



STATE OF NEW YORK  
**EXECUTIVE CHAMBER**  
ALBANY 12224

**DAVID A. PATERSON**  
GOVERNOR

October 19, 2009

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

Dear Ms. 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 Town of Rutland and the Town of Newcomb described 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 an appropriate use of taxpayer dollars. I further certify that the specific information required by ARRA § 1511 and the Grant Agreement concerning such investment (a description of the investment, 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).

Very truly yours,

David A. Paterson  
Governor

Attachment

c: Commissioner Alexander B. Grannis

## ATTACHMENT

- **Town of Rutland, Jefferson County** – Total project cost in the amount of \$5,516,000, of which \$4,299,000 is being financed through the Clean Water SRF program. The Town is eligible for up to \$1,780,000 in ARRA principal forgiveness. This financing will support the planning, design and replacement of collection sewers, pump stations, and force main in the Town of Rutland, Felts Mills Sewer District. This project is Phase III of a three-phase project. The Town of Rutland will own the project. The project will be operated and maintained by the Development Authority of the North Country.

The contract execution schedule for this project is as follows:

- Submit Plans and Specifications	September 23, 2009
- Advertise for Bids	October 18, 2009
- Open Bids	November 18, 2009
- Award Bids	November 30, 2009
- Execute Contracts	December 15, 2009
- Construction Completion	September 24, 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 Development Authority of the North Country, acting as lead agency, has issued a negative declaration.

Resolutions/ Agreements – The project was authorized pursuant to a bond resolution passed by the Town Board of the Town of Rutland dated April 9, 2009 authorizing the issuance of \$5,800,000 in bonds for the purpose of the construction of a sanitary sewer and wastewater collection system for the Town of Rutland known as the Route 3 Sewer Corridor Project – Rutland Phase III. 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 Rutland.

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 Newcomb, Essex County** – Total project cost in the amount of \$2,650,000, of which \$1,793,000 is being financed through the Clean Water SRF program. The Town is eligible for up to \$1,440,000 in ARRA principal forgiveness. This financing will support the planning, design

and construction of wastewater treatment facility modifications to the Town's Wastewater Collection and Treatment facilities.

The contract execution schedule for this project is as follows:

- |                                   |                    |
|-----------------------------------|--------------------|
| - Submit Plans and Specifications | September 22, 2009 |
| - Advertise for Bids              | October 23, 2009   |
| - Open Bids                       | November 23, 2009  |
| - Award Bids                      | December 7, 2009   |
| - Execute Contracts               | December 15, 2009  |
| <br>                              |                    |
| - Construction Completion         | December 22, 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 the action will finance a project which constitutes the “construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility”, “a particular course of action specifically required to be undertaken pursuant to a judgment or order”, and “actions subject to the class A or class B regional project jurisdiction of the Adirondack Park Agency”, which are Type II actions under SEQRA, pursuant to 6 NYCRR 617.5(c)(7), (29) and (36).

Resolutions/ Agreements – The project was authorized pursuant to bond resolutions passed by the Town Board of the Town of Newcomb dated April 28, 2009 and July 23, 2009 authorizing the issuance of \$1,800,000 in bonds for the purpose of the construction of a capital improvements for the Winebrook Hills Sewer District wastewater collection system and treatment plant for the Town of Newcomb. 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 Newcomb.

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%     |