

7.1.2 BIL General Supplemental (BIL-GS) Awards

Projects that have been determined by DOH to meet BIL-GS eligibility requirements outlined in section 8.2.1 of this IUP will be considered BIL-GS eligible projects. BIL-GS eligible projects will appear on the BIL-GS Eligible Project List in the current IUP and will be considered for awards consisting of additional subsidy in the form of grants and/or interest free financing in amounts as outlined in Section 7.4 below. BIL-GS funds will be awarded to projects on the BIL-GS Eligible Project List in public health priority score order until the available funds are obligated. DOH will determine which projects will be awarded BIL-GS funds and will issue award letters to successful applicants notifying them of the award. See Section 13.2 of this IUP for more information on the BIL-GS Eligible Project List.

7.1.3 BIL Emerging Contaminants (BIL-EC) Awards

Projects that have been determined by DOH to meet BIL-EC eligibility requirements outlined in section 8.3.1 of this IUP will appear on the BIL-EC Eligible Project List in the current IUP and will be considered for awards consisting of additional subsidy in the form of grants in amounts as outlined in Section 7.4 below. BIL-EC funds will be awarded to projects on the BIL-EC Eligible Project List as outlined in section 8.3.2 of this IUP until the available funds are obligated. DOH will determine which projects will be awarded BIL-EC funds and will issue award letters to successful applicants notifying them of the award. See Section 13.2 of this IUP for more information on the BIL-EC Eligible Project List.

7.2 Disadvantaged Community (DAC) Eligibility Criteria

The Base DWSRF and BIL offers grants and/or interest free financing to certain eligible projects that meet the state's DAC criteria. For a project to be considered a DAC project it must meet both the municipal population and affordability criteria outlined below.

➤ Municipal Population (*this requirement does not apply for BIL-LSLR funding*)

The municipal population must be:

- less than 300,000, or
- if greater than 300,000, an acceptable income survey must be submitted for an established Town or County special assessment district that confirms the project service area population is less than 300,000.

➤ Affordability

At least one of the following criteria must be met:

- The Median Household Income (MHI) of the municipality must be less than 80% of the regionally adjusted Statewide MHI or
- If the MHI of the municipality is greater than 80% and less than 100% of the regionally adjusted statewide MHI, then the poverty rate of the municipality must be greater than the statewide poverty rate, or
- At least 50% of the project cost or project scope must serve, protect, or benefit an identified Environmental Justice (EJ) area, based on NYSDEC maps of Potential EJ Areas.

The 2021 American Community Survey (ACS) Statewide MHI for New York State is \$75,157, which is adjusted for certain counties by a Regional Cost Factor (RCF), as shown in Table 3 below. The RCFs were developed by the NYS Education Department (NYSED) for facilities planning.

Table 3 - Regionally Adjusted MHI

Region	RCF ⁱ	Adjusted NYS		
		MHI	80%	100%
Upstate	1.00	\$ 75,157	\$ 60,126	\$ 75,157
Dutchess, Orange, Putnam, Rockland, Sullivan, and Ulster Counties ⁱⁱ	1.31	\$ 98,456	\$ 78,765	\$ 98,456
Suffolk, Nassau and Westchester Counties ⁱⁱⁱ	1.60	\$ 120,252	\$ 96,202	\$ 120,252

[i - 2022-2023 Regional Cost Factor from NYSED.gov Facilities Planning](#)

i - 1.31 is the average of the RCFs for Dutchess, Orange, Putnam, Rockland, Sullivan, and Ulster Counties

iii - 1.60 is the average of the RCFs for Suffolk, Nassau, and Westchester County

7.3 Project Eligibility Criteria for Grants and Interest-Free Financing

Individual projects must meet the following criteria to be eligible for additional subsidy (grants) or interest-free financing awards:

- The project must be for a municipally owned drinking water system or a privately owned community public water system that is regulated by the NYS Department of Public Service
- The project must not have closed a short-term Financing with EFC prior to October 1 of the Federal Fiscal Year (FFY) in which the grant or interest-free funding is awarded.
- The project must not have closed a long-term financing with EFC.
- Project construction must not have reached substantial completion prior to October 1 of the FFY in which the grant or interest-free funding is awarded.
- For BIL-EC and BIL-LSLR awards, the project must be able to demonstrate the ability to meet all of the requirements for equivalency (IUP Section 10).

7.4 Award Determination and Funding Limitations

- For **Base DWSRF Hardship**, projects are limited to a maximum grant award of 70% of total net eligible project costs after outside grants, but not to exceed \$5 million. Projects awarded a grant will also receive interest-free financing for the non-grant portion of the eligible project costs, subject to availability, but not to exceed \$14 million.
- For **BIL-GS**, projects are limited to a maximum grant award of 70% of total net eligible project costs after outside grants, but not to exceed \$5 million. Projects awarded a grant will also receive interest-free financing for the non-grant portion of the eligible project costs, subject to availability, but not to exceed \$14 million.
- For **BIL-EC**, projects that meet the state’s DAC eligibility criteria (IUP Section 7.2) are limited to a maximum grant award of 100% of total net eligible project costs after outside grants, but not to exceed \$5 million. BIL-EC projects that do not meet the state’s DAC eligibility criteria are limited to a maximum grant award of 70% of total net eligible project costs after outside grants, but not to exceed \$5 million.
- Projects are limited to receiving no more than the \$5 million maximum grant amount from any combination of NYS Water Infrastructure Improvement Act (WIIA), Base DWSRF, BIL-GS, and BIL-EC funding. *(Note: A project addressing an emerging contaminant (EC) above the current State determined Maximum Contaminant Level (MCL) may receive a NYS EC-WIIA grant award above the \$5 million cap).*