

ATTACHMENT VII

**RESPONSE TO COMMENTS ON THE
DRAFT INTENDED USE PLAN**

Response to Comments on the Draft Intended Use Plan

The following response to comments was prepared to address the public's comments on the Drinking Water State Revolving Fund's draft Intended Use Plan that was issued on July 22, 2009. The public comment period began on July 22, 2009 and ended on September 4, 2009. The public was also invited to comment on the draft IUP at a hearing held in Albany, New York on August 6, 2009. In addition to the comments addressed herein, a number of project specific comments were received and addressed on an individual basis. Specific changes made to the project priority lists included in the draft IUP are provided in Appendix 1.

Comment:

Contact information on how, where and when to submit comments on the draft IUP should have been provided.

Response:

Information regarding the comment period, how to submit comments, and to whom comments on the draft IUP should be submitted was provided in the public Notice of Availability that was published in both the State Register and the Environmental Notice Bulletin on July 22, 2009.

Comment:

The DWSRF program allows for 30% of the annual capitalization grant to be used to fund the disadvantaged community program. Why is New York taking only 20% of the FFY 2010 capitalization grant to fund the disadvantaged community program?

Response:

For the past four years, New York's federal capitalization grant was reduced by 40%. This significant reduction resulted in the steady increase of the subsidized funding line on the Project Readiness List. In the FFY 2009 IUP, no new projects were reached for subsidized financing and, therefore, no new projects could apply for hardship. With the increase to New York's FFY 2010 capitalization grant, the funding line on the Project Readiness List is lower and new projects will be able to apply for hardship. The DOH and the EFC have determined that 20% of the FFY 2010 capitalization grant, or \$19,344,800, will provide the necessary Grant resources to finance eligible disadvantaged communities during this IUP period.

Comment:

The Project Priority Ranking System should be adjusted to better address the needs of small disadvantaged communities. Further, grants beyond the \$2,000,000 or 75% grant limit should be provided to these communities.

Response:

The Project Priority Ranking System will be reviewed during FFY 2010 and the needs of

the small disadvantaged communities will be considered as part of this review.

Without exception, the hardship policy with regards to grant limits applies to all communities within the State. We encourage those communities that require additional assistance to seek help from the other State and Federal agencies that participate in the co-funding initiative that is outlined in Section 7.7 of the IUP.