

STATE OF NEW YORK

9325--A

2025-2026 Regular Sessions

IN ASSEMBLY

December 10, 2025

Introduced by M. of A. LEVENBERG, PAULIN, KELLES -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to establishing the wastewater infrastructure and drinking water program; and making an appropriation therefor

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The environmental conservation law is amended by adding a
2 new section 3-0322 to read as follows:

3 § 3-0322. Wastewater infrastructure and drinking water program.

4 1. Notwithstanding any other provisions of this chapter or any other
5 law, rule or regulation, and subject to an appropriation made therefor
6 and in accordance with the provisions of this section and with the rules
7 and regulations promulgated by the commissioner in connection therewith,
8 on and after the first day of April, in the year next succeeding the
9 effective date of this section, a wastewater infrastructure and drinking
10 water program is hereby established for the purpose of making payments
11 toward the replacement and rehabilitation of existing local municipal-
12 ly-owned and funded drinking water, storm water and sanitary sewer
13 systems. For purposes of this section, such program shall apply to any
14 drinking water system, storm water system or sanitary sewer system with-
15 in the state that is under the maintenance and/or operational jurisdic-
16 tion of a county, city, town, village or public authority; provided,
17 however, that such system shall not be under the maintenance and/or
18 operational jurisdiction of a private entity. The commissioner, in
19 conjunction with the environmental facilities corporation, shall promul-
20 gate all necessary rules and regulations to carry out the program so
21 that an equitable distribution of aid shall be made for the general

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 operation and/or general maintenance of any such existing drinking water
2 system, storm water system or sanitary sewer system.

3 2. Such program shall offer grants to municipalities to help pay for
4 the initial planning of eligible Clean Water State Revolving Fund
5 (CWSRF) water quality projects.

6 3. Funding may be used by municipalities for the preparation of an
7 engineering report. This includes planning activities to determine the
8 scope of water quality issues, evaluation of alternatives, and the
9 recommendation of a capital improvement project. In addition, the costs
10 to conduct an environmental review for the recommended alternative are
11 eligible. Design and construction costs are not eligible. Priority shall
12 be given to municipalities proposing planning activities that are:

13 (a) required by an executed Order on Consent; or

14 (b) required by a draft or final State Pollutant Discharge Elimination
15 System (SPDES) permit (e.g. nutrient removal, inflow and infiltration,
16 disinfection); or

17 (c) upgrading or replacing an existing wastewater system; or

18 (d) constructing a wastewater treatment and/or collection system for
19 an area with failing onsite septic systems; or

20 (e) addressing a pollutant of concern in a watershed implementation
21 plan (i.e. Total Maximum Daily Load (TMDL), Nine Element Watershed Plan,
22 or DEC HABS Action Plan).

23 § 2. The sum of five million dollars (\$5,000,000) is hereby appropri-
24 ated to the department of environmental conservation out of any moneys
25 in the state treasury in the general fund, not otherwise appropriated,
26 and made immediately available, for the purposes of providing emergency
27 municipal drinking water, wastewater and storm water infrastructure
28 grants for infrastructure projects where there is an imminent threat to
29 the environment and/or the public health, specifically for the wastewa-
30 ter infrastructure and drinking water program. Such moneys shall be
31 payable on the audit and warrant of the comptroller on vouchers certi-
32 fied or approved by the department of environmental conservation.

33 § 3. This act shall take effect on the one hundred twentieth day after
34 it shall have become a law.