



Legislation Text

File #: Res 0769-2023, **Version:** *

Res. No. 769

Resolution calling upon the New York State Environment Facilities Corporation to remove restrictive barriers and uncap funds New York City can receive for water infrastructure upgrades.

By Council Members Menin, Gennaro, Ariola, Brannan, Schulman and Won

Whereas, President Biden and the United States Congress passed the Bipartisan Infrastructure Law (BIL), which provides \$50 billion for water and wastewater projects; and

Whereas, In New York State (NYS), most of the funds provided by the BIL are controlled by NYS's Environmental Facilities Corporation (EFC); and

Whereas, The EFC's established guidelines were carefully crafted to prevent New York City (NYC) from equitably receiving needed capital; and

Whereas, The EFC instituted hardship rules to allow for all municipalities across the state to benefit, but with the notion, that only municipalities under 300,000 can receive the vast majority of BIL funding, in the form of grants from the EFC, pursuant to these hardship rules; and

Whereas, NYS and the EFC have attempted to ensure equity across the state by having the funds distributed across all municipalities in New York regardless of population; and

Whereas, NYC is the only municipality in NYS with over 300,000 people; and

Whereas, By not taking population into effect when developing these rules, the EFC only created inequality by depriving New York City, the most populous municipality in the State of New York, of its fair share of funds; and

Whereas, The BIL did not impose these guidelines, and this is solely a decision by the EFC; and

Whereas, NYC, as a result of these unjust funding guidelines, only received two percent of NYS's water

infrastructure grant funds in 2022, and NYC can only receive six percent of NYS's water and wastewater project funds from the BIL funds for 2023 according to U.S. Representatives Nicole Malliotakis, Grace Meng, and Nydia Velázquez; and

Whereas, The State of New York also passed the Clean Water Infrastructure Act, which limited funding from the law at \$5 million per municipality, thus, NYC can only receive up to 10 percent of these state funds under the law; and

Whereas, These inequitable policies promulgated by the State of New York disproportionately impact minority and low-income communities; and

Whereas, The majority of NYC is of non-white background, and NYC holds the largest minority population in NYS; and

Whereas, NYC has 59 percent of the state's disadvantaged communities, which are at heightened risk of negatively being impacted by climate change compared to other municipalities according to the New York State Energy Research and Development Authority; and

Whereas, A proper equitable distribution of water infrastructure funds would go toward disadvantaged communities, instead; and

Whereas, Millions of NYC residents are at risk of climate change, and critical water infrastructure upgrades are needed to improve the life of the over 8 million who live in NYC; and

Whereas, NYS should end its discriminatory environmental and water infrastructure policies punishing NYC and its residents; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Environmental Facilities Corporation to remove restrictive barriers and uncap funds New York City can receive for water infrastructure upgrades

LS #14021
JEB
8/1/23