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<b>Reasonable-ness of Cost</b> <i>20 to 0 points possible</i>	<b>20 POINTS:</b> Budget clearly details costs related to implementation of a non-agricultural nonpoint source program; program costs provide exceptional value as it applies to achieving pollutant reduction	<b>10 POINTS:</b> Budget provides some detail on costs related to implementation of a non-agricultural nonpoint source program; program costs provide reasonable value as it applies to achieving pollutant reduction	<b>0 POINTS:</b> Budget does not clearly detail costs associated with a non-agricultural nonpoint source program; costs do not provide a good value as it applies to achieving pollutant reduction  <b><i>Applications that fall into this category will not be funded</i></b>
<b>Program Readiness</b> <i>5 to 0 points possible</i>	<b>5 POINTS:</b> Program has all necessary permits (or does not need permits) and approvals <b>AND</b> is ready to move forward with construction.  Engineering, design, and planning are complete.	<b>3 POINTS:</b> Program is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay.  Engineering, design, and planning are partially complete.	<b>0 POINTS:</b> Program has not secured any necessary approvals and is not ready to proceed with construction.  Engineering, design and planning have not been started.  <b><i>Applications that fall into this category will not be funded.</i></b>
<b>Experience and Ability</b> <i>5 to 0 points possible</i>	<b>5 POINTS:</b> Applicant has shown the ability to complete all WQIP contracts for the past 10 years in a timely manner.	<b>3 POINTS:</b> Applicant has shown the ability to complete most WQIP contracts in the past 10 years in a timely manner.  <b>OR</b> Applicant has not been awarded a WQIP grant in the past 10 years but appears to have the experience and ability to carry out the program.	<b>0 POINTS:</b> Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years.  <b>OR</b> Applicant has not been awarded a WQIP grant in the past 10 years and does not appear to have the experience and ability to carry out the program.  <b><i>Applications that fall into this category will not be funded.</i></b>
<b>Regional Economic Development Priority Points</b>	<i>Up to 20 points for this criterion are provided by the Regional Economic Development Councils.</i>		
<b>Total Maximum Points</b>	100		

# Land Acquisition for Source Water Protection

## ELIGIBLE APPLICANTS

- Municipalities<sup>14</sup>
- Soil and water conservation districts
- Not-for-profit corporations<sup>15</sup>

## DESCRIPTION

Funding is available to purchase land for the purpose of protecting surface or groundwater drinking water supplies.

## REQUIREMENTS AND ADDITIONAL INFORMATION FOR ALL LAND ACQUISITION APPLICATIONS

- Before starting an application, applicants are strongly encouraged to investigate steps that must be taken and state and local approvals that are needed to start a project of this type (permits, easements, etc.). Applicants who have questions about what is needed for their project are encouraged to call the contact below.
- **Only** active public water supplies<sup>16</sup> as defined by the New York State Department of Health (NYSDOH) are eligible.
- **Only** land acquisition projects or programs associated with established and active public water supplies are eligible.
- Land Acquisition Projects must drain to the surface water source that is identified as the public water supply.
- Monitoring and enforcement of properties or easements obtained through this grant may be performed by a subcontractor. Monitoring and enforcement protocol and the associated property may be subject to inspection, even after the grant contract is closed / upon the department's request
- Parcels acquired prior to an executed contract are not guaranteed reimbursement.
- For both projects and programs targeting protection of surface waterbodies, parcels adjacent to waterbodies used as a water supply or adjacent to tributaries draining to a water supply **must** contain an existing riparian buffer or wetland OR restore a riparian buffer or wetland. Both existing and restored riparian buffers and wetlands **must** meet the requirements listed below. Only restoration activities performed on properties or easements acquired through this grant opportunity are eligible for funding.
- Riparian Buffer Requirements (Surface Water Projects or Programs):
  - Riparian buffers **must** be revegetated using only native trees, shrubs, or grasses appropriate for the site conditions.
  - Riparian buffers **must** have a minimum average width of 100 feet if they are adjacent to tributaries.
  - Riparian buffers **must** have a minimum average width of 300 feet if they are adjacent to reservoirs.

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<sup>14</sup> For the purposes of Land Acquisition Projects for Source Water Protection under this grant opportunity, "Municipality" means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city, town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, or any combination thereof (Environmental Conservation Law §56-0101) .

<sup>15</sup>"Not-for-profit corporation" means a corporation formed pursuant to the not-for-profit corporation law and qualified for tax-exempt status under the federal internal revenue code (Environmental Conservation Law, Article 56-0101 (16))

<sup>16</sup> NYSDOH defines a public drinking water supply as "any system with at least 5 service connections or that regularly serves an average of at least 25 people daily for at least 60 days out of the year".

- For newly created or restored buffers, the applicant **must** develop and implement a maintenance plan during the buffer establishment period, defined as 3-5 years after planting of vegetation.
- Streambanks **must** be stable prior to creation or restoration of riparian buffers. “Soft” streambank stabilization practices including, but not limited to, live staking, contour wattling, erosion control matting, and root wads, are eligible for funding as part of a buffer project. Hard armoring of streambanks, including stone rip rap, is **not** eligible for funding under this category.
- Selective cutting of trees, removal of invasive species, or supplemental planting of trees, shrubs, or grasses are allowed provided they improve habitat and function of the riparian buffer or remove, mitigate, or warn against unreasonable harm to people, property or health of native species on or around the defined riparian buffer area.
- Field drains through the riparian buffer are **not** allowed. Existing field drains **must** be terminated prior to entering the riparian buffer in a manner that will allow infiltration of field drain discharge.
- Wetland Requirements (Surface Water Projects or Programs):
  - Project plans **must** describe how the work in and near wetlands will protect drinking water supplies and provide improved wetland function.
  - Work within or immediately adjacent to existing wetlands **must** be limited to activities that will improve wetland function. Disturbances that compromise ecological functions are ineligible.
  - Projects **cannot** mitigate for impacts to regulated wetlands. Wetland mitigation projects are ineligible.
  - The applicant **must** develop and implement a maintenance plan for any wetland creation or enhancement. The maintenance plan **must** include protocols for addressing problems for a minimum of 3 years following creation or enhancement.
- Land Purchase and Conservation Easement Requirements
  - All **municipalities**, whether a project or program, **must** submit a complete water withdrawal permit modification application for all properties being acquired.<sup>17</sup>
  - Lands currently protected by a federal or state easement program are **not** eligible
  - Conservation easements **must** be acquired in perpetuity.
  - If the property is used for activities which interfere with the accomplishment of approved purposes, the violating activities **must** cease, and any resulting adverse effects **must** be remedied.
  - Disturbances that compromise the ecological condition of the riparian buffer or wetland areas, including, but not limited to, livestock access, wood or timber harvesting, excessive mowing and recreational vehicular use **must** be prohibited.
  - Per Environmental Conservation Law §15-3303, DEC **cannot** provide funding for any land acquisition project by a not-for-profit if any town, village, or city objects to such acquisition. A not-for-profit contact **must** notify any town, village, or city of their interest in acquiring such project. The town, village, or

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<sup>17</sup> Water withdrawal permitting requirements as stated in 6 NYCRR Part 601.6. See [https://govt.westlaw.com/nycrr/Document/I4ebfafbecd1711dda432a117e6e0f345?viewType=FullText&originatio nContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Document/I4ebfafbecd1711dda432a117e6e0f345?viewType=FullText&originatio nContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))

- city has 90 days after such notification to object by resolution. A not-for-profit contractor **must** provide DEC with copies of such notification and any responses received from any town, village or city, or certify to DEC that no responses were received within 90 days.
- Phase I environmental assessment reports **are required** for lands acquired in fee and conservation easements. Phase I reports **must** be completed by a qualified consultant.
  - The applicant **must** hold title to any land or easement acquired through this grant.
  - Upon approval of the Department, an applicant who acquired an interest in real property using monies obtained through this program may sell, lease, exchange or donate the real property to a not-for-profit or municipality, who will continue to use the real property for the same public purpose, without an express act of the New York State Legislature. Any sale, lease, exchange or donation which will result in the real property no longer having a public purpose must be approved by an express act of the New York State Legislature.
  - Public access and passive recreational activities (i.e. hiking trails) will be reviewed by DEC on a case-by-case basis. The applicant **must** provide a thorough description and maps showing public access points, proposed activities, proximity to the public water supply, and justification for public access to assist DEC in making the determination of whether public access will have an impact to the drinking water supply. In the case of a municipality, this documentation is to be provided at the earliest date practicable but not later than 120 days prior to closing on a property. In the case of a not-for-profit or Soil and Water Conservation District, documentation **must** be provided concurrently with notification of the municipality of its interest in acquiring such projects.
  - Transaction requirements (post-award):
    - Appraisals **are required** for all properties prior to reimbursement.
    - Appraisals **must** be completed by a state general certified appraiser following the Uniform Standards of Professional Appraisal Practice (USPAP) and submitted as non-restricted narrative appraisal reports according to DEC's Appraisal standards.
    - DEC may reimburse for purchase of land or development rights above appraised value if, in DEC's opinion, a parcel has exceptional source water value that cannot be factored into a determination of fair market value. DEC may reimburse at a price above the highest approved independent appraisal provided: 1) the price was the result of documented negotiations between the Grantee and the seller and 2) the Grantee demonstrates the unique source water protection value and how it accomplishes the objective of this program to DEC's satisfaction.
    - Boundary surveys **are required** for all properties. Surveys **must** be completed by a professional land surveyor.
    - Appraisals, surveys, title report and insurance, baseline data and easement language (if applicable), and Phase I environmental assessments, **must** be reviewed and approved or disapproved by DEC for all projects/programs. No reimbursement will be made until the final approval is given by the Department. DEC will have a minimum of 120 days from the date all documents are received to review and approve or disapprove parcel(s) being proposed.
    - A completed water withdrawal permit application (municipalities only) **must** be submitted for all properties prior to reimbursement.

### Required Application Attachments

- Detailed protocol for monitoring and enforcement of properties or easements. The protocols **must** include all the Required Elements listed in the WQIP Required Land Acquisition for Source Water Protection Documentation Guidance (Appendix D).
- Detailed expenditure-based summary budget. The budget summary **must** estimate the value of the land or development rights being acquired, transactional costs, staff salaries directly devoted to or connected to the project or program, restoration costs, contractual costs and travel costs.
- Map(s) depicting the active public drinking water supply(s), location of wells, intakes, or springs, parcel location(s), areal extent of the zone of contribution, watershed boundary, land use (National Land Cover Dataset 2011), and circles showing distance to 1,000 feet and 1,500 feet from groundwater wells (if applicable). The map(s) **must** include all the Required Elements listed in the WQIP Required Land Acquisition for Source Water Protection Documentation Guidance (Appendix D).

### PROJECT SUBTYPES AND REQUIREMENTS

Subtype	Description	Maximum award	Required match	Special Requirements
Land Acquisition Projects	Projects to purchase conservation easements or parcels of land for the purpose of protecting one or more active public surface water drinking supplies (streams, lakes, rivers, and reservoirs) <b>OR</b> for the purpose of protecting one or more active public groundwater drinking water supplies (groundwater wells)	\$4,000,000	25% of award amount	Land parcel(s) <b>must</b> be specifically identified at the time of application to be considered for funding under the Project category.  Projects are expected to acquire all parcels identified in application unless unusual circumstances arise.
Land Acquisition Programs	Programs to purchase conservation easements or parcels of land at multiple locations throughout the HUC 12 watershed of one or more active public surface water drinking water supplies (streams, lakes, rivers, and reservoirs) <b>OR</b> parcels at multiple locations within the areal extent of the zone of contribution <sup>18</sup> of one or more active public groundwater drinking water supplies.	\$4,000,000	25% of award amount	<b>Must</b> provide fiscal information, such as annual reports, that demonstrate the ability to sustain the level of effort being funded under this grant if grant funds will be used for personal services.  Parcels are not required to be specifically identified at the time of application to be considered for funding under the Program category, but programs that have identified and

<sup>18</sup> Areal extent of the zone of contribution as defined by USGS.

See <https://water.usgs.gov/admin/memo/GW/gw03.02.html>

Subtype	Description	Maximum award	Required match	Special Requirements
				prioritized parcels are preferred.

## ELIGIBLE COSTS

- The value of the land or development rights being acquired, provided such value associated with the purchase of the property or purchase of a conservation easement is from an appraisal deemed acceptable by DEC
- Personal services (e.g. salary, fringe)
  - Grantees will be required to document time worked, tasks, pay ratio and payment, and itemize salaries according to job title and roles/responsibilities. Staff salaries cannot exceed 10% of the award amount for applications in the Project category and 30% of the award amount for applications in the Program category.
- Non-personal services (e.g. contractual services, travel)
  - Value of contractual services provided by professional and technical personnel and consultants (i.e. engineering and architectural services, surveys, plans and specifications, research, design and development of a project, consultant and legal services directly related to a project, feasibility study for a property, etc.)
  - Travel Costs (within New York State) must be directly associated and required to implement the project or program.
- Transactional costs, provided they result in final acquisition of land or perpetual conservation easement and/or restoration of new riparian buffers or wetlands. Transactional costs can be submitted for reimbursement as incurred throughout the contract term, but payments may need to be returned to the State should the land transaction not successfully close.
  - Transactional costs are limited to:
    - Title reports
    - Title insurance
    - Property surveys
    - Appraisals
    - Certified appraisal review
    - Easement holder and landowner's legal fees to negotiate/close the conservation easement transaction and to review title reports and, as necessary, prepare title curatives, filing fees or other closing costs
    - Map and GIS/remote sensing data
    - Phase I environmental assessment
    - Baseline documentation reports
    - Stewardship or management plans
    - Easement stewardship fee
    - Project specific defense liability insurance fees
    - Property taxes
    - State or local real estate transfer taxes
- Riparian buffer or wetland restoration costs as defined above and deemed acceptable by DEC. Streambank stabilization and/or field drain restoration (including equipment rental) costs cannot exceed a total of 25% of the award amount.
- Planning and design costs (up to 20% of the award amount)

## **INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS**

- Out-of-state travel costs and any travel not directly required to implement the project or program
- Project or program costs funded from other state and/or federal funding sources
- Indirect costs, including overhead/operating expenses (space, rent, utilities)
- Costs incurred outside the start and end date of the contract (no earlier than May 1, 2019)
- Applications that do not include required attachments with application
- Applications that do not clearly detail costs associated with a land acquisition project or program; or detail costs that do not provide a good value as it applies to achieving source water protection
- Endowment funds
- Major capital expenditures, such as computers
- Any fee or other contribution deposited to a legal defense fund other than a conservation easement defense liability insurance policy
- Restoration projects that include hard armoring of streambanks, including stone rip rap
- Costs exceeding the maximum allowable percentage for that type of cost as listed above
- Wetland mitigation projects
- Projects that do not include land acquisition as part of the grant
- Construction oversight
- Projects to acquire land to be used for a new well
- Acquisition of land that is known or highly suspected of being contaminated (e.g. where past contamination is not uncommon)
- Any remediation/restoration work associated with removal of contaminants (e.g., hazardous waste, petroleum products).
- Phase II environmental assessment reports unless requested by the DEC
- Land determined to be contaminated in either a Phase I or Phase II report shall be reimbursable at DEC's sole discretion. If conditions are considered unacceptable, DEC will notify awardee within 30 days of receipt of the environmental report.
- Costs associated with water withdrawal permit modification (e.g., completion of engineering reports, water withdrawal program forms)

## **RESOURCES**

- WQIP Required Land Acquisition for Source Water Protection Documentation  
Guidance: Appendix D of this Program Overview
- HUC 12 watershed map:  
<https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>
- Guidance on designing and maintaining riparian buffers:  
<http://www.dec.ny.gov/chemical/106345.html>
- "Soft" streambank stabilization guidance: <http://www.dec.ny.gov/permits/67096.html>.
- Examples of maps meeting all required elements:  
<https://www.dec.ny.gov/pubs/4774.html>

## **CONTACT**

NYS Department of Environmental Conservation, Division of Water  
Kristin Martinez, (518) 402-8086

## LAND ACQUISITION FOR SOURCE WATER PROTECTION PROJECT SCORING CRITERIA

<b>Agency Points</b>	<b>Up to 80 agency points are available, as defined below. Applications must receive a minimum of 30 agency points to be eligible for funding. Applications that receive 0 points for Performance Measures, Reasonableness of Cost, Source Water Protection Prioritization, Project Readiness or Experience and Ability will not be funded.</b>			
<b>Performance Measures<sup>19</sup></b> <i>30 to 0 points possible</i>	<p><b>30 POINTS:</b></p> <p>Projects identified in a DEC-approved watershed implementation plan (i.e. TMDL, Nine Element Watershed Plan or DEC HABs Action Plan)</p> <p><b>OR</b></p> <p>Parcel(s) to protect surface waterbodies used as an active public drinking water supply that are within 1,000 feet of the intake</p> <p><b>OR</b></p> <p>Parcels to protect a lake or reservoir used as an active public drinking water supply and are within 500 feet of the shoreline<sup>20</sup></p> <p><b>OR</b></p> <p>Parcels to protect a lake or reservoir used as an active public drinking water supply that are within 200 feet of the tributary shoreline and are no more than 1 mile upstream of the reservoir</p> <p><b>OR</b></p> <p>Parcels within 1,000 feet of a water supply wellhead permitted as an active public drinking water source</p> <p><b>OR</b></p> <p>Parcels specifically identified for drinking water protection in the New York State Open Space Plan and within 10 miles of the public water supply intake</p>	<p><b>20 POINTS</b></p> <p>Parcels to protect surface waterbodies used as an active public drinking water supply that are located within 1,000 feet of the intake and less than 50% of the parcel is in this area</p> <p><b>OR</b></p> <p>Parcels to protect a lake or reservoir used as an active public drinking water supply and are within the area 501 feet to ½ mile from the shoreline</p> <p><b>OR</b></p> <p>Parcels to protect a river or stream used as an active public water supply that are no more than 1 mile upstream of the intake and within 500 feet of the shoreline<sup>21</sup></p> <p><b>OR</b></p> <p>Parcels within 1,001 – 1,500 feet from a water supply wellhead permitted as an active public drinking water source</p>	<p><b>10 POINTS</b></p> <p>Parcel(s) within the HUC 12 watershed of a lake or reservoir used as an active public drinking water supply</p> <p><b>OR</b></p> <p>Parcels to protect a river or stream used as an active public water supply that are no more than 1 mile upstream of the intake and within ½ mile from the shoreline</p> <p><b>OR</b></p> <p>Parcels more than 1,500 feet away from a water supply wellhead permitted as an active public drinking water source and is(are) identified in a protection plan as needing protection</p>	<p><b>0 POINTS:</b></p> <p>Projects that target protection of land parcel(s) outside the HUC 12 watershed of a surface waterbody used as an active public drinking water supply</p> <p><b>OR</b></p> <p>Greater than 50% of the parcel(s) is(are) more than 1,500 feet away from a water supply wellhead permitted as an active public drinking water source</p> <p><b>Applications that fall into this category will not be funded</b></p>
<b>Reasonableness of Cost</b> <i>20 to 0 points possible</i>	<p><b>20 POINTS:</b></p> <p>Budget clearly details costs related to implementation of a land acquisition project; project costs provide exceptional value as it applies to achieving source water protection</p>	<p><b>10 POINTS:</b></p> <p>Budget provides some detail on costs related to implementation of a land acquisition project; project costs provide reasonable value as it applies to achieving source water protection</p>	<p><b>0 POINTS:</b></p> <p>Budget does not clearly detail costs associated with a land acquisition project; costs do not provide a good value as it applies to achieving source water protection</p> <p><b>Applications that fall into this category will not be funded</b></p>	

<sup>19</sup> Projects will be scored based on the area where the majority (over 50%) of the parcel lies. If the majority of the parcel meets the criteria for 0 points, the project will not be funded.

<sup>20</sup> Lateral distance from the shoreline

<sup>21</sup> To view a sample schematic showing how points are determined for rivers and streams, visit <http://www.dec.ny.gov/pubs/4774.html>.

<p><b>Source Water Protection Prioritization</b></p> <p><i>15 to 0 points possible</i></p>	<p><b>15 POINTS:</b></p> <p>At least 50% of the parcel is located within an area designated for the protection of source water identified in a conservation overlay district, wetlands protection plan, DEC-approved watershed implementation plan (i.e. TMDL, Nine Element Watershed Plan or DEC HABs Action Plan) or other plan produced by a licensed geologist, Rural Water authority or Regional Planning authority</p> <p><b>OR</b></p> <p>At least 50% of the parcel is designated as wetlands, forested land, open space, or grasslands by the 2011 National Land Cover Dataset</p>	<p><b>10 POINTS:</b></p> <p>At least 50% of the parcel is designated as agriculture or low/medium intensity developed area by the 2011 National Land Cover Dataset</p> <p><b>OR</b></p> <p>35% - 49% of the parcel is located within an area designated for source water protection or classified as wetlands, forested land, open space or grasslands by the 2011 National Land Cover Dataset</p>	<p><b>5 POINTS:</b></p> <p>At least 50% of the parcel is designated as high density developed area by the 2011 National Land Cover Dataset</p> <p><b>OR</b></p> <p>35% - 49% of the parcel is designated as agriculture or low/medium intensity developed area by the 2011 National Land Cover Dataset</p>	<p><b>0 POINTS:</b></p> <p>National Land Cover Dataset not included in submitted maps</p> <p><b>Applications that fall into this category will not be funded</b></p>
<p><b>Project Readiness</b></p> <p><i>10 to 0 points available</i></p>	<p><b>10 POINTS:</b></p> <p>Parcels have been identified and at least 50% of landowner endorsement is demonstrated by a letter of commitment</p> <p><b>AND</b></p> <p>Applicant has provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix D</p>	<p><b>5 POINTS:</b></p> <p>Parcels have been identified but 49% or less of landowner endorsement has been demonstrated</p> <p><b>AND</b></p> <p>Applicant has provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix D</p>	<p><b>0 POINTS:</b></p> <p>Specific parcels have not been clearly identified</p> <p><b>OR</b></p> <p>Applicant has not provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix D</p> <p><b>Applications that fall into this category will not be funded</b></p>	
<p><b>Experience and Ability</b></p> <p><i>5 to 0 points available</i></p>	<p><b>5 POINTS:</b></p> <p>Applicant possesses the knowledge, skills and ability to complete the project, and has prior experience with WQIP Land Acquisition for Source Water Protection grants, and completed all tasks in a timely manner</p> <p><b>AND/OR</b></p> <p>Applicant is accredited through the Land Trust Accreditation Commission</p>	<p><b>3 POINTS:</b></p> <p>Applicant possesses the knowledge, skills and ability to complete the project, but does not have prior experience with WQIP Land Acquisition for Source Water Protection grants</p>	<p><b>0 POINTS:</b></p> <p>Applicant does not possess the knowledge, skills and ability to complete the project and does not have prior experience with WQIP Land Acquisition for Source Water Protection grants</p> <p><b>OR</b></p> <p>has previous experience with WQIP Land Acquisition for Source Water Protection grants and did not complete all tasks in a timely manner</p> <p><b>Applications that fall into this category will not be funded</b></p>	
<p><b>Regional Economic Development Priority Points</b></p>	<p><b>Up to 20 points for this criterion are provided by the Regional Economic Development Councils.</b></p>			
<p><b>Total Maximum Points</b></p>	<p><b>100</b></p>			

**LAND ACQUISITION FOR SOURCE WATER PROTECTION PROGRAM SCORING CRITERIA**

<b>Agency Points</b>	<i>Up to 80 agency points are available, as defined below. Applications must receive a minimum of 30 agency points to be eligible for funding. Applications that receive 0 points for Performance Measures, Reasonableness of Cost, Program Readiness or Experience and Ability will not be funded.</i>			
<b>Performance Measures</b> <i>30 to 0 points possible</i>	<b>30 POINTS:</b> Programs identified in a DEC-approved watershed implementation plan (i.e. TMDL, Nine Element Watershed Plan or DEC HABs Action Plan)	<b>20 POINTS:</b> Watersheds specifically identified for drinking water protection in the New York State Open Space Plan	<b>10 POINTS:</b> Programs that demonstrate that some level of planning has taken place using tools or methods to prioritize acquiring lands to protect public water supplies  <b>OR</b> Inclusion of source water protection in comprehensive plans, municipal resolutions, etc. of the majority of municipalities in the HUC 12 watersheds being proposed	<b>0 POINTS:</b> <i>Applications that do not meet any of the previous performance measures will not be funded</i>
<b>Reasonableness of Cost</b> <i>20 to 0 points possible</i>	<b>20 POINTS:</b> Budget clearly details costs related to implementation of a land acquisition program; program costs provide exceptional value as it applies to achieving source water protection	<b>10 POINTS:</b> Budget provides some detail on costs related to implementation of a land acquisition program; program costs provide reasonable value as it applies to achieving source water protection	<b>0 POINTS:</b> Budget does not clearly detail costs associated with a land acquisition program; costs do not provide a good value as it applies to achieving source water protection  <i>Applications that fall into this category will not be funded</i>	
<b>Source Water Protection Prioritization</b> <i>15 to 5 points possible</i>	<b>15 POINTS:</b> Program prioritizes parcels using scientific methodology or tool that ranks parcels based on greatest impact to water quality (i.e. steep slopes, lack of riparian buffers, intensive development)		<b>10 POINTS:</b> Program prioritizes parcels based on proximity to the drinking water source	<b>5 POINTS:</b> Program prioritizes parcels based on vacancy or availability for acquisition
<b>Program Readiness</b> <i>10 to 0 points available</i>	<b>10 POINTS:</b> Watershed parcels have been identified and prioritized; at least 50% of landowner endorsement is demonstrated by letters of commitment; applicant has provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix D; for projects involving personal service costs, applicant has demonstrated the ability to maintain the level of effort funded by this grant	<b>8 POINTS:</b> Watershed parcels have been identified but 49% or less of landowner endorsement has been demonstrated; applicant has provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix D; for projects involving personal service costs, applicant has demonstrated the ability to maintain the level of effort funded by this grant	<b>5 POINTS:</b> Drinking water supply watershed targeted for protection has been identified; applicant has provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix D; for projects involving personal service costs, applicant has demonstrated the ability to maintain the level of effort funded by this grant	<b>0 POINTS:</b> Drinking water supply watershed targeted for protection has not been clearly identified  <b>OR</b> Applicant has not provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix D.  <b>OR</b> For projects involving personal service costs, applicant has not demonstrated the ability to maintain the level of effort funded by this grant  <i>Applications that fall into this category will not be funded</i>

<p><b>Experience and Ability</b></p> <p><i>5 to 0 points available</i></p>	<p><b>5 POINTS:</b></p> <p>Applicant possesses the knowledge, skills and ability to complete the program, and has prior experience with WQIP Land Acquisition for Source Water Protection grants, and completed all tasks in a timely manner</p> <p><b>AND/OR</b></p> <p>Applicant is accredited through the Land Trust Accreditation Commission</p>	<p><b>3 POINTS:</b></p> <p>Applicant possesses the knowledge, skills and ability to complete the program, but does not have prior experience with WQIP Land Acquisition for Source Water Protection grants</p>	<p><b>0 POINTS:</b></p> <p>Applicant does not possess the knowledge, skills and ability to complete the program and does not have prior experience with WQIP Land Acquisition for Source Water Protection grants</p> <p><b>OR</b></p> <p>Has previous experience with WQIP Land Acquisition for Source Water Protection grants and did not complete all tasks in a timely manner</p> <p><b><i>Applications that fall into this category will not be funded</i></b></p>
<p><b><i>Regional Economic Development Priority Points</i></b></p>	<p><b><i>Up to 20 points for this criterion are provided by the Regional Economic Development Councils.</i></b></p>		
<p><b><i>Total Maximum Points</i></b></p>	<p><b><i>100</i></b></p>		

# SALT STORAGE

## ELIGIBLE APPLICANTS

- Municipalities<sup>22</sup>
- Soil and water conservation districts

## DESCRIPTION

Funding is available for projects to construct a permanent structure to cover a salt or a salt/sand mixture storage pile.

## REQUIREMENTS FOR ALL SALT STORAGE APPLICATIONS

- Projects must adhere to the New York State Office of General Services salt storage specifications to be eligible for this grant.  
<https://online.ogs.ny.gov/DNC/MasterSpec04/MasterSpecListing.asp?Div=13>

### Required Attachments

- Map with the project area clearly identified. Map must be a 1:24,000 scale USGS or DOT planimetric map
- Budget worksheet
- Sexual Harassment Prevention Certification Form (Appendix A)

## PROJECT SUBTYPES

Project subtype	Description	Maximum award	Required match	Additional Information
<b>High Priority</b>				
New structures	Projects to construct new structures to enclose an uncovered salt or salt/sand mixture storage pile	\$500,000	50% of award amount	Highest priority are projects to construct a new structure to enclose an uncovered salt or salt/sand mixture storage pile that is currently located near a groundwater drinking water source or surface water used for a public water system; or within a primary, principal or sole source aquifer
<b>Low Priority</b>				
Replacement structures	Projects to replace an existing salt or salt/sand mixture storage structure	\$500,000	50% of award amount	Applications will receive minimum points for Vision
Capacity expansion	Projects to expand the capacity of an existing salt or salt/sand mixture structure	\$500,000	50% of award amount	Applications will receive minimum points for Vision

<sup>22</sup> For the purposes of Salt Storage projects under this grant opportunity, "Municipality" means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city, town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, or any combination thereof (Environmental Conservation Law §56-0101).

## ELIGIBLE COSTS

- Costs related to the construction of the salt or salt/sand mixture storage structure
- Planning and design costs up to 20% of the award amount
- Construction of access road and impervious pad surrounding structure necessary to load and unload salt

## INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Applications that do not include construction of a permanent structure to cover a salt or salt/sand mixture storage pile will be ineligible for this category
- Projects with planning and design costs in excess of 20% of the award amount may be deemed ineligible
- Costs for stormwater controls that are required under the SPDES General Permit for Construction activities
- Projects that include any costs that are not for construction of the structure itself (e.g. office space, additional maintenance facilities, etc.) will be deemed ineligible.
- Administrative costs

## RESOURCES

- Office of General Services Specifications for salt storage facilities:  
<https://online.ogs.ny.gov/DNC/MasterSpec04/MasterSpecListing.asp?Div=13>
- DECinfo Locator<sup>23</sup> (most up to date source of WI/PWL segment assessments):  
<http://www.dec.ny.gov/pubs/109457.html>
- HUC 12 watershed map:  
<https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>
- Principal aquifers<sup>24</sup> map: <https://www.dec.ny.gov/lands/36119.html>.
- Primary aquifers<sup>25</sup> map: <https://www.dec.ny.gov/lands/36119.html>
- Sole source aquifers<sup>26</sup> map: <https://www.dec.ny.gov/lands/36151.html>

## CONTACT

NYS Department of Environmental Conservation, Division of Water  
Don Tuxill, (518) 402-8168  
Ryan Waldron (518) 402-8244

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<sup>23</sup> For projects impacting surface water, the applicant must provide the correct Waterbody Inventory/Priority Waterbodies List (WI/PWL) segment ID and HUC 12 watershed of the closest waterbody that the project will impact. To find the closest WI/PWL segment assessment visit the DECinfo Locator and click on the link for “Environmental Quality Map View”. In the left column of the map, click on “Information List” and check the box for “Rivers, Streams and Shorelines” AND “Lakes, Reservoirs, and Estuaries” to display these map layers. Enter the address or project location in the “Search Near Me” search bar. Click on the plus sign in the top left corner of the map to zoom into the location until the waterbodies are visible on the map. Click on the waterbody of interest. A box with the Waterbody Inventory/Priority Waterbodies List information will be displayed, including the waterbody name, ID number, basin, and assessment level. To access the WI/PWL segment assessment for that waterbody, click on the “Download Fact Sheet” link in the box. For guidance on how to read the WI/PWL segment assessments, visit <http://www.dec.ny.gov/chemical/36730.html>

<sup>24</sup> Principal aquifers are aquifers known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time.

<sup>25</sup> Primary aquifers are defined as highly productive aquifers presently utilized as sources of water supply by major municipal water supply systems.

<sup>26</sup> Sole source aquifers are designated by the US Environmental Protection Agency as the sole or main source of drinking water for a community, under provisions of the Federal Safe Drinking Water Act

## SALT STORAGE SCORING CRITERIA

<b>Agency Points</b>	<i>Up to 80 agency points are available, as defined below. Applications must receive a minimum of 30 agency points to be eligible for funding. Applications that receive 0 points for Project Readiness or Experience and Ability will not be funded.</i>				
<b>Vision</b> <i>40 to 1 point(s) possible</i>	Vision will be calculated by multiplying Performance Measures times Impact Factor. Performance Measures points and Impact Factor points will not be included in the total score, only the combined Vision points.				
<b>Performance Measures</b> <i>10 to 1 point(s) possible (as part of Vision score)</i>	<p><b>10 POINTS:</b></p> <p>Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located:</p> <p>Less than 300 feet from a groundwater drinking water source or surface water used for a public water system</p> <p><b>OR</b></p> <p>Within a principal aquifer</p> <p><b>OR</b></p> <p>Within a primary aquifer</p> <p><b>OR</b></p> <p>Within a sole source aquifer</p>	<p><b>7 POINTS:</b></p> <p>Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located:</p> <p>300 feet or more but less than 1,000 feet from a groundwater drinking water source or surface water used for a public water system</p> <p><b>OR</b></p> <p>Less than 500 feet from a private well</p>	<p><b>5 POINTS:</b></p> <p>Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located:</p> <p>1,000 feet or more but less than 2,000 feet from a groundwater drinking water source or surface water used for a public water system</p> <p><b>OR</b></p> <p>500 feet or more but less than 1,000 feet from a private well</p>	<p><b>3 POINTS:</b></p> <p>Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located:</p> <p>2,000 feet or more but less than 4,000 feet from a groundwater drinking water source or surface water used for a public water system</p> <p><b>OR</b></p> <p>1,000 feet or more but less than 1,500 feet from a private well</p>	<p><b>1 POINT:</b></p> <p>Projects to build a structure that replaces an existing structure</p> <p><b>OR</b></p> <p>Projects that expand the capacity of existing salt or salt/sand mixture structure</p> <p><b>OR</b></p> <p>Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located:</p> <p>4,000 feet or more from a groundwater drinking water source or surface water used for a public system.</p> <p><b>OR</b></p> <p>1,500 feet or more from a private well</p>
<b>Impact Factor</b> <i>4 to 1 point(s) possible (as part of Vision score)</i>	<p><b>4 POINTS:</b></p> <p>Projects to construct a new structure to enclose an uncovered salt or salt/sand mixture storage pile currently located within 300 feet of a groundwater drinking water source or surface water used for a public water system</p> <p><b>OR</b></p> <p>Projects located within a principal aquifer</p> <p><b>OR</b></p> <p>Projects located within a primary aquifer</p> <p><b>OR</b></p> <p>Projects located within a sole source aquifer</p>		<p><b>3 POINTS:</b></p> <p>Projects to construct a new structure to enclose an uncovered salt or salt/sand mixture storage pile currently located 300 feet or more but less than 2,000 feet from a groundwater drinking water source or surface water used for a public water system or within 1,000 feet of a private well</p>	<p><b>2 POINTS:</b></p> <p>Projects to construct a new structure to enclose an uncovered salt or salt/sand mixture storage pile that do not fall within the first two impact factor criteria</p>	<p><b>1 POINT:</b></p> <p>Projects to replace an existing salt or salt/sand storage structure or that expand the capacity of an existing structure</p>

<b>Reasonable-ness of Cost</b>  <i>20 to 0 points possible</i>	<b>20 POINTS:</b>  Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project	<b>10 POINTS:</b>  Cost is good as it applies to both achieving the project objectives and being a fiscally sound project	<b>5 POINTS:</b>  Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project	<b>0 POINTS:</b>  Cost not reasonable for this type of project
<b>Classification Points Factor</b>  <i>10 to 1 point(s) possible</i>	<b>10 POINTS:</b>  AA, SA, GA (principal water supply aquifer, primary water supply aquifer, sole source aquifer), AA special	<b>5 POINTS:</b>  A, A special, GA (other), GSA	<b>1 POINT:</b>  B, SB, C(T), C(TS), C, SC, I, D, SD, GSB	
<b>Project Readiness</b>  <i>5 to 0 points possible</i>	<b>5 POINTS:</b>  Project has all necessary permits (or does not need permits) and approvals. The project is ready to move forward with construction.	<b>3 POINTS:</b>  Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay	<b>0 POINTS:</b>  Project has not secured any of the necessary approvals and is not ready to proceed to construction  <b><i>Applications that fall into this category will not be funded</i></b>	
<b>Experience and Ability</b>  <i>5 to 0 points possible</i>	<b>5 POINTS:</b>  Applicant has shown the ability to complete all WQIP contracts in the past 10 years in a timely manner	<b>3 POINTS:</b>  Applicant has shown the ability to complete most WQIP contracts in the past 10 years in a timely manner  <b>OR</b>  Applicant has not been awarded a WQIP grant in the past 10 years but appears to have the experience and ability to carry out the project	<b>0 POINTS:</b>  Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years  <b>OR</b>  Applicant has not been awarded a WQIP grant in the past 10 years and does not appear to have the experience and ability to carry out the project  <b><i>Applications that fall into this category will not be funded</i></b>	
<b>Regional Economic Development Priority Points</b>	<b><i>Up to 20 points for this criterion are provided by the Regional Economic Development Councils</i></b>			
<b>Total Maximum Points</b>	<b><i>100 points</i></b>			

## AQUATIC CONNECTIVITY RESTORATION (Previously Aquatic Habitat Restoration)

### ELIGIBLE APPLICANTS

- Municipalities<sup>27</sup>
- Soil and water conservation districts
- Not-for-profit corporations

### DESCRIPTION

Funding is available for projects that improve aquatic habitat connectivity at road/stream crossings or dams.

### REQUIRED ATTACHMENTS

- Budget worksheet
- Sexual Harassment Prevention Certification Form (Appendix A)
- Map with the project area clearly identified. Map must be a 1:24,000 scale USGS or DOT planimetric map.
- Landowner agreements (if property not owned by applicant)<sup>28</sup>

Description	Maximum award amount	Required match	Requirements
Projects that improve aquatic habitat connectivity at road/stream crossings or dams	\$250,000	25% of award amount	<p>Projects <b>must</b> focus on culverts, bridges or dams that are causing the aquatic connectivity obstructions.</p> <p>Applicant <b>must</b> own the property or obtain an access agreement for the proposed site.</p> <p>Projects with a total cost that exceeds the maximum award amount <b>must</b> demonstrate in their application that they have secured funding for the remainder of the project cost to be eligible. Projects <b>should</b> remove barriers to aquatic connectivity.</p> <p>Sample projects include but are not limited to: upgrade and replacement of road stream crossing structures (culverts and bridges) to a larger size and appropriate</p>

<sup>27</sup> For the purposes of Aquatic Connectivity Restoration projects under this grant opportunity, “Municipality” means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city, town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, or any combination thereof. In the case of aquatic habitat restoration projects, the term municipality shall include the state. (Environmental Conservation Law §56-0101).

<sup>28</sup> If the property owner is a municipality: a resolution by the municipality supporting the project; If the property is not owned by the applicant: a formal written agreement between the applicant and the landowner that allows the applicant access to the property, represent the landowner, and accomplish the proposed project; If the applicant is a not-for-profit proposing a project on municipal property: a signed municipal endorsement that provides authorization for the not-for-profit to conduct the proposed project on municipal property

Description	Maximum award amount	Required match	Requirements
			design to increase ecological connectivity and hydrologic capacity; removal or breach of stream barriers such as dams or weirs that limit aquatic connectivity and meet the natural resource management goals for the area.

**ELIGIBLE COSTS**

- Salary and fringe
- Contractual costs
- Travel
- Equipment
- Planning, design, administrative and construction oversight costs (total may not exceed 20% of award amount)
- Monitoring costs (may not exceed 20% of award amount)
- Construction inspection
- Maintenance
- Reconstruction
- Revitalization
- Rejuvenation activities

**INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS**

- Costs incurred outside the start and end date of the contract (no earlier than May 1, 2019)
- Indirect costs (e.g. space property rent, utilities, and other office supplies)
- Legal fees

**US FISH AND WILDLIFE SERVICE REVIEW**

Aquatic Connectivity Restoration projects recommended for an award through WQIP may also be reviewed by the U.S. Fish and Wildlife Service. This review may impact the decision to award a grant.

**RESOURCES**

- DECinfo Locator<sup>29</sup> (most up to date source of WI/PWL segment assessments): <http://www.dec.ny.gov/pubs/109457.html>

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<sup>29</sup> To find the closest WI/PWL segment assessment, visit the DECinfo Locator and click on the link for “Environmental Quality Map View”. In the left column of the map, click on “Information List” and check the box for “Rivers, Streams and Shorelines” AND “Lakes, Reservoirs, and Estuaries” to display these map layers. Enter the address or project location in the “Search Near Me” search bar. Click on the plus sign in the top left corner of the map to zoom into the location until the waterbodies are visible on the map. Click on the waterbody of interest. A box with the Waterbody Inventory/Priority Waterbodies List information will be displayed, including the waterbody name, ID number, basin, and assessment level. To access the WI/PWL segment assessment for that waterbody, click on the “Download Fact Sheet” link in the box. For guidance on how to read the WI/PWL segment assessments, visit <http://www.dec.ny.gov/chemical/36730.html>

- Guidance for projects to upgrade and replace road stream crossing structures to a larger size and appropriate design to increase ecological connectivity and hydrologic capacity: <http://www.dec.ny.gov/permits/49066.html>.
- Species of Greatest Conservation Need (SGCN): <http://www.dec.ny.gov/animals/9406.html>
- North Atlantic Aquatic Connectivity Project (NAACC): <https://streamcontinuity.org/naacc>

**CONTACT**

NYS Department of Environmental Conservation, Division of Fish and Wildlife  
Corbin Gosier, 518-402-8872

## AQUATIC CONNECTIVITY RESTORATION SCORING CRITERIA

Agency Points	<i>Up to 80 agency points are available, as defined below. Applications must receive a minimum of 30 agency points to be eligible for funding. Applications that receive 0 points for Performance Measures, Project Readiness or Experience and Ability will not be funded.</i>					
<b>Performance Measures</b> <i>40 to 0 points possible</i>	<b>40 POINTS:</b> <i>Species Miles<sup>30</sup>: 5 or more</i>  <i>Barrierity<sup>31</sup>: Significant or greater</i>	<b>30 POINTS:</b> <i>Species Miles: 3 to 4.9</i>  <i>Barrierity: Significant or greater</i>	<b>20 POINTS:</b> <i>Species Miles: 1 or more</i>  <i>Barrierity: Moderate or greater</i>	<b>10 POINTS:</b> <i>Species Miles: 0.1 or more</i>  <i>Barrierity: Moderate or greater</i>	<b>5 POINTS:</b> <i>Species Miles: Less than 0.1</i>  <i>Barrierity: Minor or greater</i>	<b>0 POINTS:</b> <i>Species Miles: 0</i>  <i>Barrierity: Minor or less</i>  <b><i>Applications that fall into this category will not be funded</i></b>
<b>Reasonableness of Cost</b> <i>20 to 0 points possible</i>	<b>20 POINTS:</b> Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project		<b>10 POINTS:</b> Cost is good as it applies to both achieving the project objectives and being a fiscally sound project		<b>5 POINTS:</b> Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project	
<b>Vision</b> <i>10 to 0 points possible</i>	<b>10 POINTS:</b> Proposed project will improve a waterbodies impairment level as it pertains to the goals of the Aquatic Connectivity Restoration category or such impairments as listed on the Waterbodies Inventory/Priority Waterbodies List (WI/PWL) segment assessment by two levels or will eliminate the impairment		<b>5 POINTS:</b> Proposed project will improve a waterbodies impairment level as it pertains to the goals of the Aquatic Connectivity Restoration category or such impairments as listed in the WI/PWL segment assessment by one level		<b>0 POINTS:</b> Proposed project will have no reduction to the impairment level as it pertains to the goals of the Aquatic Connectivity Restoration category or such impairments as listed in the WI/PWL segment assessment	
<b>Project Readiness</b> <i>5 to 0 points possible</i>	<b>5 POINTS:</b> Project has all necessary permits (or does not need permits) and approvals. The project is ready to move forward with construction		<b>3 POINTS:</b> Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay		<b>0 POINTS:</b> Project has not secured any of the necessary approvals and is not ready to proceed to construction  <b>AND/OR</b> Project cost exceeds maximum grant amount and has not secured remaining funding needed  <b><i>Applications that fall into this category will not be funded</i></b>	

<sup>30</sup> Species Miles: See explanation at the end of this matrix.

<sup>31</sup> Barrierity: See explanation at the end of this matrix.

<b>Experience and Ability</b> <i>5 to 0 points possible</i>	<b>5 POINTS:</b> Applicant has shown the ability to complete all WQIP contracts in the past 10 years in a timely manner	<b>3 POINTS:</b> Applicant has shown the ability to complete most WQIP contracts in the past 10 years in a timely manner  <b>OR</b> Applicant has not been awarded a WQIP grant in the past 10 years but appears to have the experience and ability to carry out the program	<b>0 POINTS:</b> Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years  <b>OR</b> Applicant has not been awarded a WQIP grant in the past 10 years and does not appear to have the experience and ability to carry out the program  <i><b>Applications that fall into this category will not be funded</b></i>
<b>Regional Economic Development Priority Points</b>	<b>20 points for this criterion are provided by the Regional Economic Development Councils</b>		
<b>Total Maximum Points</b>	<b>100 points</b>		

### Species Miles

Describes the functional gain achieved by removing a barrier to aquatic organism passage. The total number of Species of Greatest Conservation Need (SGCN) (<http://www.dec.ny.gov/animals/9406.html>) or other aquatic species of management concern to DEC is multiplied by the total number of stream miles that will be made accessible to these species. Stream miles is calculated by totaling the linear distance of each stream segment, including tributaries, from the existing barrier traveling upstream until the next impassable barrier. (Species x Stream Miles = Species Miles)

### Barrierity

Describes the severity to which a structure creates a barrier to aquatic organism passage. It is derived from a protocol for calculating this value as part of the North Atlantic Aquatic Connectivity Project (NAACC) found at <https://streamcontinuity.org/naacc>. When this methodology is not possible, professional judgement will be used to assess a structure that most closely replicates the categories used by NAACC.

Severe	0.19 or less
Significant	0.20 – 0.39
Moderate	0.40 – 0.59
Minor	0.60 – 0.79
Insignificant	0.80 – 0.99

## Municipal Separate Storm Sewer Systems (MS4)<sup>32</sup>

### ELIGIBLE APPLICANTS

- Regulated Traditional MS4s
- Municipalities<sup>33</sup>
- Soil and water conservation districts

### DESCRIPTION

Funding is available for mapping projects **or** the purchase of one vacuum truck if your community has not received WQIP funding for a vacuum truck in the past. For now, only one vacuum truck per MS4 will be funded through WQIP.

This grant program encourages and supports cooperation among regulated MS4s to complete mapping of their stormwater systems or to purchase and share the use of a vacuum truck.

### REQUIREMENTS FOR ALL MS4 APPLICATIONS

- Projects **must** meet the minimum MS4 permit requirements
- Applicants **must** participate in an area-wide municipal cooperative stormwater group if one exists. If one does not exist, the application must document the steps that are being taken to develop a group, which **must** be formed prior to receiving a grant award. In the rare case where a coalition does not exist nor will be established, the application **must** justify the reasons in the application.
- Applications **must** request funding for either mapping or a vacuum truck—not both. If an applicant sends in separate applications for each of the project subtypes, the application for the vacuum truck will only be considered if the applicant/cooperative stormwater group has completed the basic and intermediate elements mapping.
- Funding will be considered for proposals submitted on behalf of multiple regulated MS4s. **Only the lead applicant needs to register in the NYS Grants Gateway (<http://grantsreform.ny.gov>)**. Projects being undertaken by multiple regulated MS4s in the same county or Urbanized Area will receive additional points. A list of the cooperating MS4s must be provided in the application.

### Required Attachments

- Budget worksheet
- Letters of support from regulated MS4 entities participating in and/or benefitting from this project
- Map with the project area clearly identified. Map must be a 1:24,000 scale USGS or DOT planimetric map

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<sup>32</sup> 40 CFR 122.26(b)(16)(i), Small municipal separate storm sewer system means all separate storm sewers that are owned or operated by the United States, a State, city, town, borough, county parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that are discharges to waters of the United States.

<sup>33</sup> For the purposes of Municipal Separate Storm Sewer Systems projects under this grant opportunity, “Municipality” means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city, town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York state, or any combination thereof (Environmental Conservation Law §56-0101).

- Applications for a vacuum truck should attach a catch basin clean-out plan and procedures if completed (See Appendix E for minimum documentation requirements)
- Mapping Status Table worksheet for each of the parties in the cooperative agreement for this project demonstrating level of mapping complete at time of application (See Appendix F)
- Sexual Harassment Prevention Certification Form (Appendix A)
- Also see “Special Requirements” in the table below.

## PROJECT SUBTYPES AND REQUIREMENTS

Project Subtype	Description	Maximum Award	Required Match	Special Requirements
Mapping	Projects to complete comprehensive, stormwater system maps as defined in the mapping table below	\$500,000	25% of award amount	<p>Applications <b>must</b> include the creation of electronic or GIS system of mapping or specify the use of an already established electronic or GIS system to be expanded upon.</p> <p>Basic mapping elements (red in table below) are either required by the NYS Small MS4 General Permit-0-15-003 or considered by DEC to be necessary for effective system management. Therefore, all Basic elements <b>must</b> be completed before grant or match funds can be used for items in the Intermediate or Advanced elements map categories.</p> <p>Intermediate mapping elements (yellow in table below) are considered to improve system management and should only be included following the completion of the Basic elements mapping.</p> <p>Advanced Elements Mapping (green in table below) are beyond the mapping requirements of the NYS Small MS4 General permit 0-15-003 and are considered by DEC to be beneficial data to include in a map.</p> <p>Simultaneous mapping of Basic, Intermediate, and Advanced elements is permitted but any unmapped Basic elements must be included in the application scope of work.</p> <p>Information from the WI/PWL <b>must</b> be included in the maps/deliverables created.</p>

Project Subtype	Description	Maximum Award	Required Match	Special Requirements
Vacuum Truck	The purchase of one vacuum truck	\$600,000	25% of award amount	Applicants <b>must</b> attach a catch basin clean-out plan and procedures or include development of a plan and procedures in their application scope of work. DEC will not reimburse for a vacuum truck until the plan and procedures are created.  To be eligible for purchase of a vacuum truck, the applicant <b>must</b> have completed Basic elements mapping (red column in table below) by the date of application submittal. Completion of this mapping must be demonstrated by attaching completed Mapping Status Table worksheet(s) (Appendix F) with the application.

### Comprehensive System Mapping Table for All MS4 Applications

The table below lists the elements of a comprehensive MS4 system map, and is duplicated as a worksheet in Appendix F. For any Mapping and Vacuum truck applications to be eligible for this grant, a completed worksheet showing level of mapping complete **must be attached** for each MS4 participating or benefitting directly or indirectly from the proposed project. The worksheet will help applicants identify their mapping needs if they are applying in the mapping subcategory or identify the mapping elements completed if they are applying for a vacuum truck.

For mapping applications, the simultaneous mapping of Basic, Intermediate, and Advanced Elements as described below is permitted, but any unmapped Basic Elements must be included in the application.

	Basic Elements Map (Application must include these elements if they are not already included in map)	Intermediate Elements Map (Applications must look to include these elements if they are not already included in map)	Advanced Elements Map (Elements beyond the required permit elements)
<b>Outfall Mapping</b>			
Electronic or GIS Map	X		
Receiving waterbody name	X		
Type of conveyance (i.e. open drainage, closed pipe, catch basin, etc.)	X		
Outfall material	X		
Outfall shape	X		

Outfall Prioritization (See Draft MS4 GP 0-17-002 Part VI.C.4. /VII.C.4. for guidance.)	X		
Type of outfall (i.e. direct, indirect, interconnected MS4 outfall)	X		
Submerged in water?	X		
Submerged in sediment?	X		
Land use in drainage area			X
Inspection data			X
Owner			X
Structure/facility ID			X
Latitude/longitude			X
<b>Storm Sewer System Mapping</b>			
Type of conveyance system (closed pipe or open drainage)	X		
Closed pipe or open drainage Description: material, shape, size	X		
Direction of flow	X		
Drop inlet, catch basin, and manhole locations	X		
Number of connections to catch basins and manholes, depth of structure, sump depth	X		
Location of points receiving discharge from updrainage connections with adjacent MS4s (include name and contact information for adjacent MS4 Operator)		X	
Receiving waterbody name		X	
Owner			X
Structure/facility ID			X
Latitude/longitude			X
<b>Stormwater Management Practice (SMP) Mapping</b>			
Location/address	X		
Latitude/longitude	X		
Type of SMP (pond,bioretention, swale, rain garden, etc.) <sup>34</sup>		X	
Post construction specific SMPs		X	
Ownership of SMP		X	
Receiving waterbody name		X	
Date practice was installed		X	
Responsible party for maintenance		X	

<sup>34</sup> Stormwater Practice Type defined in *NYS DEC Maintenance Guidance: Stormwater Management Practices*, March 31, 2017.

Location of documentation depicting O&M requirements and legal agreements for practice			X
Frequency of inspection of practice			X
Reason for SMP (retrofit, new development, flood control, etc.)			X
Location where SMP discharges (Does SMP drain to MS4?)			X
Contributing drainage area to SMP (if known)			X
Construction date (if known)			X
Last inspection date (if known)			X
Structure/facility ID			X
<b>Municipality owned/operated facilities</b>			
Location/address	X		
Latitude/longitude	X		
Name		X	
Type (Municipal buildings, DPW garage, vehicle and fleet maintenance areas (fire station, police station, bus stations), landfills, salt storage areas, parks & open space, solid waste disposal areas, transfer stations, marinas, etc.)		X	
Facility Prioritization (See Draft MS4 GP 0-17-002 Part VI.F.3. /VII.F.3. for guidance.)		X	
Receiving waterbody name		X	
Standard Industrial Classification (SIC) Code (if applicable)			X
SPDES ID or No Exposure ID (if applicable)			X
Responsible Department			X
Contact Information			X
Status of facility specific SWPPP (if high priority)			X
Location of facility specific SWPPP (if high priority)			X
Type of activities present on site			X
Last assessment date			X
Year built			X
Size of facility (acres)			X
Owner			X
Structure/facility ID			X
<b>Sewershed Boundary</b>			
Preliminary	X		

Impaired waters		X	
Per MS4 outfall		X	
<b>Priority Areas</b>			
Areas with onsite wastewater systems subject to Part IX requirements	X		
Land use within Impaired Watersheds (Commercial, HD Residential, LD Residential, Industrial, Open Space)		X	
Land use within other Watersheds (commercial, HD residential, LD residential, industrial, open space)		X	
Description of concern (i.e. sewershed to impaired waters, septic systems, high water table, industrial area, etc.)		X	
Pollutant(s) of concern (litter, sediment, nutrients, etc.)		X	
Areas contributing to impaired waterbodies		X	
TMDL watersheds		X	
Areas where stormwater flows have significant potential to cause erosion (soil, silt, rock, etc.)		X	
Areas contributing to waterbodies of significant value (drinking water supply, public bathing beaches, shellfishing, high recreation value)		X	
Densely populated residential areas		X	
Commercial/industrial areas		X	
Hot spot areas (remediation sites, clusters of industrial activity, salt storage, etc.)		X	
Areas where a high number of construction activities are occurring		X	
Areas with a high number of illicit discharges		X	
Areas of high discharge potential (Refer to Table 14 of IDDE Guidance Manual for identification)			X
Areas of shallow groundwater			X
Areas of low infiltrative soils			X
Areas of historic on-site sanitary system failures			X
Sites with a history of major oil or chemical leaks/spills (Include date of event, type of spill, and final resolution)			X

High priority construction sites (Discharges to impaired waters, AA-S, AA, or A classified water sources, or T (trout)/TS (trout spawning) protected bodies)			X
Other areas of concern (wetlands, riparian buffers, flood plains, steep slopes, etc.)			X
Areas with onsite wastewater systems (include typical age)			X
<b>Proposed Retrofits</b>			
Location			X
Contributing drainage area to the proposed stormwater retrofit			X

### ELIGIBLE COSTS

- Salary and fringe benefits
- Contractual costs
- Travel
- Equipment
- Vacuum truck operation (vacuum truck projects only)
- Development of catch basin clean-out plan and procedures (vacuum truck projects only)

### INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Purchase of equipment already owned and available through the cooperative stormwater group
- Development of materials already available through the cooperative stormwater group
- Indirect costs (e.g. space/property rent, utilities and other office supplies)
- Administrative costs
- Legal fees
- Costs incurred outside the start and end date of the contract (no earlier than May 1, 2019)
- Applications for mapping that do not include the creation of an electronic or GIS system of mapping or specify the use of an already established electronic or GIS system to be expanded upon
- Applications for mapping only Intermediate Elements or Advanced Elements where the applicant and participating MS4s have not completed all requirements in the Basic Elements map category
- Applications that do not attach the Mapping Status Table Worksheet (Appendix F) identifying the status of mapping for each of the parties in the cooperative agreement for this project
- Applications for a vacuum truck where the applicant received WQIP funding in 2018 for a vacuum truck
- Applications for a vacuum truck where the applicant has not completed Basic Elements mapping.

### RESOURCES

- For additional information on Urbanized Areas, please refer to: <http://www.dec.ny.gov/chemical/92258.html>.

- DECinfo Locator<sup>35</sup> (most up to date source of WI/PWL segment assessments): <https://www.dec.ny.gov/pubs/109457.html>.
- Minimum documentation requirements for catch basin clean-out plan and procedures: See Appendix E
- Mapping Status Table worksheet: See Appendix F

## **CONTACT**

NYS Department of Environmental Conservation, Division of Water  
Ethan Sullivan, (518) 402-1382

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<sup>35</sup> For projects impacting surface water, the applicant must provide the correct Waterbody Inventory/Priority Waterbodies List (WI/PWL) segment ID and HUC 12 watershed of the closest waterbody that the project will impact. To find the closest WI/PWL segment, visit the DECinfo Locator and click on the link for “Environmental Quality Map View”. In the left column of the map, click on “Information List” and check the box for “Rivers, Streams and Shorelines” AND “Lakes, Reservoirs, and Estuaries” to display these map layers. Enter the address or project location in the “Search Near Me” search bar. Click on the plus sign in the top left corner of the map to zoom into the location until the waterbodies are visible on the map. Click on the waterbody of interest. A box with the Waterbody Inventory/Priority Waterbodies List information will be displayed, including the waterbody name, ID number, basin, and assessment level. To access the WI/PWL segment assessment for that waterbody, click on the “Download Fact Sheet” link in the box. For guidance on how to read the WI/PWL segment assessment, visit <http://www.dec.ny.gov/chemical/36730.html>

## MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) MAPPING SCORING CRITERIA

<b>Agency Points</b>	<b>Up to 80 agency points are available, as defined below. Applications must receive a minimum of 30 agency points to be eligible for funding. Applications that receive 0 points for Project Readiness or Experience and Ability will not be funded.</b>			
<b>Performance Measures</b> <i>30 to 5 points possible</i>	<b>30 POINTS:</b> Project addresses Basic Elements Map (red column) items that will impact a waterbody that: Is listed in the Waterbody Inventory/Priority Waterbodies List (WI/PWL) segment assessment as “precluded” or “impaired” where urban runoff is the identified source; <b>OR</b> has a DEC-approved watershed implementation plan (i.e. TMDL, Nine Element Watershed Plan or DEC HABs Action Plan)	<b>20 POINTS:</b> Project addresses Intermediate Elements Map (yellow column) items that will impact a waterbody that: Is listed in the WI/PWL segment assessment as “precluded” or “impaired” where urban runoff is the identified source; <b>OR</b> has a DEC-approved watershed implementation plan (i.e. TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan)	<b>15 POINTS:</b> Project addresses Basic or Intermediate Elements Map (red or yellow column) items that will impact a waterbody that: Is not listed on the WI/PWL segment assessment as “precluded” or “impaired” <b>AND</b> does not have a DEC-approved watershed implementation plan (i.e. TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan)	<b>5 POINTS:</b> Project addresses only Advanced Elements Map (green column) items
<b>Reasonableness of Cost</b> <i>20 to 0 points possible</i>	<b>20 POINTS:</b> Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project	<b>10 POINTS:</b> Cost is good as it applies to both achieving the project objectives and being a fiscally sound project	<b>5 POINTS:</b> Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project	<b>0 POINTS:</b> Cost is not reasonable for this type of project
<b>Vision</b> <i>20 to 1 point(s) possible</i>	<b>20 POINTS:</b> Applicant has demonstrated support from all collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this mapping project <b>OR</b> Project is on behalf of a single municipality with needs specific to the scope of this project <b>AND</b> is neither located in an area with other cooperating regulated MS4 entities nor are shared services available (must specify this in application)	<b>10 POINTS:</b> Applicant has demonstrated support from 50% or more of collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this mapping project	<b>5 POINTS:</b> Applicant has demonstrated support from less than 50% of collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this mapping project	<b>1 POINT:</b> Applicant has not demonstrated support
<b>Project Readiness</b> <i>5 to 0 points available</i>	<b>5 POINTS:</b> Project has all necessary pieces in place to complete system mapping	<b>3 POINTS:</b> Project has some of the necessary pieces in place to complete system mapping	<b>0 POINTS:</b> Project has not secured any of the necessary approvals and is not ready to proceed with project implementation <b>Applications that fall into this category will not be funded.</b>	
<b>Experience and Ability</b> <i>5 to 0 points available</i>	<b>5 POINTS:</b> Applicant has shown the ability to complete all WQIP contracts in the past 10 years in a timely manner	<b>3 POINTS:</b> Applicant has shown the ability to complete most WQIP contracts in the past 10 years in a timely manner <b>OR</b> Applicant has not been awarded a WQIP grant in the past 10 years but appears to have the experience and ability to carry out the project	<b>0 POINTS:</b> Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years <b>OR</b> Applicant has not been awarded a WQIP grant in the past 10 years and does not appear to have the experience and ability to carry out the program <b>Applications that fall into this category will not be funded</b>	
<b>Regional Economic Development Priority Points</b>	<b>Up to 20 points for this criterion are provided by the Regional Economic Development Councils</b>			
<b>Total Maximum Points</b>	<b>100 points</b>			

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) VACUUM TRUCK SCORING CRITERIA**

<b>Agency Points</b>	<b>Up to 80 agency points are available, as defined below. Applications must receive a minimum of 30 agency points to be eligible for funding. Applications that receive 0 points for Project Readiness or Experience and Ability will not be funded.</b>			
<b>Performance Measures</b>  <i>30 to 5 points available</i>	<b>30 POINTS:</b>  Project is to purchase vacuum truck equipment to be used in an area that will impact a waterbody:  Listed in the Waterbody Inventory/Priority Waterbodies List (WI/PWL) segment assessment as "precluded" or "impaired" where urban runoff is the identified source <b>OR</b> that has a DEC-approved watershed implementation plan (i.e. TMDL, Nine Element Watershed Plan or DEC HABs Action Plan).  <b>AND</b>  Applicant has completed all Basic and Intermediate Elements Map (red and yellow column) items	<b>20 POINTS:</b>  Project is to purchase vacuum truck equipment to be used in an area that will impact a waterbody:  Listed in the WI/PWL segment assessment as "precluded" or "impaired" where urban runoff is the identified source <b>OR</b> that has a DEC-approved watershed implementation plan (i.e. TMDL, Nine Element Watershed Plan or DEC HABs Action Plan)	<b>15 POINTS:</b>  Project is to purchase vacuum truck equipment to be used in an area that will impact a waterbody:  Listed in the WI/PWL segment assessment as "stressed" or "threatened" where urban runoff is the identified source	<b>5 POINTS:</b>  Project is to purchase vacuum truck equipment to be used in an area that will impact a waterbody:  Not listed in a WI/PWL segment assessment with urban runoff as an identified source
<b>Reasonableness of Cost</b>  <i>20 to 0 points available</i>	<b>20 POINTS:</b>  Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project	<b>10 POINTS:</b>  Cost is good as it applies to both achieving the project objectives and being a fiscally sound project	<b>5 POINTS:</b>  Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project	<b>0 POINTS:</b>  Cost is not reasonable for this type of project
<b>Vision</b>  <i>15 to 1 point(s) available</i>	<b>15 POINTS:</b>  Applicant has demonstrated support from all collaborating regulated MS4 entities that will benefit directly or indirectly from this project  <b>OR</b>  Project is on behalf of a single municipality with needs specific to the scope of this project <b>AND</b> is neither located in an area with other cooperating regulated MS4 entities nor are shared services available (must specify this in application)	<b>10 POINTS:</b>  Applicant has demonstrated support from 50% or more of collaborating regulated MS4 entities that will benefit directly or indirectly from this project	<b>5 POINTS:</b>  Applicant has demonstrated support from less than 50% of collaborating regulated MS4 entities that will benefit directly or indirectly from this project	<b>1 POINT:</b>  Applicant has not demonstrated support.

<b>Project Readiness</b> <i>10 to 0 points available</i>	<b>10 POINTS:</b> Project has all necessary pieces in place to purchase vacuum truck equipment (catch basin clean-out plan and catch basin clean-out procedures attached with application)	<b>3 POINTS:</b> Project has some of the necessary pieces in place to purchase vacuum truck equipment (no catch basin clean-out plan or catch basin clean-out procedures but will develop these documents under this project)	<b>0 POINTS:</b> Project has not secured any of the necessary approvals and is not ready to proceed with project implementation. Did not include a catch basin clean-out plan or catch basin procedures as an attachment or as a product of this grant. Basic elements mapping is not complete.  <b><i>Applications that fall into this category will not be funded</i></b>
<b>Experience and Ability</b> <i>5 to 0 points available</i>	<b>5 POINTS:</b> Applicant has shown the ability to complete all WQIP contracts in the past 10 years in a timely manner	<b>3 POINTS:</b> Applicant has shown the ability to complete most WQIP contracts in the past 10 years in a timely manner  <b>OR</b> Applicant has not been awarded a WQIP grant in the past 10 years but appears to have the experience and ability to carry out the program	<b>0 POINTS:</b> Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years  <b>OR</b> Applicant has not been awarded a WQIP grant in the past 10 years and does not appear to have the experience and ability to carry out the program  <b><i>Applications that fall into this category will not be funded</i></b>
<b>Regional Economic Development Priority Points</b>	<b><i>Up to 20 points for this criterion are provided by the Regional Economic Development Councils</i></b>		
<b>Total Maximum Points</b>	<b><i>100 points</i></b>		

## **Grant Opportunity General Information and Conditions**

### **The Department of Environmental Conservation reserves the right to:**

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Award an agreement for any or all parts of the Program Overview in accordance with the method of award or withdraw the Program Overview at any time at the Department's sole discretion.
- Award only one application for funding in the event there are multiple application submissions for a single project or for pieces of a single project.
- Award to the next highest scoring application in the event a grantee fails to negotiate a grant contract with the Department within 90-120 days of a grant award.
- Consider regional distribution in the determination of awards, to the extent practicable.
- Monitor the progress of all grant awards and withdraw grant funding if the grantee fails to make significant and timely progress on the project or fails to receive the necessary permissions and permits for the project.
- Refuse to fund projects that are determined to be inconsistent with NYS's Smart Growth Public Infrastructure Policy Act.
- Reject any or all applications in response to the Program Overview at the agency's sole discretion.
- Reduce an award from the amount requested in the application, should the project budget contain costs considered ineligible under this grant program.
- Reduce an award from the amount requested in the application, as long as the reduced funding does not jeopardize the viability of the project to proceed at the reduced funding level.
- Deny a change in workplan tasks from the application project description because of fairness to competitive process.

## **Additional Application Submission Information**

### **Pre-Application Requirements**

All governmental entities (municipalities, municipal corporations, and soil and water conservation districts, and as further defined in this Program Overview), and not-for-profit corporations must register in the NYS Grants Gateway to be considered eligible to apply for this grant opportunity <https://grantsmanagement.ny.gov/><sup>1</sup> The applicant name must exactly match the name of the eligible entity registered in the NYS Grants Gateway. It may not be the name of an individual.

In addition to registering, not-for-profit organizations must also complete the Vendor Prequalification process in the NYS Grants Gateway to be considered eligible to apply for this grant opportunity. The prequalification must be current (not expired) to be eligible for this grant. Government entities are currently not required to complete the Vendor Prequalification Process.

### **NYS Grants Gateway Registration Instructions:**

If your organization has not already registered in the Grants Gateway, the registration is NOT an online process. Register now to allow time for processing!!

- 1.) On the Grants Management Website at <https://grantsmanagement.ny.gov/resources-grant-applicants>, download a copy of the Registration Form for Administrator.
- 2.) Complete the form according to the instructions provided. The completed form must be signed and notarized.

- 3.) Mail the signed and notarized original form to the Division of Budget at the address provided in the instructions. Please include an organizational chart of your agency.
- 4.) After the form is received and reviewed, you will be provided with a Username and Password allowing you to access the Grants Gateway.
- 5.) Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. You will be prompted to change your password at the bottom of your Profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.

If you have previously registered and do not know your Username please email [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov). If you do not know your Password, please click the Forgot Password link from the main log in page and follow the prompts.

### **Not-For-Profit Prequalification Instructions:**

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant application and contract processes. These initiatives require not-for-profit organizations to complete the Vendor Prequalification process to be considered eligible to apply for a grant.

Below is a summary of the steps to complete the prequalification requirements. The Vendor Prequalification Manual on the Grants Management website at <https://grantsmanagement.ny.gov/resources-grant-applicants> provides additional information and instruction.

- 1.) Complete your Prequalification Application.
  - Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. If this is your first time logging in, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.
  - Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.
  - Answer the questions in the *Required Forms* and upload the *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.
  - For specific questions about the prequalification process see <https://grantsmanagement.ny.gov/contact-grants-management>.
- 2.) Submit Your Prequalification Application
  - After completing your Prequalification Application, click the *Submit Document Vault* button located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted, the status of the Document Vault will change to *In Review*.
  - If your Prequalification reviewer has questions or requests changes you will receive email notification from the Gateway system.
  - Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

Additional registration and prequalification information, including a video tutorial, is available on the Grants Management website at <https://grantsmanagement.ny.gov/videos-grant-applicants>.

### **Debriefing Request**

In accordance with section 163 of the NY State Finance Law, DEC must, upon request, provide a debriefing to any unsuccessful offeror that responded to the Program Overview, regarding the reasons that the proposal or bid submitted by the unsuccessful offeror was not selected for an award. An unsuccessful offeror wanting a debriefing must request a debriefing in writing, within fifteen calendar days of receipt of the notice that their proposal did not result in an award.

### **Formal Protest and Appeal Procedure**

Any interested party who believes that he/she has been treated unfairly in the application, evaluation, bid award, or contract award phases of the procurement, may present a formal protest to DEC and request administrative relief concerning such action. Formal protests concerning a pending contract award must be received within five (5) business days after the protesting party knows or should have known of the facts that constitute the basis of the formal protest.

### **Sexual Harassment Prevention Certification**

State Finance Law §139-l requires all applicants of grant funding to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor's model policy and training standards) to all its employees.

Where applying for grant funding is required pursuant to statute, rule or regulation, every application submitted to the state or any public department or agency of the state must contain the following statement: "By submission of this application, each applicant and each person signing on behalf of the applicant certifies, and in the case of a partnering application each party thereto certifies as to its own organization, under penalty of perjury, that the applicant has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law."

Applications that do not contain the certification will not be considered for award; provided however, that if the applicant cannot make the certification, the applicant may provide a signed statement with their application detailing the reasons why the certification cannot be made. After review and consideration of such statement, the Department may reject the bid or may decide that there are sufficient reasons to accept the bid without such certification.

Applicants are required to sign and upload the Sexual Harassment Prevention Certification form (Appendix A) or upload a signed statement with their application detailing the reasons why the certification cannot be made.

### **SEQRA and Permits**

The applicant is responsible for assuring that any SEQR determinations, permits, approvals, lands, easements and rights-of way that may be required to carry out the activities of the project are obtained.

### **Letters of Permission/Municipal Endorsement**

The applicant must own the property, or obtain an applicable access agreement, for the proposed project site. This includes:

- If the property is owned by the applicant – a copy of the current deed.

- If the property owner is a municipality – A resolution by the municipality supporting the project.
- If the property is not owned by the applicant – a formal written agreement between the applicant and landowner which allows the applicant access to the property, and represent the landowner, to accomplish the proposed project.

### **Quality Assurance**

For projects that involve the assessment or monitoring of water quality, all monitoring and measurement activities conducted in the field or laboratory shall be:

- I. Performed in accordance with an effective Quality System for planning and assessing environmental measurements and tests, and for conducting required quality assurance and quality control procedures to promote and maintain the accuracy and reliability of environmental measurements and test results. Quality System Documentation includes a Quality Assurance Project Plan (QAPP) based on guidance provided by the USEPA Guidance for Quality Assurance Project Plans (QA/G-5 May 2006) or a similarly structured and purposed protocol;
- II. Performed by a laboratory certified by the New York State Department of Health (NYSDOH) under the Environmental Laboratory Approval Program (ELAP) pursuant to Section 502 of the Public Health Law. This requirement shall not apply to specific parameters when ELAP has not issued a certificate for the specific parameter; and
- III. Performed in a manner that ensures all requisite quality control and calibration requirements of the method are met including field testing, sample collection, preservation, and record keeping. When the method does not detail requirements for any or all of these items, the basic quality assurance and quality control requirements defined in 40 CFR Part 136.7 shall be followed.

### **Historic Preservation Review Requirements**

For projects that involve properties listed on the State or National Registers of Historic Places, all work undertaken as part of a grant-assisted project must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

Questions about or proposals for listing on the State or national Register should be directed to the OPRHP National Register Unit at (518) 237-8643. To ensure the public benefit from the investment of state funding, preservation covenants or conservation easements will be conveyed to the State (OPRHP) for all historic property grants.

### **Coastal Consistency Requirements**

SEQR Type I and Unlisted actions located within the NYS Department of State's coastal zone boundaries must meet the consistency requirements of the Secretary of State's Coastal Management Program. This consistency determination will be performed by the Department as part of the grant review process. If the proposed project is located within a municipality that has an approved Local Waterfront Revitalization Plan (LWRP), the policies of that LWRP apply. Projects in other areas will need to be consistent with the State's 44 coastal policies. The coastal policies can be found at <https://www.dos.ny.gov/opd/programs/consistency/index.html>. Applicants are encouraged to determine if their project is located within the coastal zone, and to include in their site plan or sketch map their project's location within the coastal zone boundaries if applicable. Maps of the coastal zone boundaries can be found at <https://www.dos.ny.gov/opd/programs/consistency/index.html>.

### **Grant opportunity payment and reporting conditions**

For all WQIP project types except wastewater treatment, upon approval of the MCG by the Office of the State Comptroller, an advance payment of up to twenty-five percent (25%) of the total Contract Amount may be provided under this Contract to the Contractor, including Contractors that are municipalities, for project start-up funding<sup>36</sup>. Contractors must provide justification of the need for the advance payment.

No reimbursement payments under the MCG will be made by the Department to the Contractor unless the Contractor provides documentation to support how the 25% advance funding was spent on the Project. Future reimbursement payments shall be made upon audit and approval by the Department and the Comptroller's Office of vouchers executed by an authorized officer of the Contractor.

Project costs eligible for reimbursement and project match must be incurred between the MCG term start date and the MCG term end date. Costs incurred prior to the MCG term start date or after the MCG term end date are not eligible for reimbursement or match. Copies of supporting documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the Department for costs to be eligible for grant reimbursement.

- Quarterly MCG payment reimbursement requests will be accepted prior to submission of a final closeout reimbursement request. Approved project design, required permits and landowner permissions must be in place to submit a reimbursement request.
- Quarterly Narrative Reports must be submitted within 30 days from the end of the quarter. The reports should summarize how the project progressed towards meeting project objectives and deliverables during the quarter.

Quarterly Expenditure Reports, detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, must accompany the quarterly Narrative Reports, within 30 days from the end of the quarter. These reports must correlate to subsequent vouchers submitted for reimbursement payment.

Final Report must be submitted and approved by the Department prior to the release of the final contract payment to the Grantee. The Contractor must submit the Final Report no later than 60 days after the end of the contract period. The Final Report should report on all aspects of the program and detail how the grant funds were utilized in achieving the goals set forth in the approved MCG Attachment C Work Plan. Copies of appropriate documents (i.e. inventory and/or management plan) must be submitted and approved by the Department.

A Department on-site inspection may be required to confirm all work was completed in accordance to the approved project work plan.

### **Satisfactory Progress**

Grant recipients are expected to show satisfactory progress with the development of a project workplan and implementation of the project. Satisfactory progress includes, but is not limited to, timely submission of all necessary documents needed for contract execution, such as, required proofs of insurance, and an M/WBE Utilization Plan. A grantee must also submit timely

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<sup>36</sup> For Land Acquisition project types, please note that transactional costs (e.g. property surveys, land appraisals, staff time devoted to the project) are acceptable by the Department, provided they result in final acquisition of land or perpetual conservation easement and/or restoration of new riparian buffers. As such, before successful applicants request advance payment or submit reimbursement claims, we recommend that you take into consideration the requirement to return state assistance payments should the land transaction not successfully close.

quarterly payment requests, quarterly narrative reports, quarterly expenditure reports, and a final project summary report. Successful applicants are expected to manage their WQIP projects in accordance with the terms and condition of the State of New York Master Grant Contract. Failure to make satisfactory progress or to complete the project to the satisfaction of the State may be deemed an abandonment of the project and may cause the termination of any financial obligation of the State.

### **Operation and Maintenance of Completed WQIP Projects**

Grant recipients are fully responsible for ensuring the proper and efficient monitoring operation and maintenance of the project satisfactory to the Department, including, but not limited to, retaining a sufficient number of qualified staff and ensuring performance or required tests and requirements. After completion of the project, the grantee shall, for a period of time appropriate for the type of project (the useful life of the project as provided in State Finance Law § 61[18]), which ranges from 5 to 30 years, operate the project or otherwise cause the project to be operated properly and in a sound and economical manner and shall maintain, preserve and keep the project, or cause the project to be maintained, preserved and kept, in good repair, working order and condition and shall make, or cause to be made, all necessary and proper repairs, replacements and renewals from time to time, so that at all times the project may be operated properly in a manner consistent with the performance standards for the project, with the contract and with the requirements of any related permit or other governmental approval of the project.

### **Proposed Project Timeline and Contract Terms**

The Department expects the term of each contract to be consistent with the project timeline proposed in the grant application. The initial term of each contract (other than Aquatic Connectivity Restoration projects) will need to fall between May 1, 2019 and April 30, 2024. Applicants should not apply if they do not expect their project to be complete by April 30, 2024.

For Aquatic Connectivity Restoration projects, the initial contract term will need to fall between May 1, 2019 and March 31, 2024.

All project costs must be incurred between the start and end dates of the contract to be eligible for reimbursement, or to be used as match for the grant.

### **Application Limits**

Only 1 application may be submitted per project in any given Round. Projects that receive funding in one Round will not receive additional funding in a subsequent Round, even if project costs were higher than originally anticipated. The only exception is projects that are being completed in phases which can receive funding for multiple phases of the same project. If an applicant applies for funding and does not receive an award, they may apply again for the same project in a subsequent Round. Applicants are limited to 5 applications per round.

### **What to Expect If You Receive an Award**

#### **Notification of Award**

Applicants selected to receive a grant award will be notified by email and in an official Department award letter.

**IMPORTANT NOTE:** By accepting an award, applicant agrees to abide by all Master Contract for Grants (MCG) or purchase order terms and conditions. Any changes to the terms and conditions will not be accepted and may affect applicant's award.

#### **State of New York Master Contract for Grants (MCG)**

Applicants selected to receive a grant award will be required to execute a MCG within 90-120 days from the time of their award notification. Failure to submit timely required MCG documents

could cause a grantee to lose their grant award. Applicants should review and be prepared to comply with all MCG terms and conditions should grant funding be awarded. The MCG and attachments include:

- MCG Grants Face Page
- Standard Terms and Conditions (NYS standard terms and conditions)
- Attachment A-1 Program Specific Terms and Conditions (Agency and Program specific terms and conditions)
- Attachment A-2 Federally Funded Grant Terms and Conditions (for Aquatic Connectivity Restoration projects only)
- Attachment B-1 Expenditure Based Budget (project expense categories and detail)
- Attachment C Work Plan (project objectives, tasks and performance measures)
- Attachment D Payment and Reporting Schedule (claims for reimbursement and grant reporting provisions)

**IMPORTANT NOTE:** Project related costs must be incurred within the term of the MCG to be considered eligible for reimbursement or match. Contract payments will not be approved or processed by the DEC until a MCG is fully approved by the DEC, and as applicable the Attorney General and the State Comptroller. All contracts must be approved by the contract start date of which will be determined at the time of an official award.

### **Signage Requirements**

The Department may require the installation of a project sign (2' x 4') that identifies the Environmental Protection Fund or the Clean Water Infrastructure Act as a source of funding as outlined in the requirements and specifications attached to and made part of the MCG as an attachment.

For projects with multiple funding sources the Contractor acknowledges that a portion of this grant is funded by the Department as a Water Quality Improvement Project. The Contractor agrees to identify the Department as a source of funding for this project in any communications to the public.

### **Applicants (referred to as “Contractor” following award of Grant Contract) Should Be Prepared to Comply With the Following MCG Requirements:**

- I. Insurance Requirements  
Contractor will be required to carry appropriate insurance as specified in the MGC or Letter of Agreement (for awards less than \$10,000, Attachment A-1 Program Specific Terms and Conditions, and agree that each project consultant, project contractor and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the contractor as an additional insured, with appropriate limits, covering contractor’s public liability and property damage insurance, contractor’s contingency liability insurance, “all-risk” insurance and workers compensation/disability benefits coverage for the project.
- II. Permit Requirements (if applicable)  
Contractors agree to obtain all required permits, including but not limited to, local, state and federal permits prior to the commencement of any project related work. The Contractor agrees that all work performed in relation to the project by the Contractor or its agents, representatives, or contractors will comply with all relevant federal, state and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.
- III. State Environmental Quality Review (SEQR) Documentation

With respect to the project, the Contractor certifies that it has complied, and shall continue to comply with all requirements of the State Environmental Quality Review Act (SEQRA). The Contractor agrees to provide all environmental documents as may be required by the DEC. The Contractor has notified, and shall continue to notify, the DEC of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

### **Vendor Responsibility Questionnaire**

Not-For-Profit contractors and/or subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions available at <http://www.osc.state.ny.us/vendrep/enroll.htm>, or go directly to the VendRep System at <https://portal.osc.state.ny.us>

### **Iran Divestment Act**

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. By entering into a Contract, the Contractor certifies that it is not on the "Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012" list ("Prohibited Entities List") posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the MCG, Attachment A-1 Program Specific Terms and Conditions.

### **Minority/women Business Enterprises (M/WBE) and Equal Employment Opportunities (EEO) Requirements**

The Department is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 ("MWBE Regulations") for all State contracts with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction. Applicants subject to executing a future NYS Master Contract for Grants agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to the Department, to fully comply and cooperate with the Department in the implementation of New York State Executive Law Article 15-A. These requirements include equal employment opportunities for minority group members and women ("EEO") and contracting opportunities for certified minority and women-owned business enterprises ("MWBEs"). Contractor's demonstration of "good faith efforts" pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the "Human Rights Law") or other applicable federal, state or local laws.

Failure to comply with M/WBE and EEO requirements may result in a Department finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds or such other actions, liquidated damages or enforcement proceedings.

Please refer to the NYS Master Contract for Grants - Article IV (J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review M/WBE and EEO requirements. Required M/WBE and EEO related forms can be found at <http://www.dec.ny.gov/about/48854.html>

- The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.
  - A list of certified M/WBE enterprises can be obtained via the internet from the NYS Department of Economic Development at <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=9885>
  - Contracts which meet the established M/WBE-EEO thresholds require the Contractor to submit Quarterly Reports, [http://www.dec.ny.gov/docs/administration\\_pdf/quarterlyversion7.pdf](http://www.dec.ny.gov/docs/administration_pdf/quarterlyversion7.pdf), detailing payments made by the Prime Contractor to NYS Certified M/WBEs.
  - The following M/WBE-EEO “Fair Share” goals<sup>37</sup> are established as follows:
    - Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:
      - Construction/Engineering – up to 20%
      - Commodities – up to 20%
      - Services/Technologies –up to 20%
    - Equal Employment Opportunity (EEO) Participation Goals:
      - EEO Minority Workforce Participation Goals (DEC Regions 1- 9) 0%
      - EEO Female Workforce Participation Goals (DEC Regions 1-9) 0%
- DEC M/WBE Compliance  
 NYS Department of Environmental Conservation  
 Bureau of Contract and Grant Development/MWBE Program  
 625 Broadway, 10th Floor  
 Albany, New York 12233-5028  
 Phone: (518) 402-9240  
 Fax: (518) 402-9023

**Procurement of Contractors/Subcontractors**

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

**Americans With Disabilities Act**

In the event the monies defined herein are to be used for the development of facilities, outdoor recreation areas, transportation or written or spoken communication with the public, the Contractor shall comply with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act, and relevant sections of the New York State Uniform Fire Prevention and Building Code. Standards for certain Recreation Facilities are found in the 2010 ADA Standards for Accessible Design while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas <https://www.access-board.gov/guidelines-and-standards>.

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<sup>37</sup> Does not apply to land acquisition

**APPENDIX A**

**Sexual Harassment Prevention Certification Form**

By submission of this application, each applicant and each person signing on behalf of the applicant certifies, and in the case of a partnering application each party thereto certifies as to its own organization, under penalty of perjury, that the applicant has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

**Grantee Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Print Name and Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## APPENDIX B

### Nonpoint Source Green Infrastructure Required Documentation Guidance

#### 1. Feasibility Study

Applicants are required to submit sufficient information to demonstrate that the proposed green infrastructure project is feasible to construct at their project location. The Feasibility Study is a written document which must be submitted along with an online application. Based on a design professional's site evaluation, the Feasibility Study provides the basis and justification for your proposed design.

**The Feasibility Study must be signed and stamped by a Qualified Professional licensed or certified to practice in New York State.** A qualified professional is an individual who is knowledgeable in the principles and practices of stormwater management and treatment, such as a Professional Engineer or Registered Landscape Architect.

#### Required Elements

**NOTE:** The Feasibility Study must primarily address the green infrastructure practice(s), even if it is a portion of a larger project.

The recommended outline below contains the required elements which must be included when preparing your Feasibility Study.

- I. **Cover Page** (project title, owner, prepared by, professional's stamp, and date)
- II. **Executive Summary** (Overview of the project's purpose)
- III. **Project Objective(s)** (*Describe goals for Green Infrastructure elements. Indicate whether the green infrastructure elements are a portion of a larger project.*)

**NOTE:** Only the green practices constructed that exceed the requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity are eligible for WQIP funding.

- IV. **Existing Conditions:** Include an analysis of the proposed project site which addresses the following elements:
  - a. Current Land Use
  - b. Depth to Bedrock
  - c. USGS Soil Classification at green infrastructure practice location(s) (see [USDA Web Soil Survey mapping tool](#))
  - d. Depth to water table at green infrastructure practice location(s)
  - e. Discussion of any other site considerations (*wetlands, flood plain elevations, hotspots, brownfield remediation or other potential design issues at the site*)
  - f. Results of any boring logs, infiltration tests, or other subsurface investigations. If your project is selected, these will be required as part of the design process.  
**NOTE:** If site conditions are not conducive to implementing green infrastructure practices, you should consider alternative funding sources that can support these other activities.
- V. **Project Description**
  - a. **Recommended Green Infrastructure Practice(s):** Provide a narrative that

explains the proposed project and green infrastructure practices and why they were selected. Please see the New York State Stormwater Management Design Manual for a catalog of green infrastructure practices.

- b. Provide an estimate of the water quality volume to be managed through infiltration, evapotranspiration, and / or use on site. The [NYSDEC Runoff Reduction Worksheets](#) may be used as a reference in calculating estimates.

**VI. Anticipated Regulatory Approval and Permits** (*list all that will apply , e.g. NYSDEC, NYSDOT, etc.*)

**2. Existing Conditions Graphic**

A plan or diagram of the existing project site is required. It should include:

- a. Engineer / Landscape Architect name; date and project title
- b. North arrow / legend
- c. Graphical scale
- d. Site features (wetlands, streets, buildings, etc.)
- e. Location map
- f. Site topography
- g. Project location / address (including nearest cross street)
- h. Stormwater flowpath (also consider adjacent sites)
- i. Nearest receiving waterbody
- j. Location relative to the 100-year floodplain
- k. Other site considerations (hotspots, brownfield remediation or other potential design issues at the site)
- l. Location of any available boring logs, infiltration tests, or other subsurface investigations.

**3. Conceptual Site Plan**

A plan or diagram of the project's conceptual design is required. It must include:

- a. Engineer / Landscape Architect name; date and project title
- b. North arrow / legend
- c. Graphical scale (1 " = 10', 20', 30', 40', 50', 60' or 100')
- d. Location map
- e. Site features (wetlands, nearest waterbody, streets, buildings, etc.)
- f. Proposed GI practice location / layout showing stormwater flowpath (arrows)
- g. Estimated drainage area (indicate area(s) to be managed by each practice)
- h. Site grading (proposed conditions)
- i. Other design considerations

**4. Site Photographs**

Please submit photographs that are representative of existing site conditions.

## APPENDIX C

### **Minimum Documentation Requirements for Control of External Sources of Nutrients Projects**

This documentation is required for applications to implement in-waterbody control projects. The intent of this documentation is to demonstrate that landside nonpoint sources of nutrients are being controlled. Please use this template to describe projects that have been implemented in the last five years.

- I. Project name
- II. Project locations
- III. Brief description of projects, including best management practices, size of project or treated area, proximity to waterbody of concern
- IV. Reference plan (e.g. TMDL)
- V. Funding source
- VI. Pollutant addressed (e.g. phosphorus)
- VII. Estimated amount of pollutant reduction achieved by projects
- VIII. Date completed (must be within last five years)

## APPENDIX D

### Required Land Acquisition for Source Water Protection Documentation Guidance

#### 1. Monitoring and Enforcement Protocol Required Elements

Applicants are required to submit protocols to demonstrate proper enforcement and monitoring of properties or easements acquired with funding through this grant opportunity. The Monitoring and Enforcement Protocol is a written document which must be submitted along with an online application. Applicants that do not upload a detailed Enforcement and Monitoring Protocol with an online application will be deemed ineligible for funding.

- I. Monitoring Procedure
  - a. Frequency (i.e. annual)
  - b. Contact with landowners (only applicable to conservation easements)
  - c. Type of monitoring (i.e. boundary survey)
  - d. Monitoring documentation (i.e. updated site photos, maps)
  - e. Parties responsible for monitoring (i.e. staff, volunteers, contractor)
- II. Enforcement Procedure
  - a. Violation definitions (i.e. minor, major)
  - b. Potential violation response
  - c. Violation documentation
  - d. Resolving violations

#### 2. Project or Program Map Required Elements

Applicants that do not upload map(s) with an online application will be deemed ineligible for funding. Examples of maps meeting all required elements can be found at:

<https://www.dec.ny.gov/pubs/4774.html> .

- a. Applicant name, date, project title
- b. North arrow/legend
- c. Graphical Scale (i.e. 1" = 20')
- d. Public water supply location (including system ID number)
- e. Parcel location(s) (required for project applications, optional for program applications)
- f. Surface waterbody, tributaries and HUC 12 watershed boundary (surface waterbody applications only)
- g. Groundwater wellhead location(s), 1,000-foot boundary line, 1,500-foot boundary line, groundwater re-charge zone (groundwater wells only)
- h. Existing riparian buffer or wetland areas, if applicable (surface waterbodies only)
- i. Proposed riparian buffer or wetland restoration sites (surface waterbodies only)

Land use as defined by the National Land Cover Dataset (2011) -

<https://www.mrlc.gov/data?f%5B0%5D=category%3Aland%20cover>

## APPENDIX E

### **Minimum Information Requirements to Include in Catch Basin Clean-out Plan**

This documentation is required for applications for vacuum trucks which do not intend to fund the development of a plan through this grant. The intent of this documentation is to demonstrate that regulated MS4 entities have identified where a vacuum truck will be used and the coordinated use of the equipment between multiple regulated MS4 entities. Please use this template as the minimum information to include in your plan:

- IX. Participating regulated MS4 entities
- X. Planned locations (an electronic map of the area being serviced by the vacuum truck including catch basins and waterbody information)
- XI. Total number of catch basins in each participating regulated MS4 entity
- XII. Total number of catch basins being serviced by this vacuum truck annually (total for each regulated MS4 entity)
- XIII. Brief description of the coordination required to share the equipment efficiently, scheduled use, share service agreements (including vacuum truck operation and maintenance (O&M) for long-term use)
- XIV. Best management practices in place for catch basin clean-out and spoils disposal
- XV. Pollutant(s) addressed (i.e. phosphorus)

### **Minimum Information to Include in Catch Basin Clean-out Procedure**

- I. Safety/Traffic Control (including number of staff)
- II. Preparation/Inspection
- III. Clean-out Process
- IV. Clean-up (include best management practices)
- V. Documentation (including date of clean-out, number of catch basins cleaned, approximate level of trash debris in the catch basin (no debris, <50% sump capacity, >50% sump capacity), total accumulative waste removed (weight or volume), the areas in which catch basins require the most cleaning, and any comments or problems discovered).

## APPENDIX F

### Mapping Status Worksheet for MS4 Projects

This table must be filled out for the applicant and each regulated MS4 participating with and/or benefiting from the MS4 project.

	<b>Basic Elements Map</b> (Application must include these elements if they are not already included in map.)	<b>Intermediate Elements Map</b> (Applications must look to include these elements if they are not already included in map.)	<b>Advanced Elements Map</b> (Elements beyond the required permit elements.)	<b>Mapping Status:</b> Check if completed
<b>Outfall Mapping</b>				
Electronic or GIS Map	X			
Receiving Waterbody Name	X			
Type of Conveyance (i.e. Open drainage, closed pipe, catch basin, etc.)	X			
Outfall material	X			
Outfall shape	X			
Outfall Prioritization (See Draft MS4 GP 0-17-002 Part VI.C.4. /VII.C.4. for guidance.)	X			
Type of outfall (i.e. direct, indirect, interconnected MS4 outfall)	X			
Submerged in water?	X			
Submerged in sediment?	X			
Land use in drainage area			X	
Inspection data			X	
Owner			X	
Structure/Facility ID			X	
Latitude/Longitude			X	
<b>Storm Sewer System Mapping</b>				
Type of Conveyance System (closed pipe or open drainage)	X			
Closed Pipe or Open Drainage Description: material, shape, size	X			

Direction of Flow	X			
Drop Inlet, catch basin, and manhole locations	X			
Number of connections to catch basins and manholes, depth of structure, sump depth	X			
Location of points receiving discharge from updrainage connections with adjacent MS4s (include name and contact information for adjacent MS4 Operator)		X		
Receiving Waterbody Name		X		
Owner			X	
Structure/Facility ID			X	
Latitude/Longitude			X	
<b>Stormwater Management Practice (SMP) Mapping</b>				
Location/Address	X			
Latitude/Longitude	X			
Type of SMP (Pond, Bioretention, Swale, Rain Garden, etc.) <sup>38</sup>		X		
Post construction specific SMPs		X		
Ownership of SMP		X		
Receiving Waterbody Name		X		
Date practice was installed		X		
Responsible party for maintenance		X		
Location of documentation depicting O&M requirements and legal agreements for practice			X	
Frequency of inspection of practice			X	
Reason for SMP (Retrofit, New Development, Flood Control, etc.)			X	
Location where SMP discharges (Does SMP drain to MS4?)			X	
Contributing Drainage area to SMP (if known)			X	
Construction date (if known)			X	

<sup>38</sup> Stormwater Practice Type defined in *NYS DEC Maintenance Guidance: Stormwater Management Practices*, March 31, 2017.

Last Inspection date (if known)			X	
Structure/Facility ID			X	
<b>Municipality owned/operated facilities</b>				
Location/Address	X			
Latitude/Longitude	X			
Name		X		
Type (Municipal Buildings, DPW Garage, vehicle and fleet maintenance areas (fire station, police station, bus stations), landfills, salt storage areas, parks & open space, solid waste disposal areas, transfer stations, marinas, etc.)		X		
Facility Prioritization (See Draft MS4 GP 0-17-002 Part VI.F.3. /VII.F.3. for guidance.)		X		
Receiving Waterbody Name		X		
Standard Industrial Classification (SIC) Code (if applicable)			X	
SPDES ID or No Exposure ID (if applicable)			X	
Responsible Department			X	
Contact Information			X	
Status of facility specific SWPPP (if high priority)			X	
Location of facility specific SWPPP (if high priority)			X	
Type of activities present on site			X	
Last Assessment Date			X	
Year Built			X	
Size of Facility (acres)			X	
Owner			X	
Structure/Facility ID			X	
<b>Sewershed Boundary</b>				
Preliminary	X			
Impaired waters		X		
Per MS4 outfall		X		
<b>Priority Areas</b>				
Areas with Onsite wastewater systems subject to Part IX requirements	X			

Land Use within Impaired Watersheds (Commercial, HD Residential, LD Residential, Industrial, Open Space)		X		
Land Use within Other Watersheds (Commercial, HD Residential, LD Residential, Industrial, Open Space)		X		
Description of Concern (i.e. sewershed to impaired waters, septic systems, high water table, industrial area, etc.)		X		
Pollutant(s) of Concern (Litter, Sediment, Nutrients, etc.)		X		
Areas contributing to impaired waterbodies		X		
TMDL Watersheds		X		
Areas where stormwater flows have significant potential to cause erosion (soil, silt, rock, etc.)		X		
Areas contributing to waterbodies of significant value (drinking water supply, public bathing beaches, shellfishing, high recreation value)		X		
Densely populated residential areas		X		
Commercial/Industrial areas		X		
Hot Spot Areas (remediation sites, clusters of industrial activity, salt storage, etc.)		X		
Areas where a high number of construction activities are occurring		X		
Areas with a high number of illicit discharges		X		
Areas of high discharge potential (Refer to Table 14 of IDDE Guidance Manual for identification)			X	
Areas of Shallow Groundwater			X	
Areas of Low Infiltrative Soils			X	

Areas of historic on-site sanitary system failures			X	
Sites with a history of major oil or chemical leaks/spills (Include date of event, type of spill, and final resolution)			X	
High priority construction sites (Discharges to impaired waters, AA-S, AA, or A classified water sources, or T (trout)/TS (trout spawning) protected bodies)			X	
Other areas of Concern (wetlands, riparian buffers, flood plains, steep slopes, etc.)			X	
Areas with Onsite wastewater systems (Includes typical age)			X	
<b>Proposed Retrofits</b>				
Location			X	
Contributing drainage area to the proposed stormwater retrofit			X	