC's website at www.efc.ny.gov. Information regarding the webinar will also be emailed to potential applicants.

PUBLIC INFORMATION SESSIONS:

EFC and DOH plan to conduct Public Information Sessions within the 14 county area eligible for SMLP assistance. The locations, dates, and times of the public information sessions will be posted on EFC's website at www.efc.ny.gov. Information regarding the public information sessions will also be emailed to potential applicants.

EFC & DOH CONTACTS:

For information on these SRF programs, please contact:

CWSRF: Mr. Dwight Brown, SRF Program Services Coordinator, Division of Engineering & Program Management, New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997, (800) 882-9721 or (518) 402-7396, FAX: (518) 402-7456, e-mail: dwight.brown@efc.ny.gov, EFC website: www.efc.ny.gov

DWSRF: Mr. Michael Montysko, P.E., Chief of Design, Bureau of Water Supply Protection, New York State Department of Health, Empire State Plaza, Corning Tower Rm. 1135, Albany, New York 12237, (800) 458-1158 ext. 27650 or (518) 402-7650, FAX: (518) 402-7689, e-mail: mjm07@health.ny.gov

State Office of Emergency Management

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LOCAL GOVERNMENTS, NON-PROFIT ORGANIZATIONS, AND THE PRIVATE SECTOR

Hazard Mitigation Grant Program

LETTER OF INTENT DEADLINE EXTENDED TO AUGUST 1, 2013

FUNDS AVAILABLE FOR: ---Communities to Develop and Update Hazard Mitigation Plans

---Communities and Certain Private Non-Profits to Carry Out Hazard Mitigation Projects

DATE ANNOUNCED: Monday, June 10, 2013 (Extended on July 2, 2013)

LETTERS OF INTENT DUE: Thursday, August 1, 2013 by 11:59 pm (see details below)

Please note: The deadline for Letters of Intent (LOIs) has been extended to August 1, 2013, at 11:59 pm, to allow participation by communities still responding to recent severe flooding events across the State.

Hurricane Irene, Tropical Storm Lee and Superstorm Sandy inflicted unprecedented damage in many areas of New York State. In response to that devastation, the State has committed to assist local governments, non-profit organizations, and the private sector rebuild stronger, more resilient communities. These efforts are aimed at increasing the State's resiliency, mitigating the risks of loss and damage associated with future disasters, and reducing hardship.

The New York State Office of Emergency Management (State

OEM) is pleased to announce the availability of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funds associated with Presidential Disaster Declaration DR-4085: New York Hurricane Sandy ("Superstorm Sandy") declared October 30, 2012.

This grant program provides the opportunity to invigorate New York's economy, encourage innovation, improve technology, and increase the quality of life for New Yorkers while developing a more crisis-ready New York State. To move these initiatives forward, the State will make the HMGP available statewide and across a range of sectors, giving preference to proposals that:

- Are in a county declared in Hurricane Irene, Tropical Storm Lee or Superstorm Sandy.¹

- Ensure continuity of critical services by reducing the risk of damage and loss of function from flooding and other hazards (including storm surge) at government, private non-profit, and private sector facilities.²

- Protect and enhance the reliability and resilience of transportation, communications or energy infrastructure through traditional or innovative mitigation measures: for example, by burying vulnerable power lines or installing outage management systems; storm-proofing vulnerable cell towers with back-up power systems to ensure uninterrupted communications in emergencies; protecting rail or road corridors against flooding; mitigating scour-critical bridges or culverts.

- Provide green, natural or innovative technological solutions to long-term threats: for example, by constructing or reinforcing natural barriers to protect coastal communities; implementing new technologies to minimize damage to facilities in floodplains; purchasing and modifying land to provide buffer zones to protect communities and their infrastructure.

- Implement permanent back-up power systems to ensure continuity of power during and after a disaster: for example, by installing combined heat and power (CHP) systems in a critical facility serving vulnerable populations; or wiring for generators to ensure capacity to maintain power during and after such a disaster.

- Implement the eligible mitigation recommendations the NYS Ready, the NYS Respond, and the NYS 2100 Commissions (see www.governor.ny.gov/NYS2100Commission), or those identified by a county's assessment of its emergency response capacity.

- Enhance the ability of the State and/or local governments to monitor rain, streams and/or tides and to provide advance flood warnings and evacuation notices, or to provide other situational awareness during a disaster: for example, by installing stream/water level monitoring system to provide evacuation alerts.

- Provide training for local floodplain administrators and code officials to perform post-storm inspections required under local law and State Code to speed recovery.

- Realize permanent flood mitigation solutions: Removing structures from a floodplain, or relocating them to higher ground. (This includes the acquisition of homes damaged after June 30, 2012 that do not qualify for existing NYS or NYC housing recovery programs for survivors of Superstorm Sandy, Hurricane Irene and Tropical Storm Lee.)

What is the HMGP?

After a Presidential disaster declaration, as in the case of Hurricane Irene, Tropical Storm Lee and Superstorm Sandy, FEMA provides HMGP funds for States to administer grant programs that support local hazard mitigation planning and long-term hazard mitigation measures to reduce the loss of life and damage to improved property from natural disasters.

- The State of New York, acting through State OEM, is the applicant for FEMA's HMGP.

- Eligible sub-applicants are State-level agencies, Federally-recognized Indian Tribal Governments, local governments (to include State-recognized Indian Tribes and authorized Indian Tribal organizations), and Private Non-Profits (PNPs) that perform a government-like function. Organizations deemed eligible for FEMA's Public Assistance (PA) program are eligible under HMGP.

- Private individuals, businesses and most institutions may not ap-

ply for the HMGP, but eligible applicants may apply on their behalf. Collaborative and creative public-private approaches are strongly encouraged in this HMGP.

Please note: Homeowners and businesses may be eligible for storm assistance under a variety of housing recovery programs. In NYS visit www.nysandyhelp.ny.gov or phone 855-NYS-SANDY; in NYC visit www.nyc.gov/html/recovery/html/home/home.shtml or phone 311.

- Generally speaking, sub-applicants seeking project funds must be covered by a current all-hazards mitigation plan at the time of award. (A current plan is one approved by FEMA and adopted by the community; some plans cover individual communities while others are regional or county-wide in scope.) Sub-applicants whose plans have expired may not be able to meet this guidance if they have not begun the update process. Contact State OEM with questions or to review plan status.

- FEMA funds provide 75% reimbursement of eligible costs, up to the amount of the award. In-kind services or materials may be used toward the 25% non-Federal match. While most Federal funds cannot be used for the non-Federal match, there are exceptions and the State may provide matching funds in certain circumstances for eligible projects. For a complete listing of Federal funds that can be used for match, see www.dhSES.ny.gov/oem/mitigation/documents/FY2011-HMA-Unified_Guidance.pdf (page 9).

Please note: For project development purposes, potential sub-applicants and/or the entities they represent should be prepared to provide the 25% non-Federal match for this cost-share program.

- Projects must be cost-effective as determined by a Benefit-Cost Analysis (BCA) verifying that future benefits (the losses to be avoided) are greater than the project's cost. For more information, see www.dhSES.ny.gov/oem/mitigation/documents/120312-BCA-Worksheet.pdf

- More information about the HMGP, including all FEMA program requirements, is available at www.dhSES.ny.gov/oem/mitigation/documents/FY2011-HMA-Unified_Guidance.pdf.

Please note: Four additional FEMA mitigation programs are generally announced each spring, subject to Congressional appropriation: the Pre-Disaster Mitigation (PDM), Flood Mitigation Assistance (FMA), Repetitive Flood Claims (RFC) and Severe Repetitive Loss (SRL) Programs. These programs are currently closed, and are not made available with this canvass or its attachments.

Hazard Mitigation Project Grants

Sub-applicants are encouraged to review the strategies and projects in their FEMA-approved mitigation plans to see if revisions are warranted based on the damage experienced during Sandy. This will also help identify cost-effective, resilient, and ready-to-implement mitigation projects that:

- Provide a comprehensive approach to floodplain management (e.g., neighborhood-wide initiatives instead of isolated or patchwork solutions, taking into account storm surge, where appropriate);

- Achieve and reinforce comprehensive long-range goals as identified through coordination with the NYS Departments of State (DOS) and Environmental Conservation (DEC), the State Historic Preservation Office (SHPO), State OEM, the NYS Ready, Respond and 2100 Commissions, and other local and regional plans and objectives;

- Support State and Federal goals, like removing structures from Coastal Barrier Resource System Units and floodways, taking advantage of the most current National Flood Insurance Program (NFIP) mapping data (including Advance Base Flood Elevation maps, or ABFEs), planning for climate change, retaining historic character or unique attributes, and promoting sustainable use.

Before responding to this announcement, and to maximize funding opportunities, potential applicants are also encouraged to carefully review FEMA's "Hazard Mitigation Assistance Unified Guidance" for a listing of eligible and ineligible activities (see www.dhSES.ny.gov/oem/mitigation/documents/FY2011-HMA-Unified_Guidance.pdf). This information can be found in Sections D.1 (pg. 11) and D.2 (p. 16), respectively.

Please note: In this HMGP round the State will not fund activities that are eligible for assistance through FEMA's Public Assistance

Program (see www.dhSES.ny.gov/oem/recovery/ or call 518-292-2293) or New York State's NY Rising Program (see www.nysandyhelp.ny.gov/# or call 855-NYS-SANDY). Work at non-critical facilities located in FEMA-mapped riverine floodways, coastal V-zones, or Coastal Barrier Resource System Units is also not eligible. In addition, the State will not prioritize activities eligible for assistance under New York City's NYC Recovery Program (see www.nyc.gov/html/recovery/html/home/home.shtml or phone 311).

Special Notes for Structure Buyouts

As noted above, certain housing activities covered by existing Hurricane Sandy housing programs will not be funded or prioritized because Federal law discourages or prohibits the duplication of programs. However, local governments may sponsor home acquisition projects under this HMGP for residents with properties that do not qualify for the programs noted above if HMGP eligibility requirements are met.³

Hazard Mitigation Planning Grants

The State seeks to fund requests that create or update county-wide plans, or bring communities currently without a plan (or with a single-jurisdiction plan) under a larger county-wide effort. Sub-applicants are encouraged to carefully review FEMA's March 2013 "Local Mitigation Planning Book" (available at www.fema.gov/library/viewRecord.do?id=7209) and State OEM's "2012 NYS Hazard Mitigation Planning Standards" (see www.dhSES.ny.gov/oem/mitigation/documents/hazard-mit-plan-standards2012.pdf).

The State has established the following funding caps (75% Federal share) for mitigation planning grants based on the number of residents to be covered by the final mitigation plan:

\$112,500 up to 100,000 residents

\$225,000 up to 500,000 residents

\$375,000 up to 1,000,000 residents

\$750,000 more than 1,000,000 residents

The State will also fund small grants of up to \$15,000 (75% Federal share) to support efforts to update County hazard mitigation plans before they expire, to review strategies and proposed mitigation projects in light of the lessons learned from Superstorm Sandy, Hurricane Irene and Tropical Storm Lee.

How to Apply

Interested eligible sub-applicants must use the Letters of Intent (LOIs) available online to register for this grant cycle.

LOIs for all HMGP-4085 activities are due Thursday, August 1, 2013 by 11:59 pm.

Please note: An LOI is not an application, nor is it a guarantee of funding. Submitted LOIs will be used to establish an organization's interest and to assist in identifying projects that may be funded under HMGP. Applicants who do not submit an LOI by the due date cannot move to the application development phase. State OEM will work with all eligible sub-applicants who submit timely LOIs for eligible activities to develop viable, cost-effective applications that can be submitted to FEMA for review and approval.

While every attempt will be made to accommodate communities still recovering from these events, eligible sub-applicants are encouraged to submit LOIs early and well before the deadline.

State OEM may also make available funds for State agencies and authorities to implement mitigation measures, including those identified in the "New York State Standard Multi-Hazard Mitigation Plan" or in the reports and findings of the NYS Ready Commission, the NYS Respond Commission, and the NYS 2100 Commission.

Please note: Other priorities and programs may be announced in future grant rounds. Check often at www.nysandyhelp.ny.gov and www.dhSES.ny.gov/oem/mitigation/.

If you have questions or need further information, please telephone 1-855-NYS-SANDY (855-697-7263) or visit www.nysandyhelp.ny.gov/content/hazard-mitigation-grant-program-hmGP-0.

¹ Albany, Bronx, Broome, Chemung, Chenango, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Kings, Montgomery, Nassau, New York, Oneida, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington and Westchester.

² Power, water, sewer, wastewater treatment, communications, education, and emergency medical, fire protection, and emergency services, the administrative and support facilities essential to their operation, major communication centers, facilities designed for the bulk storage of chemicals, petrochemicals, hazardous or toxic substances or floatable materials.

³ Local floodplain officials performing property damage assessments should direct questions about the National Flood Insurance Program (NFIP) and floodplain ordinances to the NYS DEC at 518-402-8185; questions about the NYS Building Code should be directed to the NYS Dept. of State, Codes Division, at 518-474-4073.