



STATE OF NEW YORK  
**EXECUTIVE CHAMBER**

ALBANY 12224

August 18, 2009

**DAVID A. PATERSON**  
GOVERNOR

Lisa Jackson, Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave NW  
Washington, DC 20460

Dear Administrator Jackson:

Pursuant to Title XV, Subtitle A, section 1511 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) ("ARRA"), and the April 2, 2009 Grant Agreement from the U.S. Environmental Protection Agency to the New York State Department of Environmental Conservation (the "Grant Agreement"), I hereby certify that the infrastructure investments involving the Village of Cuba, Town of Brookhaven, Town of Cuba, and County of Westchester listed in the Attachment to this certification, which will be funded with amounts made available by ARRA under the heading "Clean Water State Revolving Fund" to the Environmental Protection Agency, have received the full review and vetting required by law. I accept responsibility that such investments are appropriate uses of taxpayer dollars. I further certify that the specific information required by ARRA § 1511 and the Grant Agreement concerning such investments (a description of the investments, the estimated total cost, and the amount of ARRA funds to be used) is summarized within the Clean Water State Revolving Fund link to be posted on the public website at <http://www.recovery.ny.gov>, and linked to [www.Recovery.gov](http://www.Recovery.gov).

Sincerely,

A handwritten signature in black ink that reads "David A. Paterson".

David A. Paterson  
Governor

Attachment

c: Commissioner Alexander B. Grannis

## ATTACHMENT

- **Village of Cuba, Alleghany County** – Total project cost in the amount of \$2,100,000, of which \$2,093,200 is being financed through the Clean Water SRF program. The Village is eligible for up to \$1,046,600 in ARRA principal forgiveness. This financing will support the planning, design and replacement of the Village's collection system and construction of improvements to the treatment plant. The new collection system will correct excessive inflow issues, while the improvements at the plant will allow the Village to more consistently and efficiently achieve discharge requirements, thus improving water quality. The Village of Cuba will own, operate and maintain the project.

The contract execution schedule for this project is as follows:

- Submit Plans and Specifications	August 1, 2009
- Advertise for Bids	October 1, 2009
- Open Bids	November 1, 2009
- Award Bids	November 15, 2009
- Execute Contracts	December 1, 2009
- Construction Completion	December 31, 2010

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each action or project financed. The Corporation has determined that this action will finance a project which will not have a significant impact on the environment: (1) the DEC has certified that this project is in compliance with the SERP; (2) no potentially large impacts have been identified; and (3) the Village of Cuba, acting as lead agency, has issued a negative declaration. The Project may require a stormwater general SPDES permit for construction activity. This will be determined by the DEC Division of Water.

Resolutions/ Agreements – The project was authorized pursuant to a bond resolution passed by the Board of Trustees of the Village of Cuba dated January 20, 2009 authorizing the issuance of \$2,100,000 in bonds for the purpose of the reconstruction of and improvements to the wastewater treatment plant and collection system in the Village of Cuba. Financial assistance will be provided pursuant to a Project Finance Agreement executed by and between the New York State Environmental Facilities Corporation and the Village of Cuba.

Disadvantaged Business Enterprises/Minority/Women's Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement. The MWBE fair share goals are as follows:

MBE goal: construction contracts – 6%;  
 service contracts- 8.8%

WBE goal: construction contracts – 6%;  
 service contracts – 8.8%

- **Town of Brookhaven, Suffolk County** – Total project cost in the amount of \$10,358,145 is being financed through the Clean Water SRF program. The Town is eligible for up to \$2,600,000 in ARRA principal forgiveness. This project, which will be undertaken by the Town of Brookhaven, will finance the costs of planning, design and construction of a new treatment plant to provide improved water quality to discharges to the groundwater of Long Island. The new energy efficient tertiary treatment plant will allow the Town to more consistently and efficiently achieve water quality requirements. The Town of Brookhaven will own, operate and maintain the project.

The contract execution schedule for this project is as follows:

- Submit Plans and Specifications	July 30, 2009
- Advertise for Bids	September 15, 2009
- Open Bids	October 21, 2009
- Award Bids	November 7, 2009
- Execute Contracts	November 24, 2009
- Construction Completion	May 1, 2011

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each action or project financed. The Corporation has determined that this action will finance a project that will not have a significant adverse impact on the environment: (1) the DEC has certified that this project is in compliance with the SERP, (2) no potentially large impacts have been identified; and (3) the Town of Brookhaven, acting as lead agency, has issued a negative declaration. The Project has been assigned DEC SPDES Permit # 0277827, but no permit has been issued to date.

Resolutions/ Agreements – The project was authorized pursuant to a bond resolution passed by the Town Board of the Town of Brookhaven dated August 5, 2008 for the purpose of establishing Brookhaven Sewer District No. 2 and the installation and construction of a sewage treatment plant, pumping station and collection system. This bond resolution authorized the issuance of bonds totaling \$10,358,145 for this purpose. Financial assistance will be provided pursuant to a Project Finance Agreement executed by and between the New York State Environmental Facilities Corporation and the Town of Brookhaven.

Disadvantaged Business Enterprises/Minority/Women's Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement. The MWBE fair share goals are as follows:

MBE goal:            construction contracts – 21%;  
                         service contracts- 18.8%

WBE goal:            construction contracts – 13.7%;  
                         service contracts – 20.5%

- **Town of Cuba, Allegany County** – Total project cost in the amount of \$5,687,000, of which \$5,287,000 is being financed through the Clean Water SRF program. The Town is eligible for up to \$3,400,000 in ARRA principal forgiveness. This project which will be undertaken by the Town of Cuba will finance the costs of constructing a wastewater collection system which will serve residents around the perimeter of Cuba Lake. Construction of this collection system will eliminate residential discharges currently impacting water quality of Cuba Lake. The collected sewage will be conveyed to the Village of Cuba's newly improved treatment plant. The Town of Cuba will own, operate and maintain the project.

The contract execution schedule for this project is as follows:

- Approved Plans and Specifications	March 12, 2009
- Advertise for Bids	March 15, 2009
- Open Bids	April 28, 2009
- Award Bids	May 12, 2009
- Execute Contracts	June 11, 2009
- Construction Completion	October 13, 2010

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each action or project financed. The Corporation has determined that this action will finance a project that will not have a significant adverse impact on the environment: (1) the DEC has certified that this project is in compliance with the SERP, (2) no potentially large impacts have been identified; and (3) the Town of Cuba, acting as lead agency, has issued a negative declaration. The Project is not subject to a DEC SPDES Permit.

Resolutions/ Agreements – The project was authorized pursuant to a bond resolution passed by the Town Board of the Town of Cuba dated April 10, 2007 for the purpose of installing force mains and a wastewater collection system. The bond resolution authorized the issuance of bonds totaling \$5,687,000 for this purpose. Financial assistance will be provided pursuant

to a Project Finance Agreement executed by and between the New York State Environmental Facilities Corporation and the Town of Cuba.

Disadvantaged Business Enterprises/Minority/Women's Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement. The MWBE fair share goals are as follows:

MBE goal:            construction contracts – 6%;  
                         service contracts- 8.8%

WBE goal:            construction contracts – 6%;  
                         service contracts – 8.8%

- **County of Westchester** – Total project cost in the amount of \$55,000,000 is being financed through the Clean Water SRF program. The County is eligible for up to \$27,500,000 in ARRA principal forgiveness. This financing will support the planning, design and construction of the biological nutrient removal upgrades at the Mamaroneck Wastewater Treatment Plant. The County of Westchester will own, operate and maintain the project.

The contract execution schedule for this project is as follows:

- Submit Plans and Specifications	October 26, 2009
- Advertise for Bids	November 2, 2009
- Open Bids	December 2, 2009
- Award Bids	December 17, 2009
- Execute Contracts	January 1, 2010
- Construction Completion	December 31, 2012

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency, an environmental review in accordance with the State Environmental Review Process (SERP, a NEPA-like review agreed to in the operating agreement) is undertaken with respect to each action or project financed. The Corporation has determined that the project will finance a project which constitutes “a particular course of action specifically required to be undertaken pursuant to a judgment or order” which is a Type II action under SEQR pursuant to 6 NYCRR 617.5 (29). The Project is subject to DEC SPDES Permit # 0026701, which expires on March 31, 2013.

Resolutions/ Agreements – The project was authorized pursuant to a bond act passed by the Board of Legislators of the County of Westchester dated December 9, 2008 authorizing the issuance of \$234,700,000 in bonds for, among other things, planning, design and construction of the biological nutrient removal upgrades at the Mamaroneck Wastewater Treatment Plant. Financial assistance will be provided pursuant to a Project Finance Agreement executed by and between the New York State Environmental Facilities Corporation and the County of Westchester.

Disadvantaged Business Enterprises/Minority/Women's Business Enterprises (MWBE) – the fair share objectives are negotiated with the US Environmental Protection Agency using the guidance provided in 40 CFR, Part 33, Subpart D, and set forth in the Grant Agreement.

The MWBE fair share goals are as follows:

MBE goal:	construction contracts – 6%;
	service contracts- 8.8%
WBE goal:	construction contracts – 6%;
	service contracts – 8.8%