



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

DAVID A. PATERSON
GOVERNOR

February 11, 2010

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 September 1, 2009 Grant Agreement from the U.S. Environmental Protection Agency to the New York State Department of Health (the "Grant Agreement"), I hereby certify that the infrastructure investment involving The Chaffee Water Works Company listed in the Attachment to this certification, which will be funded with amounts made available by ARRA under the heading "Drinking Water State Revolving Fund" to the Environmental Protection Agency, has received the full review and vetting required by law. I accept responsibility that such investment is 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 Drinking Water State Revolving Fund link to be posted on the public website at <http://www.recovery.ny.gov>, and linked to www.Recovery.gov.

Very truly yours,

David A. Paterson
Governor

Attachment

c: Commissioner Richard F. Daines, M.D.

ATTACHMENT

- **The Chaffee Water Works Company, Erie County** – Total project cost in the amount of \$947,038, all of which is being financed through the Drinking Water SRF program. The Company is eligible for up to \$455,844 in ARRA grant and principal forgiveness. This financing will support an existing source upgrade, the addition of a new backup source, replacement of an existing storage tank, upgrading a hydro-pneumatic system, adding automated treatment controls, adding tank level alarms and replacing an inadequate distribution system. The Chaffee Water Works Company will own, operate and maintain the project.

- The contract execution schedule for this project is as follows:

	<u>Distribution</u>	<u>Source/Treatment</u>
- Submit Plans and Specifications	April 22, 2009	November 13, 2009
- Advertise for Bids	August 14, 2009	November 15, 2009
- Open Bids	September 4, 2009	December 1, 2009
- Award Bids	October 14, 2009	December 15, 2009
- Execute Contracts	November 3, 2009	December 30, 2009
- Construction Completion	December 29, 2009	December 31, 2010

SEQR/SERP – Pursuant to an operating agreement between the NYS Department of Health (DOH) and the U.S. Environmental Protection Agency (USEPA), 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 the construction of a project which will not have a significant impact on the environment: (1) the DOH has certified that this project is in compliance with the DWSRF SERP; (2) no potentially large impacts have been identified and (3) the Erie County Department of Environment and Planning, acting as lead agency, has determined that the project will not have a significant impact on the environment. The Project is subject to DEC Water Supply Permit No. 11331, which has no expiration date.

Resolutions/Agreements – The project was authorized pursuant to an authorizing resolution by The Chaffee Water Works Company dated January 25, 2010, for the purpose of upgrades and improvements to The Chaffee Water Works Company’s water distribution system. This resolution authorized the issuance of debt of \$947,038 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 Chaffee Water Works Company.

Disadvantaged Business Enterprises/Minority/Women’s Business Enterprises (MWBE) – the fair share objectives are negotiated with the USEPA 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%