

New York

Disadvantaged Community (Hardship) Eligibility Criteria

To be considered for Disadvantaged Community (hardship) assistance including grant/principal forgiveness or interest-free financing, public water system projects must meet the following criteria:

- Must be a municipally-owned or NYS Public Service Commission (PSC) regulated privately owned drinking water infrastructure project;
- Must be listed on the Annual List with a score equal to or greater than the score at the Hardship Evaluation Eligibility line (for base DWSRF) or must appear on the BIL-GS Eligible Project List. If insufficient qualifying projects exist above the Annual List Hardship Line to award all of the additional subsidy required under the Base DWSRF, projects below the line will be considered in public health priority order until all of the required additional subsidy is obligated;
- Municipal population must be less than 300,000 per the 2019 American Community Survey (ACS). Alternatively, a public water system with a population greater than 300,000 can qualify if the project is for an established water district or a service area with a population less than 300,000. An income survey of the water district or service area would be required;
- At least one of the following criteria must be met:
 - The Median Household Income (MHI) of the municipality, per the 2019 ACS, must be less than 80% of the regionally adjusted statewide MHI; or
 - For projects in communities with an MHI equal to or greater than 80% and less than 100% of the regionally adjusted statewide MHI, the community must have an ACS family poverty rate greater than the statewide family poverty rate; or
 - At least 50% of the project cost or project scope must serve, protect, or benefit an identified Environmental Justice (EJ) area.
- Projects for communities with an MHI equal to or greater than 100% of the regionally adjusted statewide MHI, and that do not meet the EJ criteria outlined above, are not eligible for hardship assistance;
- An income survey, Census Designated Place (CDP), or other acceptable demonstration of a more accurate MHI for the service area may be used in lieu of the American Community Survey published MHI;
- Project construction cannot have reached substantial completion prior to October 1 of the FFY in which the hardship assistance is awarded;
- The project must not have closed on a short-term financing prior to October 1 of the FFY in which the hardship assistance is awarded. For phased projects, closing a short-term or long-term financing on a previous phase may not preclude a subsequent phase from hardship eligibility;
- The project must not have closed on long-term financing.