



Department of
Environmental
Conservation

Water Quality Improvement Project (WQIP) 2023 PROGRAM OVERVIEW

FUNDING AVAILABLE: AT LEAST \$75 MILLION

Kathy Hochul, Governor | Basil Seggos, Commissioner

**AMENDED: Attachment A updated May 25, 2023;
Project Readiness points for Aquatic Connectivity Restoration,
Salt Storage, Marine District Habitat Restoration, and Vacuum
Trucks in MS4 Areas updated June 5, 2023**

DESCRIPTION

The Water Quality Improvement Project (WQIP) program is a competitive, statewide reimbursement grant program open to local governments and not-for-profit corporations to implement projects that directly improve water quality or aquatic habitat, promote flood risk reduction, restoration, and enhanced flood and climate resiliency, or protect a drinking water source. This funding is for construction/implementation projects, not projects that are exclusively for planning.

It is highly recommended that all potential WQIP applicants read the WQIP Program Overview, particularly the section for their project type, in its entirety before applying for WQIP funding.

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PROJECT TYPES SUMMARY TABLE

Funding is available for the following project types (see project type sections for all information):

Project Type	Maximum Award	Required Match	Eligible Applicants¹	Required Attachments
Wastewater Treatment Improvement	\$1,000,000 to \$15,000,000 depending on project subtype and population	25% of award amount (all subtypes including general wastewater)	Municipalities	Budget worksheet Engineering report Project map Floodplain map Sexual Harassment Prevention Certification Form Executive Order 16 Form
Non-Agricultural Nonpoint Source Abatement and Control	\$100,000 to \$10,000,000 depending on project subtype and population	25% of award amount	Municipalities Soil and Water Conservation Districts	Budget worksheet Project map Floodplain map for certain project subtypes See Nonpoint Source section for attachments required for certain project subtypes Sexual Harassment Prevention Certification Form Executive Order 16 Form
Vacuum Trucks in Municipal Separate Storm Sewer System (MS4) Areas	\$325,000	25% of award amount	Municipality Regulated by the MS4 General Permit Soil and Water Conservation Districts on behalf of regulated MS4 Operators	Budget worksheet Project map Floodplain Map Letters of support from participating municipalities Mapping Status Table Catch basin clean-out plan and procedures Sexual Harassment Prevention Certification Form Executive Order 16 Form

¹ The applicant's 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.

Project Type	Maximum Award	Required Match	Eligible Applicants¹	Required Attachments
Land Acquisition for Source Water Protection	\$5,000,000	25% of award amount	Municipalities Soil and Water Conservation Districts Not-for-profit corporations	Budget worksheet Monitoring and enforcement protocol Project map Floodplain map Fiscal reports (programs only) Sexual Harassment Prevention Certification Form Executive Order 16 Form
Salt Storage	\$600,000	25% (high priority projects); or 50% (low priority projects) of award amount	Municipalities Soil and Water Conservation Districts	Budget worksheet Project map Floodplain map Sexual Harassment Prevention Certification Form Executive Order 16 Form
Dam Safety Repair/ Rehabilitation	\$5,000,000	25% of award amount	Municipalities	Budget worksheet Project map Annual Certification Emergency Action Plan Letter with description/analysis of how Population At Risk (PAR) was developed/calculated Sexual Harassment Prevention Certification Form Executive Order 16 Form
Aquatic Connectivity Restoration	\$250,000	25% of award amount	Municipalities Soil and Water Conservation Districts Not-for-profit corporations	Budget worksheet Landowner agreements as applicable Project map Floodplain map Sexual Harassment Prevention Certification Form Executive Order 16 Form

Project Type	Maximum Award	Required Match	Eligible Applicants ¹	Required Attachments
Marine District Habitat Restoration	\$750,000	25% of award amount	Municipalities Soil and Water Conservation Districts Not-for-profit corporations	Budget worksheet Landowner agreements as applicable Project map Floodplain map Sexual Harassment Prevention Certification Form Feasibility Study Executive Order 16 Form

FLOOD RESILIENCY REQUIREMENTS

DEC is committed to improving community resiliency to extreme weather events that result in flooding. Projects that promote flood risk reduction and enhanced flood resiliency, or both, will receive points in the evaluation of an application where indicated.

The following application eligibility requirements apply to all project types **except**:

- Nonpoint Source In-Waterbody Controls for Nutrients
- Nonpoint Source Bathing Beach Restoration
- Nonpoint Source Road Ditch Stabilization program, Septic Tank Pumpout program or Rain Garden/Rain Barrel program.

Eligibility requirements:

If the project is within a 0.2% (500 year) or 1% (100 year) annual chance of occurrence floodplain², submit with the application a floodplain map with the location of the project indicated.

If the project is awarded funding and is within a 0.2% or 1% floodplain, the following must be included in the planning and design of the project if applicable:

- A site plan with the contours indicating the Special Flood Hazard Area (1% floodplain), Coastal High Hazard Area, or 0.2% floodplain
- Location of and elevation of non-critical and critical equipment
- Certification of floodproofing
- A floodway analysis with a no-rise certificate if the project is within a regulated floodway.
- Fulfillment of FEMA National Flood Insurance Program Special Flood Hazard Area process requirements, where applicable (<https://www.dec.ny.gov/lands/24267.html>).

Guidance and information for meeting this requirement is on DEC's WQIP webpage: <https://www.dec.ny.gov/pubs/4774.html>

²Federal Emergency Management Agency (FEMA) Flood Maps: <https://www.fema.gov/flood-maps>

CLIMATE RESILIENCY CRITERIA

DEC is committed to combatting climate change and mitigating impacts that are being felt across New York State. Projects that promote climate change resilience and adaptation, or both, will receive points in the evaluation of an application where indicated.

To qualify for climate resiliency points, you must be a Climate Smart Community and your application must include details demonstrating how the project will enhance climate adaptation and resilience, and will be responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding), and/or, your application must indicate the project is identified in a Community Asset Management Plan that is consistent with DEC's Asset Management Guide³ and is identified as a project that promotes climate resiliency, or the project includes assets identified in an asset management program that was approved by DEC or developed in accordance with DEC's Asset Management Guide⁴.

PROJECTS AFFECTING ENVIRONMENTAL JUSTICE AND DISADVANTAGED COMMUNITIES

DEC is committed to underserved and vulnerable populations, and providing remedies for communities that may be burdened by negative environmental consequences. Environmental Justice (EJ) is defined by DEC as the fair treatment and meaningful involvement of all people, regardless of race, color, or income, with respect to the development, implementation and enforcement of environmental laws, regulations, and policies. Potential EJ Areas (PEJA) are U.S. Census block groups of 250 to 500 households each that, in the Census, had populations that met or exceeded at least one of the following statistical thresholds: at least 52.42% of the population in an urban area reported themselves to be members of minority groups; or at least 26.28% of the population in a rural area reported themselves to be members of minority groups; or at least 22.82% of the population in an urban or rural area had household incomes below the federal poverty level. Disadvantaged Communities (DAC) are identified by New York's Climate Justice Working Group (CJWG) using indicators that include climate-related risks, environmental burdens, health vulnerabilities, and socio-economic factors.

Projects that will improve water quality within a PEJA or DAC, projects within the HUC 10 watershed of a drinking water source that will improve drinking water quality serving a PEJA or DAC, projects that are within the HUC 10 area and upstream⁵ of a PEJA or DAC, or projects that protect PEJA or DAC that are within a dam failure inundation area, will receive "EJ and DAC Benefits" points in the evaluation of an application where indicated. Applicants that are municipalities with a DAC population will receive "Disadvantaged Communities" points based on the concentration of the DAC population served, in the evaluation of an application where indicated.

³ At a minimum, Community Asset Management Plans should include the following elements, consistent with DEC's Asset Management Guide: Asset Inventory; Condition Assessment; Level of Service Profile; Likelihood of Failure, Consequence of Failure, and Risk Assessment; Capital Improvement Plans; Sustainable Ownership Assessment; Maintenance Planning; <https://www.dec.ny.gov/chemical/101412.html>.

⁴ Asset Management Resources: <https://www.dec.ny.gov/chemical/101412.html>.

⁵ Upstream is defined as in the opposite direction from that in which a waterbody flows.

Maps of PEJA and DAC areas in New York State are available at: <http://www.dec.ny.gov/public/911.html> and <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>, respectively.

To qualify for “EJ and DAC Benefits” points, your application must include a DEC PEJA and/or DAC map and a summary narrative referencing that map, along with details demonstrating water quality improvement to a PEJA or DAC or to drinking water serving a PEJA or DAC, or protection of a PEJA or DAC area within a dam failure inundation area, i.e., where the benefit will be provided, or the area served by the drinking water source, or the exact street location(s) where the project is to be implemented. To qualify for “Disadvantaged Communities” points, your application must include a DEC DAC map and summary narrative referencing that map and the DAC population served.

INELIGIBLE PROJECTS/APPLICATIONS

Applications are ineligible that:

- Do not improve water quality⁶, aquatic habitat, mitigate flooding, protect a drinking water source or improve safety of a dam;
- Are only seeking funds for studies, planning, or design;
- Do not include required attachments (**view the section for your project type for a full list of required attachments**);
- Do not meet the requirements for that project type or subtype;
- Are from not-for-profit organizations that are neither registered nor have a current prequalification in Grants Gateway as of the application deadline;
- Fail to meet the minimum scoring criteria as detailed for each project type in this Program Overview. A project must receive a score of at least 30 to be eligible for funding;
- Do not show match and a match source, or use ineligible match sources; or
- Are seeking funds for costs incurred before May 15, 2023 unless the project is a Land Acquisition for Source Water Protection Project/Program.

APPLICATION LIMITS

- Applicants may only apply for one project type per individual application.
- Only one application may be submitted per project per round.
- Applicants are limited to five applications per round.
- Applicants that have received funding in a previous round will not receive additional funding in this or a future round for the same scope of work. However, the WQIP program will fund distinct phases or different activities and costs of a project in consecutive rounds of funding if the applicant sufficiently describes how the planned scope of work is distinctly different from the previous scope of work.

MORE INFORMATION ON MATCH

- Match for WQIP is a percentage of the **award amount**, not the total project cost.
- Only eligible WQIP costs/activities may be used for match.

⁶ As defined in the scoring criteria for each project type.

- Applications that do not show sufficient match will have their potential award amounts decreased accordingly.
- Match consists of cash contributions and in-kind services for the project and must come from a local source. Federal grants/funding may be used as match for all projects other than those located within the Long Island Sound watershed⁷.
- Ineligible match sources include state grants/funding, except for loans that will be repaid (e.g., State Revolving Fund loans) and Federal grants/funding for projects awarded within the Long Island Sound watershed⁷.

Match Formula: Requested Award Amount x Required Match Percentage = Required Match Amount

Match Calculation Example 1:

Project type: Priority wastewater treatment improvement

Required match percentage: 25% of award amount

Requested award amount: \$1,000,000

\$1,000,000 x 0.25 = \$250,000

Applicant is required to provide match of \$250,000

Total costs to show in WQIP budget: \$1,000,000 + \$250,000 = 1,250,000

Match Calculation Example 2:

Project type: General wastewater treatment improvement

Required match percentage: 25% of award amount

Requested award amount: \$2,500,000

\$2,500,000 x 0.25 = \$625,000

Applicant is required to provide match of \$625,000

Total costs to show in WQIP budget: \$2,500,000 + \$625,000 = \$3,125,000

Match Calculation Example 3:

Project type: Low priority salt storage

Required match percentage: 50% of award amount

Requested award amount: \$500,000

\$500,000 x 0.50 = \$250,000

Applicant is required to provide match of \$250,000 (not \$500,000)

Total costs to show in WQIP budget: \$500,000 + \$250,000 = \$750,000

⁷ Long Island Sound watershed map:
<https://www.arcgis.com/apps/View/index.html?appid=76304dea14844874a864f1ac17c37f8b&extent=-74.7147,40.5084,-70.7431,42.3513>

WASTEWATER TREATMENT IMPROVEMENT

ELIGIBLE APPLICANTS

- Municipalities⁸, including Indian Nations

DESCRIPTION

Funding is available for wastewater treatment improvements to municipal wastewater systems.

REQUIREMENTS FOR ALL WASTEWATER APPLICATIONS:

Required Attachments

- Engineering report **prepared, stamped, signed, and dated** by a NYS-registered professional engineer⁹
 - Feasibility reports and engineering plans not accompanied by engineering reports do not fulfill the engineering report requirement.
 - DEC recommends engineering reports follow the Environmental Facilities Corporation (EFC) engineering report guidelines (see resources list below) and be approved by DEC/accepted by EFC prior to application submission.
 - Engineering reports must include at a minimum the following elements:
 - Project background and history/problem statement
 - Alternatives analysis with cost estimates
 - Summary and comparison of alternatives
 - Recommended alternative
- Project map uploaded as a separate file. Project maps cannot be imbedded within another required attachment. Map must be a 1:24,000 scale USGS or DOT planimetric map, or equivalent to such maps.
- If the project is in a floodplain, attach the applicable floodplain map with the location of the project indicated.
- Completed WQIP budget worksheet¹⁰
- Completed and signed Sexual Harassment Prevention Certification Form¹¹
- Completed and signed Executive Order No. 16 Certification Form¹²

⁸ For the purposes of Wastewater Treatment Improvement 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).

⁹ All plans, specifications and reports prepared by the professional engineer or by a full-time or part-time subordinate under their supervision, shall be signed and sealed when filed with public officials. Whatever the means of production, on all documents on which a seal is required, there shall be visible the required image, satisfying the provisions of Sections 7209, and Part 68.10 of the Regulations of the Commissioner, and which clearly and legibly shows both the professional engineer's name and license number. The documents are to be signed by the professional engineer whose name appears on the seal in such a manner that neither the name nor the number appearing on the seal is obscured in any way.

(New York State Education Law Article 145 §7209. Special Provisions)

¹⁰ WQIP Budget Worksheet: <http://www.dec.ny.gov/pubs/4774.html>

¹¹ Sexual Harassment Prevention Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

¹² Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

- All required attachments are due at the time of application through the Consolidated Funding Application.

PROJECT SUBTYPES AND REQUIREMENTS

- All priority projects may be funded before general wastewater projects.
 - DEC reserves the right to fund one project from each primary, secondary, and tertiary priority category scoring 70 or above before awarding additional primary, secondary, and tertiary priority wastewater projects.
 - DEC reserves the right to fund one application per municipality from each primary, secondary, and tertiary priority category scoring 70 or above before awarding additional primary, secondary, and tertiary priority wastewater projects.
- DEC reserves the right to fund all primary priority wastewater effluent disinfection projects scoring 70 or above before awarding any other wastewater improvement project. DEC anticipates removing the disinfection primary priority in future years.
- Projects that apply for a primary, secondary, or tertiary priority category but do not meet all requirements will be scored as a general wastewater project.

Project subtype	Description	Maximum award	Required match	Special Requirements
Primary Priority				
Wastewater Effluent Disinfection	Projects to add effluent disinfection and associated backup power to facilities that do not currently disinfect or projects that achieve new disinfection requirements using other system modifications.	\$1,000,000	25% of award amount	Applicants must have been notified by DEC via letter or modified permit that their treatment system requires an upgrade to add effluent disinfection. Only work associated with effluent disinfection and associated backup power will be reimbursed.
Watershed Plan Implementation of Phosphorus Reduction	Projects to upgrade municipal systems to meet a DEC-approved watershed implementation plan's (i.e.,	\$10,000,000	25% of award amount	Project must reduce phosphorus as a pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan

Project subtype	Description	Maximum award	Required match	Special Requirements
	TMDL, Nine Element Watershed plan, DEC Action Agenda or DEC HABs Action Plan) phosphorus requirements			DEC Action Agenda or DEC HABs Action Plan) and be necessary to meet the effluent limits in the SPDES permit.
Secondary Priorities				
Combined Sewer Overflow (CSO) / Sanitary Sewer Overflow (SSO)	Projects to upgrade municipal systems to meet CSO or SSO discharge requirements, including repairs to private laterals attached to the collection system	\$10,000,000 / \$15,000,000* *Only projects in communities serving populations over 3,000,000 are eligible for funding up to \$15,000,000. The maximum award amount for all other projects in this category is \$10,000,000.	25% of award amount	CSO projects must be identified under an approved long-term control plan (LTCP) or identified as a CSO overflow reduction project in a permit or Order on Consent. SSO projects must be identified for overflow reductions in a DEC-approved capacity, management, operation and maintenance (CMOM) program, DEC-approved sanitary sewer evaluation survey (SSES) plan, DEC-approved corrective action plan (CAP) or Order on Consent.

Project subtype	Description	Maximum award	Required match	Special Requirements
Watershed Plan Implementation	Projects to upgrade municipal systems to meet a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed plan, DEC Action Agenda or DEC HABs Action Plan) nutrient requirements, for pollutants other than phosphorus	\$10,000,000	25% of award amount	Project must reduce a nutrient pollutant(s) of concern, other than phosphorus, identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan DEC Action Agenda or DEC HABs Action Plan) and be necessary to meet the effluent limits in the SPDES permit.
Tertiary Priorities				
Municipal Systems to Serve Multiple Properties with Inadequate On-site Septic Systems	Projects to construct municipal systems to serve multiple properties with inadequate on-site septic systems	\$10,000,000	25% of award amount	Project must reduce nutrients or fecal indicator bacteria documented in the WI/PWL segment factsheet as causing the nearest waterbody's best use(s) to be assessed as "impaired" or "precluded" or the need for the project must be documented in a completed sanitary survey conducted and/or approved by the Department of Health, or a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or HABs Action Plan). If awarded, a sewer district must be formed within 2 years of date of

Project subtype	Description	Maximum award	Required match	Special Requirements
				award. No funding will be disbursed until sewer district is formed.
Wastewater Treatment Facility Nitrogen Abatement for Shellfishing Waters	Projects to reduce and/or eliminate nitrogen impairments in shellfishing waters	\$10,000,000	25% of award amount	
General Wastewater Projects				
Other Wastewater Treatment Improvements	All other wastewater projects	\$10,000,000	25% of award amount	

ELIGIBLE COSTS

- Equipment
- Contractual costs (construction, equipment, supplies/materials)
- Construction inspection (on-site activities typically performed by a licensed professional engineer, e.g., inspection of methods and materials)
- Salary and fringe benefits
- Administrative costs directly related to implementing the project¹³

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Planning, design, specification, and engineering costs
- Construction oversight (e.g., monitoring the schedule and budget, contract performance and quality control)
- Non-construction costs incurred during the construction phase
- Indirect costs (e.g., travel, space/property rent, utilities, office supplies)
- Administrative costs not directly related to implementing the project¹⁴
- Legal fees
- Costs associated with establishing a sewer district
- Pre- and post-construction monitoring and sampling

¹³ The following are examples of **eligible administrative costs**: Procuring sub-contractors and materials needed to implement the project; contacting municipalities to schedule projects; and reviewing and paying invoices for materials and sub-contractors associated with the project.

¹⁴ The following are examples of **ineligible administrative costs**: preparing, completing, submitting the WQIP application for funding; preparing, completing, submitting information and documents needed to get a contract in place; preparing, completing, submitting information for progress reporting, payment requests and contract amendments; preparing, completing and submitting environmental regulatory approvals/permits needed to implement the project.

- Costs incurred outside the start and end date of the contract (no earlier than May 15, 2023)
- **Applications that do not attach an engineering report or other required attachments**
- Applications for non-municipal systems
- Projects also being funded through the State Septic System Replacement Fund
- Applications for planning or to create a study

RESOURCES

- NYS EFC engineering report guidelines: <https://efc.ny.gov/forms-tools>
- DECinfo Locator (most up to date source of WI/PWL segment fact sheets¹⁵): <https://www.dec.ny.gov/pubs/109457.html>
- New York State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act: <https://www.dec.ny.gov/energy/102559.html#Implementation>
- HUC 12 watersheds map: <https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>
- Maps of PEJA areas in New York State: <http://www.dec.ny.gov/public/911.html>.
- Maps of DAC areas in New York State: <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

CONTACT

NYS Department of Environmental Conservation, Division of Water

- Monica Moss, (518) 402-8104
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¹⁵ For projects impacting surface water, the applicant must provide the correct WI/PWL segment ID and HUC 12 watershed of the closest waterbody the project will impact. To find the closest WI/PWL segment fact sheet, visit the DECinfo Locator at <https://gisservices.dec.ny.gov/gis/dil/>. In the left column of the map, click “DEC Information Layers”>”Environmental Quality”>”Environmental Monitoring” and check the box for “Waterbody Inventory/Priority Waterbodies List”. In the left column, select “Search” and enter the address or project location. Click 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 description. To access the WI/PWL assessment for that waterbody, click the “Fact Sheet” link in the box.

WASTEWATER TREATMENT IMPROVEMENT SCORING CRITERIA

Agency Points	<i>Up to 115 points are available, as defined below. Applications must receive a minimum of 30 points to be eligible for funding. Applications that receive 0 points for Project Readiness or Experience and Ability will not be funded.</i>				
<p>Performance Measures</p> <p><i>40 to 5 points possible</i></p>	<p>40 POINTS:</p> <p>Wastewater treatment projects that are designed to meet requirements in a finalized Order on Consent schedule of compliance or a finalized schedule of compliance associated with the facility's SPDES permit AND are Watershed plan implementation projects that reduce phosphorus pollution identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, DEC HABs Action Plan or DEC Action Agenda) and are necessary to meet the effluent limits in the SPDES permit</p> <p>OR</p> <p>Wastewater effluent disinfection projects for facilities that currently do not disinfect their effluent and are designed to meet requirements in a finalized Order on Consent schedule of compliance or other notification from DEC of disinfection requirement.</p>	<p>30 POINTS:</p> <p>Wastewater treatment projects that are designed to meet requirements in a finalized Order on Consent schedule of compliance or a finalized schedule of compliance associated with the facility's SPDES permit</p> <p>AND one of the following:</p> <p>CSO projects that are under a Long-term Control Plan (LTCP) or identified as a CSO overflow reduction project in a permit or Order on Consent</p> <p>OR</p> <p>SSO projects that are for an SSO included in a capacity, management, operation and maintenance (CMOM) program, a DEC-approved sanitary sewer evaluation survey (SSES) plan, corrective action plan (CAP) or listed in an Order on Consent</p> <p>OR</p> <p>Watershed plan implementation projects that reduce nutrient pollution identified in a DEC-approved watershed implementation plan (i.e., TMDL,</p>	<p>20 POINTS:</p> <p>CSO projects that are under an LTCP or identified as a CSO overflow reduction project in a permit or Order on Consent</p> <p>OR</p> <p>SSO projects that are for an SSO identified for overflow reductions in a DEC-approved CMOM program, a DEC-approved SSES plan, DEC-approved CAP, or listed in an Order on Consent</p> <p>OR</p> <p>Watershed plan implementation projects that reduce a nutrient pollutant(s) of concern other than phosphorus identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, DEC Action Agenda or DEC HABs Action Plan and is necessary to meet the effluent limits in the SPDES permit</p> <p>OR</p> <p>Municipal systems to serve multiple properties with inadequate on-site septic systems that will reduce nutrients or fecal indicator bacteria</p>	<p>10 POINTS:</p> <p>Projects that reduce the discharge of a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use(s) to be assessed as "impaired" or "precluded"</p> <p>OR</p> <p>Projects that are located in the HUC 12 watershed of Class A or AA waterbodies with active public water supplies, that reduce the discharge of a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use of source of water supply to be assessed as "stressed" or "threatened"</p> <p>OR</p> <p>Projects that are in a schedule of compliance for an Order on Consent or SPDES permit but are not a</p>	<p>5 POINTS:</p> <p>Projects that reduce the discharge of a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use(s) to be assessed as "stressed" or "threatened"</p> <p>OR</p> <p>Projects that reduce the discharge of a pollutant identified as impacting a waterbody located in the HUC 12 watershed of waterbodies classified as Class A or Class AA without an active public water system</p> <p>OR</p> <p>Projects that will not reduce the discharge of a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use(s) to be assessed as impaired</p> <p>OR</p> <p>Projects that are necessary</p>

		Nine Element Watershed Plan, DEC HABS Action Plan or DEC Action Agenda) and are necessary to meet the effluent limits in the SPDES permit	documented in the WI/PWL segment factsheet as causing the waterbody's best use(s) to be assessed as "impaired" or "precluded"; or that are listed in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, DEC Action Agenda, or DEC HABS Action Plan); or have a completed sanitary survey conducted and/or approved by the Department of Health OR Projects to reduce and/or eliminate nitrogen impairments in shellfishing waters	WQIP high priority project OR Projects that will reduce CSOs but are not specifically listed in the applicable LTCP or not identified as a CSO overflow reduction project in a permit or Order on Consent	to preserve or protect a surface waterbody not listed in the WI/PWL
Classification Points Factor <i>5 to 2 points possible</i>	5 POINTS: AA, A, A-special, AA-special, A(T), A(TS), B, B(T), B(TS), SB, C(T), C(TS), GA (primary water supply aquifer)		2 POINTS: C, SC, I, D, SD, GSA, GSB		
Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i>	10 POINTS: Project improves water quality and is within a PEJA or DAC area OR Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.	5 POINTS: Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area	0 POINTS: Project does not improve water quality within a PEJA or DAC area OR Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area OR Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area		

Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i>	10 POINTS: Applicant is a municipality with a DAC population of 81 – 100% ¹⁶ . See Attachment A.	8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.	6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.	4 POINTS: Applicant is a municipality with a DAC population of 20 - 40% ¹⁶ .	2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.	0 POINTS: Applicant is not a municipality with a DAC population.
Reasonableness of Cost <i>25 to 0 points possible</i>	25 POINTS: Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project. WQIP budget includes no ineligible activities.	15 POINTS: Cost is good as it applies to both achieving the project objectives and being a fiscally sound project.	10 POINTS: Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project.	5 POINTS: Costs are not clearly explained in application and budget.	0 POINTS: Costs are not reasonable for this type of project.	
Project Readiness <i>10 to 0 points possible</i>	10 POINTS: Project has all necessary permits (or does not need permits) and engineering report is approved/accepted. SEQR is completed. The project is ready to move forward with construction.	5 POINTS: Project is not ready to proceed with construction but has some of the necessary approvals and is expected to begin construction within two years.	2 POINTS: Project is expected to be completed within five years.	0 POINTS: Project has none of the necessary approvals and is not expected to be completed within five years. <i>Applications that fall into this category will not be funded.</i>		
Experience and Ability <i>5 to 0 points possible</i>	5 POINTS: Applicant has shown the ability to complete state-funded wastewater treatment projects in the past 10 years in a timely manner OR Applicant has sufficiently shown its ability to complete this wastewater project.		3 POINTS: Applicant has shown the ability to complete a state-funded water quality project that was not related to wastewater treatment in the past 10 years in a timely manner OR	0 POINTS: Applicant has demonstrated poor management of WQIP and/or EPG contract(s) in the past 10 years OR Applicant has not been awarded a WQIP or EPG grant in the past 10 years and does not appear to have the experience and ability to carry out the project.		

¹⁶ See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

		Applicant has not been awarded a state grant related to water quality in the past 10 years but appears to have the experience and ability to carry out the project	Applications that fall into this category will not be funded.
Climate Resilience <i>5 to 0 points possible</i>	<p>5 POINTS:</p> <p>Project includes assets identified in an asset management program that was developed in accordance with DEC's Asset Management Guide OR has projects identified in an asset management program approved by DEC or followed general practices identified in the Asset Management Guide and was required under permit or consent order requirements.</p> <p>AND</p> <p>is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detailing how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>2 POINTS:</p> <p>Project includes assets identified in an asset management program that was developed in accordance with DEC's Asset Management Guide OR has projects identified in an asset management program approved by DEC or followed general practices identified in the Asset Management Guide and that was required under permit or consent order requirements.</p> <p>OR</p> <p>is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detailing how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>0 POINTS:</p> <p>Project does not address climate resiliency</p>
Flood Resilience <i>5 to 0 points possible</i>	<p>5 POINTS:</p> <p>Project is outside a 0.2% or 1% annual chance of occurrence floodplain</p> <p>OR</p> <p>Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.</p>	<p>0 POINTS:</p> <p>Project is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience</p>	
Total Maximum Points	115 points		

NON-AGRICULTURAL NONPOINT SOURCE ABATEMENT AND CONTROL

ELIGIBLE APPLICANTS

- Municipalities¹⁸, including Indian Nations
- Soil and Water Conservation Districts (excluding Decentralized Municipal Wastewater Treatment Facilities for Failing On-Site Treatment Systems project subtype)

DESCRIPTION

Funding is available for non-agricultural nonpoint source projects or programs¹⁹ that improve a documented water quality impairment, promote flood risk reduction, enhanced flood and climate resiliency, and restoration or that protect a drinking water source.

REQUIREMENTS FOR ALL NONPOINT SOURCE APPLICATIONS:

Required Attachments:

- Completed WQIP budget worksheet²⁰
- Completed and signed Sexual Harassment Prevention Certification Form²¹
- Completed and signed Executive Order No. 16 Certification Form²²
- Project map uploaded as a separate file. Project maps cannot be imbedded within another required attachment. Map must be a 1:24,000 scale USGS or DOT planimetric map, or equivalent to such maps
- If the project is in a floodplain, attach the applicable floodplain map with the location of the project indicated (except for In-Waterbody Controls for Nutrients, Bathing Beach Restoration, Road Ditch Stabilization Program, Septic Tank Pumpout Program, and Rain Garden/Rain Barrel Program).
 - Any Streambank/Shoreline Stabilization, Floodplain Creation/Restoration/Reconnection, Berm Removal, or Wetland Creation/Restoration project that occurs in the regulatory floodway may require a hydrological and hydraulic (H&H) analysis conducted by a professional engineer demonstrating the proposed project will have 0.00 feet of rise in the base flood elevation when comparing pre- and post-project conditions²³. If the rise cannot be mitigated, a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision (CLOMR) or Letter of Map Revision (LOMR) would be required.

¹⁸ For the purposes of Non-agricultural Nonpoint Source Abatement and Control projects and programs 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)

¹⁹ A Nonpoint Source Program consists of multiple projects or locations that impact multiple waterbody segments. See the Nonpoint Source Program description on page 24 for more information.

²⁰ WQIP Budget Worksheet: <http://www.dec.ny.gov/pubs/4774.html>

²¹ Sexual Harassment Prevention Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

²² Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

²³ Floodplain Development And Floodway Guidance: <https://www.dec.ny.gov/lands/24281.html>

- See special requirements column in below table for required attachments for specific project subtypes.
- In addition to required attachments, all applicants **should** attach any site assessments, permits, feasibility studies, landowner agreements or other documentation that demonstrates the likelihood of project success and/or feasibility.
- All required attachments are due at the time of application through the Consolidated Funding Application.

PROJECT SUBTYPES AND REQUIREMENTS

Project Subtypes	Description	Maximum award	Required match	Special Requirements
Decentralized Municipal Wastewater Treatment Facilities for Failing On-Site Treatment Systems	Projects to construct a municipally owned decentralized wastewater treatment facility in areas with failing on-site treatment systems, including the necessary collection and conveyance system	\$4,000,000	25% of award amount	<p>Must consist of a subsurface treatment and disposal system.</p> <p>Collection and conveyance system may consist of septic tank effluent pump or gravity, grinder pump or gravity sewer.</p> <p>Projects must be designed by a professional engineer.</p> <p>If awarded, a sewer district must be formed within two years of date of award. No funding will be disbursed until sewer district is formed.</p> <p>Required attachment:</p> <ul style="list-style-type: none"> • Feasibility study that follows the NYS Environmental Facilities Corporation/DEC Engineering Report Outline for New York State Wastewater Infrastructure Projects²⁴. • Best Management Practice Detail Form²⁵

²⁴ Engineering Report Outline for NYS Wastewater Infrastructure Projects: <https://efc.ny.gov/forms-tools>

²⁵ Best Management Practice Detail Form: <http://www.dec.ny.gov/pubs/4774.html>

Project Subtypes	Description	Maximum award	Required match	Special Requirements
Green Infrastructure Practices	Green infrastructure projects to address combined sewer overflows, reduce a pollutant impacting a waterbody or address a regional water quality issue; provide resiliency to impacts from climate change; or reduce localized flooding; or projects to install green infrastructure practices designed to capture and remove the pollutant contributing to a water quality impairment.	\$2,000,000 / \$10,000,000* *Only projects in communities serving populations over 3,000,000 are eligible for funding up to \$10,000,000. The maximum award amount for all other projects in this category is \$2,000,000.	25% of award amount	<p>Eligible practices are limited to:</p> <ul style="list-style-type: none"> • Bioretention • Rain gardens • Constructed wetlands • Porous pavement • Green roofs • Downspout disconnection • Stormwater street trees • Stormwater harvesting and reuse • Stream daylighting <p>Must be designed in accordance with the <i>2015 NYS Stormwater Design Manual</i>.</p> <p>Must go above and beyond water quality volume treatment and/or reduction requirements in SPDES Construction General Permit.</p> <p>Required attachments:</p> <ul style="list-style-type: none"> • Feasibility study that meets WQIP Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements²⁶ • Policies and procedures for maintaining BMPs²⁷. • Best Management Practice Detail Form²⁵.
Stormwater Retrofits	Stormwater retrofit projects	\$1,000,000	25% of award amount	Eligible practices limited to those identified in Chapters 5 & 6 of the <i>NYS Stormwater Design Manual</i> ²⁸ .

²⁶ Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements: <http://www.dec.ny.gov/pubs/4774.html>

²⁷ Suggested procedures for operation and maintenance are included in the NYS Maintenance Guidance: Stormwater Management Practices, March 31, 2017: <https://www.dec.ny.gov/chemical/8694.html>.

²⁸ NYS Stormwater Design Manual: <https://www.dec.ny.gov/chemical/29072.html>

Project Subtypes	Description	Maximum award	Required match	Special Requirements
	designed to capture and remove pollutants causing a water quality impairment and/or reduce localized flooding; and/or provide resiliency to impacts from climate change.			<p>Must be designed in accordance with the current <i>NYS Stormwater Design Manual</i>.</p> <p>Required attachments:</p> <ul style="list-style-type: none"> • Feasibility study that meets WQIP Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements²⁶ • Policies and procedures for maintaining BMPs²⁷ • Best Management Practice Detail Form²⁵
Streambank / Shoreline Stabilization	Projects to reduce sedimentation of waterbodies caused by eroding streambanks / shorelines, and/or to filter surface runoff with riparian buffer vegetation.	\$1,000,000	25% of award amount	<p>Streambank/shoreline stabilization practices include, but are not limited to staking, erosion control matting, root wads and rip-rap (rip-rap may only be used in conjunction with natural restoration principles that incorporate vegetative materials).</p> <p>Streambank/shoreline stabilization projects paired with replanting of riparian buffers are preferred</p> <p>Projects implementing both Streambank/shoreline stabilization and riparian buffers should apply under this category.</p> <p>Proposals to stabilize streambanks/shorelines of two or more WI/PWL segments should apply under the Nonpoint Source Program subtype described below.</p> <p>The following design criteria should apply:</p> <ul style="list-style-type: none"> ○ All existing vegetation shall be preserved to the extent practicable.

Project Subtypes	Description	Maximum award	Required match	Special Requirements
				<ul style="list-style-type: none"> ○ The channel width must not be constricted and must match the existing. Upstream and downstream channel widths outside the project. ○ The slope of new bank stabilization measures shall not be steeper than a ratio of 1-1/2 horizontal units to 1 vertical unit. ○ Protection measures must be properly keyed into the stream bank(s) to prevent scouring. ○ Measures using live vegetation shall consist only of native plant species. ○ Erosion control fabrics that will be left in place must be made from 100% biodegradable materials and contain no plastic fibers or netting. <p>Required attachments:</p> <ul style="list-style-type: none"> ● Best Management Practice Detail Form²⁵

Project Subtypes	Description	Maximum award	Required match	Special Requirements
Riparian Buffers	Projects to replant vegetation within the riparian zone of waterbodies to filter nutrients and sediment, prevent streambank/shoreline erosion, reduce thermal impacts to waterbodies, and increase flood resiliency.	\$100,000	25% of award amount	<p>Projects must be buffers containing a combination of native woody and herbaceous vegetation that includes trees, shrubs, grasses and forbs. Herbaceous buffers without trees or shrubs will be ineligible.</p> <p>Projects must have an average minimum width (perpendicular to the stream) of at least 35 feet. Proposals to implement riparian buffers on two or more WI/PWL segments should apply under the Nonpoint Source Program category. Proposals that incorporate streambank/shoreline stabilization with riparian buffers should apply under the Streambank/ Shoreline Stabilization project category (above) or Nonpoint Source Program subtype described below.</p> <p>Projects that include land purchase must apply under the Land Acquisition category. Applicants may not apply for Riparian Buffers and Land Acquisition for the same parcel.</p> <p>Required Attachments: Best Management Practice Detail Form²⁵</p>
Floodplain Creation/ Restoration/ Reconnection	Projects to increase flood resiliency and mitigate the impacts of climate change through the creation, restoration and/or	\$2,000,000	25% of award amount	<p>Must demonstrate and address issues of flooding.</p> <p>Projects must be designed by a Professional Engineer or by a County Soil and Water Conservation District</p> <p>Required attachment:</p> <ul style="list-style-type: none"> • Feasibility study that follows the Floodplain Creation/Restoration/Reconnecti

Project Subtypes	Description	Maximum award	Required match	Special Requirements
	reconnection of a stream to its floodplain			<p>on Engineering Design Report Outline²⁹.</p> <ul style="list-style-type: none"> If floodplain creation, restoration, reconnection project is specifically identified within a Resilient NY Flood Mitigation Study Report³⁰, Local Flood Analysis Report, Stream Management Plan, New York Rising Plan, County All Hazard Mitigation Plan, Army Corps of Engineers flood study, or other comparable flood study AND has been evaluated using hydraulic modeling, this information can serve as an acceptable Feasibility Study. Best Management Practice Detail Form²⁵
Berm Removal	Increase flood resiliency through the removal of berms. Berms are defined as side-cast streambed material, soil or other type(s) of fill material that are placed on, adjacent or in proximity to the stream bank, thereby	\$2,000,000	25% of award amount	<p>Must demonstrate and address issues of flooding.</p> <p>Projects must be designed by a Professional Engineer or by a County Soil and Water Conservation District</p> <p>Required attachment:</p> <ul style="list-style-type: none"> Feasibility study that follows the Berm Removal Engineering Design Report Outline³¹. If berm removal project is specially identified within a Resilient NY Flood Mitigation Study Report, Local Flood Analysis Report, Stream Management Plan, New York Rising Plan, County All Hazard Mitigation Plan, Army Corps of Engineers flood study, or other comparable flood study AND

²⁹ Floodplain Creation/Restoration/Reconnection Engineering Design Report Outline: <https://www.dec.ny.gov/pubs/4774.html>

³⁰ Resilient NY Flood Mitigation Report: <https://www.dec.ny.gov/lands/121102.html>

³¹ Berm Removal Engineering Design Report Outline: <https://www.dec.ny.gov/pubs/4774.html>

Project Subtypes	Description	Maximum award	Required match	Special Requirements
	preventing floodwaters from accessing the floodplain.			<p>has been evaluated using hydraulic modeling, this information can serve as an acceptable Feasibility Study</p> <ul style="list-style-type: none"> • Best Management Practice Detail Form²⁵
Wetland Creation/ Restoration	Improve water quality, increase flood resilience, and mitigate the impacts of climate change by creating or restoring wetlands to capture and filter surface runoff with vegetation.	\$2,000,000	25% of award amount	<p>Must demonstrate and address issues of flooding</p> <p>Projects must be designed by a Professional Engineer or by a County Soil and Water Conservation District</p> <p>Required attachment:</p> <ul style="list-style-type: none"> • Feasibility study that follows the Wetland Creation/Restoration Feasibility Study Report Outline³². • If wetland creation/restoration project is specially identified within a Resilient NY Flood Mitigation Study Report, Local Flood Analysis Report, Stream Management Plan, New York Rising Plan, County All Hazard Mitigation Plan, Army Corps of Engineers flood study, or other comparable flood study AND has been evaluated using hydraulic modeling, this information can serve as an acceptable Feasibility Study • Best Management Practice Detail Form²⁵
In-Waterbody Controls for Nutrients	Projects that reduce internal loading of nutrients (mainly phosphorus)	\$1,000,000	25% of award amount	<p>Eligible practices are limited to:</p> <ul style="list-style-type: none"> • Hypolimnetic aeration • Destratification systems for polymictic lakes • Hypolimnetic withdrawal • Dredging

³² Wetland Creation/Restoration Feasibility Study Report Outline: <https://www.dec.ny.gov/pubs/4774.html>

Project Subtypes	Description	Maximum award	Required match	Special Requirements
	within waterbodies experiencing internal nutrient cycling leading to excessive algae and plant growth, low water quality, and other water quality impairments.			<p>Must secure appropriate permits prior to submitting application.</p> <p>Required attachments:</p> <ul style="list-style-type: none"> • Documentation³³ of projects that are completed or underway to control external sources of nutrients that meets Minimum Documentation Requirements for Control of External Sources of Nutrients Projects³⁴) • A study acceptable to DEC by a qualified professional³⁵ that identifies significant internal waterbody loading and justification for use of the BMP. For destratification systems, the study must identify the waterbody as a polymictic lake. • For hypolimnetic aeration, destratification systems and hypolimnetic withdrawal, must attach a plan for long-term operation and maintenance. • Best Management Practice Detail Form²⁵

³³ DEC will evaluate documentation provided to determine if external nonpoint sources (landside) have been sufficiently controlled. DEC reserves the right to only fund in-waterbody control practices that meet this criterion.

³⁴ Minimum Documentation Requirements for Control of External Sources of Nutrients Projects:
<http://www.dec.ny.gov/pubs/4774.html>

³⁵ A qualified professional for this study is a professional engineer, certified lake manager, master's degree in limnology or related field, bachelor's degree in limnology or related field with 2 years of relevant experience.

Project Subtypes	Description	Maximum award	Required match	Special Requirements
Bathing Beach Restoration	Projects to implement practices recommended in beach restoration green infrastructure reports or beach sanitary survey	\$2,000,000	25% of award amount	<p>Eligible practices are limited to:</p> <ul style="list-style-type: none"> • The following green infrastructure practices: <ul style="list-style-type: none"> ○ Bio-infiltration/Bioretention ○ Porous pavement ○ Rain gardens ○ Stormwater tree trenches ○ Constructed wetlands • The following beach re-naturalization practices: <ul style="list-style-type: none"> ○ Beach sand enrichment/nourishment ○ Beach sloping/grading <p>Required attachments:</p> <ul style="list-style-type: none"> • Completed beach sanitary survey for swimming beaches³⁶ • For green infrastructure practices: Feasibility Study that meets WQIP Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements²⁶ • Best Management Practice Detail Form²⁵

³⁶ Beach Sanitary Survey Requirements: <https://www.dec.ny.gov/pubs/4774.html>

Project Subtypes	Description	Maximum award	Required match	Special Requirements
Stream Culvert Repair and Replacement	Projects to reduce erosion, mitigate flooding and the impacts of climate change, and protect surrounding infrastructure caused by failing or inadequately sized stream culverts through culvert repair or replacement	\$1,000,000	25% of award amount	<p>The primary purpose of the project must be to reduce erosion and, mitigate flooding to surrounding infrastructure caused by failing or inadequately sized culverts in streams, as documented by:</p> <ul style="list-style-type: none"> • photographs (must show erosion on the upstream side of the culvert); or • a DEC-accepted culvert site assessment report <p>Culvert should be inspected by a New York State licensed Professional Engineer and determined to be: (1) structurally deficient and/or restricted; and/or, (2) hydraulically insufficient and not conforming to NYSDOT’s Culvert Design standards³⁷.</p> <p>Proposals to repair or replace culverts impacting two or more WI/PWL segments should apply under the Nonpoint Source Program subtype (below).</p> <p>Projects that also improve aquatic organism connectivity will receive additional points. However, projects that are for the primary goal of improving aquatic organism passage should apply under the Aquatic Connectivity Restoration project type.</p> <p>Required attachment:</p> <ul style="list-style-type: none"> • Best Management Practice Detail Form²⁵ • Photographs demonstrating erosion on the upstream side of the stream culvert caused by failing or inadequately sized stream culverts AND/OR a

³⁷ Culvert replacement projects should be designed, at a minimum, to meet New York State Department of Transportation’s Highway Design Manual Chapter 8 for culverts

Project Subtypes	Description	Maximum award	Required match	Special Requirements
				DEC-approved site assessment report that documents erosion from failing or inadequately sized culverts that will be replaced by this project
Nonpoint Source Program	Programs to implement particular nonpoint source BMPs within a defined geographic area. Geographic areas include, but are not limited to: counties, watersheds,	\$4,000,000	25% of award amount	Eligible programs are limited to one of the following types of BMPs per application: <ul style="list-style-type: none"> • Streambank/shoreline stabilization • Riparian buffers • Floodplain Creation/ Restoration/ Reconnection • Wetland Creation/Restoration • Berm removal • Stream culvert repair and/or replacement • Road ditch stabilization (including hydroseeding³⁸) • Septic tank pump-out

³⁸WQIP does not fund hydroseeding at SPDES General Permit for Stormwater Discharges from Construction Activity sites, or for purposes other than stormwater/runoff reduction (e.g., ball fields).

Project Subtypes	Description	Maximum award	Required match	Special Requirements
	municipalities, or sanitary sewer overflow (SSO) areas.			<ul style="list-style-type: none"> • Rain garden/rain barrel program for SSO areas (must be for an SSO in a capacity, management, operation and maintenance (CMOM) program, a DEC-approved sanitary sewer evaluation survey (SSES) plan, corrective action plan (CAP), or Order on Consent) <p>Streambank/shoreline stabilization, Riparian buffers, Floodplain creation/restoration/reconnection, Wetland creation/restoration, Berm removal, Stream culvert repair and/or replacement, and Road ditch stabilization programs, must implement projects to improve two or more WI/PWL segments to be considered under this program category and must identify all project locations at time of application.</p> <p>For rain garden/rain barrel programs, project locations or geographic areas in which programs will be implemented must be identified at time of application</p> <p>Stream culvert repair and replacement programs must address erosion, mitigate flooding, and protect surrounding infrastructure caused by failing or inadequately sized culverts as documented in attached:</p> <ul style="list-style-type: none"> • photographs (must show erosion on upstream side of culverts); or • a DEC-accepted culvert site assessment report.

ELIGIBLE COSTS

- Equipment
- Equipment operating expenses
- Contractual services
- Construction
- Construction inspection
- Salary and fringe
- Travel
- Planning, design, administrative⁴⁰ and construction oversight costs (total may not exceed 20% of award amount)
- Culvert replacement projects should be designed, at a minimum, to meet New York State Department of Transportation's Highway Design Manual Chapter 8 for culverts⁴¹

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Land purchases
- Indirect costs (e.g., space/property rent, utilities, office supplies)
- Legal fees
- Costs incurred outside the start and end date of the contract (no earlier than May 15, 2022)
- Applications that do not include required attachments with application
- Projects that do not address a water quality impairment, promote flood risk reduction and enhanced flood and climate resiliency, or protect a drinking water source
- Pre- and post-construction monitoring and sampling
- Aquatic vegetation harvesting projects or programs
- Algaecides
- Water circulators, bubblers or other equipment designed to move water
- Culvert replacement projects/programs that do not address erosion, flood mitigation, and structural deficiency issues
- Culvert replacement projects for the primary purpose of improving aquatic organism passage (should apply under the Aquatic Connectivity Restoration category of WQIP)
- Hydroseeding on permitted construction sites
- Herbaceous riparian buffers without trees or shrubs
- For streambank stabilization projects, the following design criteria/activities are ineligible:

⁴⁰The following are examples of **eligible administrative costs**: Procuring sub-contractors and materials needed to implement the project; contacting municipalities to schedule projects; and reviewing and paying invoices for materials and sub-contractors associated with the project. The following are examples of **ineligible administrative costs**: preparing, completing, submitting the WQIP application for funding; preparing, completing, submitting information and documents need to get a contract in place; preparing, completing, submitting information for progress reporting, payment requests and contract amendments; preparing, completing and submitting environmental regulatory approvals/permits needed to implement the project

⁴¹ New York State Department of Transportation's [Highway Design Manual](https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm): <https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm>.

- New vertical bank stabilization measures.
- Channel widths that are constricted and do not match the existing, upstream and downstream channel widths outside the project.
- Slopes of new bank stabilization measures that are steeper than a ratio of 1-1/2 horizontal units to 1 vertical unit.
- Protection measures that are not properly keyed into the stream bank(s) to prevent scouring.
- Measures using live vegetation that consist of non-native plant species.
- Measures including geotextile fabric as part of the final structure.
- Erosion control fabrics that will be left in place that are not made from 100% biodegradable materials and contain plastic fibers or netting.
- Fabrics containing “photodegradable” materials.

RESOURCES

- Nonpoint Source Guidance and Technical Assistance: <https://www.dec.ny.gov/chemical/96777.html>
- Information on preferred, nature-based methods of shoreline stabilization: <http://www.dec.ny.gov/permits/50534.html>.
- DECinfo Locator⁴² (most up to date source of WI/PWL segment fact sheets): <http://www.dec.ny.gov/pubs/109457.html>
- HUC 12 watershed map: <https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>
- Pollutant Source Prioritization Table: <http://www.dec.ny.gov/pubs/4774.html>
- EPA Guidance for Sanitary Surveys: <https://www.epa.gov/dwreginfo/sanitary-survey-guidance-manuals>
- NYS Stormwater Design Manual: <https://www.dec.ny.gov/chemical/29072.html>
- North Atlantic Aquatic Connectivity Project (NAACC): <https://streamcontinuity.org/naacc>
- Maps of PEJA areas in New York State: <http://www.dec.ny.gov/public/911.html>
- Maps of DAC areas in New York State: <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>
- NYSDOT 2021. Highway Design Manual – Chapter 8. Highway Drainage. Albany (NY): New York State Department of Transportation Engineering Division. Available from: <https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm>

⁴² For projects impacting surface water, the applicant must provide the correct WI/PWL segment ID and HUC 12 watershed of the closest waterbody the project will impact. To find the closest WI/PWL segment fact sheet, visit the DECinfo Locator at <https://gisservices.dec.ny.gov/gis/diil/>. In the left column of the map, click “DEC Information Layers”>” Environmental Quality”>”Environmental Monitoring” and check the box for “Waterbody Inventory/Priority Waterbodies List”. In the left column, select “Search” and enter the address or project location. Click 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 description. To access the WI/PWL assessment for that waterbody, click the “Fact Sheet” link in the box.

CONTACT

NYS Department of Environmental Conservation, Division of Water

- Decentralized Wastewater Treatment Facilities for Failing On-Site Treatment Systems— Ed Schneider, (518) 402-8116
- Green Infrastructure Practices—Ryan Waldron, (518) 402-8244
- Stormwater Retrofits—Ethan Sullivan, (518) 402-1382
- Streambank/Shoreline Stabilization — Bob Capowski, (518) 402 – 8112
- Riparian Buffers – Bob Capowski, (518) 402- 8112
- Floodplain Creation/ Restoration/ Reconnection – Thomas Snow, (518) 402-9395; Kelli Higgins-Roche (518) 408-0340
- Berm Removal – Thomas Snow, (518) 402-9395; Kelli Higgins-Roche (518) 408-0340
- Wetland Creation/Restoration – Thomas Snow, (518) 402-9395; Kelli Higgins-Roche (518) 408-0340
- In-Waterbody Controls for Nutrients— Matthew Kraft, (518) 402-8260
- Bathing Beach Restoration—Lauren Townley, (518) 402-8283
- Stream Culvert Repair and Replacement— Aseem Kumar, (518) 402-8275
- Nonpoint Source Programs— Bob Capowski, (518) 402 – 8112

NONPOINT SOURCE PROJECT SCORING CRITERIA

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 30 points to be eligible for funding. Applications that receive 0 points for Reasonableness of Cost, Project Readiness, or Experience and Ability will not be funded.			
Vision 40 to 1 point(s) possible	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 project score, only the combined Vision points.			
Performance Measures <i>10 to 2 point(s) possible (as part of Vision score)</i>	<p>10 POINTS:</p> <p>Projects that address a primary pollution source identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table⁴³ AND benefit an active public drinking water supply</p> <p>OR</p> <p>Green infrastructure projects specifically listed in a Long-Term Control Plan (LTCP) that reduce stormwater flow to a combined sewer system</p> <p>OR</p> <p>Stormwater retrofit projects required by an MS4 permit</p> <p>OR</p> <p>Beach restoration projects that are specifically listed as a priority in a DEC-approved beach restoration report</p> <p>OR</p> <p>Projects that mitigate flooding as identified in a DEC Watershed Action Agenda or a DEC-approved plan or report (i.e., Resilient NY Flood Mitigation Report⁴⁴)</p>	<p>8 POINTS:</p> <p>Projects that address a primary pollution source identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>OR</p> <p>Projects located in the HUC 12 watershed of a Waterbody Inventory/Priority Waterbodies List (WI/PWL) segment that will reduce a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use(s) to be assessed as "impaired" or "precluded"</p> <p>OR</p> <p>Projects that support multiple actions in a DEC-approved Watershed Action Agenda (i.e., Mohawk or Great Lakes Action Agendas) or DEC-accepted plan or report (i.e.,</p>	<p>6 POINTS:</p> <p>Projects that address a secondary pollution source identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table⁴³</p> <p>OR</p> <p>Projects located in the HUC 12 watershed of a WI/PWL segment that will reduce a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use(s) to be assessed as "stressed" or "threatened"</p> <p>OR</p> <p>Projects that support an action or priority identified in a DEC Watershed Action Agenda (i.e., Mohawk Hudson River Estuary, Great Lakes Action Agendas) or DEC-accepted</p>	<p>2 POINTS:</p> <p>Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are unassessed</p> <p>OR</p> <p>waterbody is not included on the WI/PWL</p>

⁴³ Pollutant Source Prioritization Table: <http://www.dec.ny.gov/pubs/4774.html>

⁴⁴ Resilient NY Flood Mitigation Reports: <https://www.dec.ny.gov/lands/121102.html>

		<p>Drinking Water Source Protection Program Plan (DWSP2)⁴⁵ that reduce nonpoint source pollution</p> <p>OR</p> <p>Beach restoration projects that are for a type of project that is the focus of a beach restoration report funded independently or based on a sanitary survey for swimming beaches</p> <p>OR</p> <p>Stormwater retrofit projects in an MS4 area</p> <p>OR</p> <p>Green infrastructure projects that reduce stormwater flow to a combined sewer system</p>	<p>plan or report (i.e., DWSP2)⁴⁵ that reduce nonpoint source pollution</p> <p>OR</p> <p>Decentralized municipal wastewater treatment facilities for failing on-site treatment systems where the need for the project has been documented in a completed sanitary survey conducted and/or approved by the Department of Health</p>		
<p>Impact Factor</p> <p>4 to 1 point(s) possible (as part of Vision score)</p>	<p><i>Decentralized Municipal Wastewater Treatment Facilities for Failing On-Site Systems projects</i></p>	<p>4 POINTS:</p> <p>Project addresses a primary pollution source in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>Error! Bookmark not defined.</p> <p>OR</p> <p>Project has a DEC-approved Nonpoint Source Planning Grant report.</p>	<p>3 POINTS:</p> <p>Project will reduce nutrients or fecal indicator bacteria documented in the WI/PWL segment factsheet as causing the waterbody's best use(s) to be assessed as "impaired" or "precluded"</p> <p>AND</p> <p>the proposed project serves properties located directly on the waterbody segment</p> <p>OR</p> <p>Project addresses a secondary pollution source in a DEC-approved watershed</p>	<p>2 POINTS:</p> <p>Project will reduce nutrients or fecal indicator bacteria documented in the WI/PWL segment factsheet as causing the waterbody's best use(s) to be assessed as "stressed" or "threatened"</p> <p>AND</p> <p>the proposed project serves properties located directly on the waterbody segment</p>	<p>1 POINT:</p> <p>Project will impact a WI/PWL segment where best uses are assessed as "unassessed"</p> <p>OR</p> <p>Waterbody is not included on the WI/PWL</p>

⁴⁵ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

		OR Project will remove treatment systems from the mapped floodplain	implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table ⁴³		
	<i>Green Infrastructure Practice</i>	Total water quality volume (WQv) ⁴⁶ treated or reduced 7,500 cubic feet (ft ³) or more AND Will reduce localized flooding OR Project has a DEC-approved Nonpoint Source Planning Grant report	Total WQv treated or reduced 5,000 to 7,499 ft ³ AND Will reduce localized flooding	Total WQv treated or reduced 2,500 to 4,999 ft ³ AND Will reduce localized flooding	Total WQv treated or reduced 2,499 ft ³ or less AND Will reduce localized flooding
	<i>Stormwater Retrofits</i>	Project is in an MS4 area AND Will reduce localized flooding AND Addresses a primary or secondary pollution source in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table OR	Project is in an MS4 area AND Will reduce localized flooding AND Will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "impaired" or "precluded"	Project is in an MS4 area AND Will reduce localized flooding OR Will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "stressed" or "threatened" OR Project is in a non-MS4 area AND Will reduce localized flooding AND Will reduce	Project is in a non-MS4 area AND will impact a WI/PWL segment where best use(s) are assessed as "stressed", "threatened", or "unassessed" OR Waterbody is not included on the WI/PWL OR Will reduce localized flooding

⁴⁶ To calculate the water quality volume, refer to Table 4.1 on page 4-1 of the 2015 New York State Stormwater Management Design Manual or use the NYSDEC Runoff Reduction Worksheets. Both resources can be found at <https://www.dec.ny.gov/chemical/8694.html>.

		Project has a DEC-approved Nonpoint Source Planning Grant report		pollutant(s) listed in the WI/PWL segment fact sheet where best uses are assessed as "impaired" or "precluded"	
	<i>Streambank / Shoreline Stabilization</i>	<p>Project implements streambank/shoreline stabilization AND Riparian buffers AND</p> <p>Project addresses a primary or secondary pollution source in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABS Action Plan, as listed in DEC's Pollutant Source Prioritization Table OR</p> <p>Project reduces flooding as identified in a DEC-approved plan (i.e., Resilient NY Flood Mitigation Plan). OR</p> <p>Project has a DEC-approved Nonpoint Source Planning Grant report</p>	<p>Project implements streambank/shoreline stabilization AND</p> <p>Project addresses a primary or secondary pollution source in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, DEC HABS Action Plan), as listed in DEC's Pollutant Source Prioritization Table OR</p> <p>Project reduces flooding as identified in a DEC-approved plan (i.e., Resilient NY Flood Mitigation Plan)</p>	<p>Project implements streambank/shoreline stabilization AND</p> <p>Will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "precluded" or "impaired"</p>	<p>Project implements streambank/shoreline stabilization AND</p> <p>Will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "stressed", "threatened" or where best use(s) are unassessed OR</p> <p>Waterbody is not included on the WI/PWL</p>

	<i>Riparian Buffers</i>	<p>Projects that implement riparian buffers</p> <p>AND</p> <p>Address a primary pollution source in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>OR</p> <p>Reduces flooding as identified in a DEC-approved plan (i.e., Resilient NY Flood Mitigation Plan)</p>	<p>Projects that implement riparian buffers</p> <p>AND</p> <p>Address a secondary pollution source in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>OR</p> <p>Reduces flooding as identified in a DEC-approved plan (i.e., Resilient NY Flood Mitigation Plan)</p>	<p>Projects that implement riparian buffers</p> <p>AND</p> <p>Will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "impaired" or "stressed"</p>	<p>Project implements riparian buffers</p> <p>AND</p> <p>Will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "stressed", "threatened" or where best use(s) are unassessed</p> <p>OR</p> <p>Waterbody is not included in the WI/PWL</p>
Impact Factor continued	<i>Floodplain Creation/Restoration/Reconnection</i>	<p>4 POINTS:</p> <p>Project is in a regulated floodway and has completed a hydrological & hydraulic (H&H) analysis demonstrating the proposed project will have 0.00 feet of rise in the base flood elevation OR has received a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision (CLOMR) or Letter of Map Revision (LOMR)</p> <p>AND</p> <p>Project address a primary pollution source</p>	<p>3 POINTS:</p> <p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "precluded" or "impaired"</p> <p>AND Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR Project has an eligible floodplain creation/restoration/reconnection feasibility study</p>	<p>2 POINTS:</p> <p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "stressed", "threatened"</p> <p>AND Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR Project has an eligible floodplain creation/restoration/reconnection feasibility study</p>	<p>1 POINT:</p> <p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are unassessed</p> <p>OR</p> <p>Waterbody is not included on the WI/PWL</p> <p>AND</p> <p>Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible floodplain creation/restoration/reconnection feasibility study</p>

		<p>in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>AND</p> <p>Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible floodplain creation/restoration/reconnection feasibility study</p>			
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	<i>Berm Removal</i>	<p>4 POINTS:</p> <p>Project is in a regulated floodway and has completed a hydrological & hydraulic (H&H) analysis demonstrating the proposed project will have 0.00 feet of rise in the base flood elevation OR has received a FEMA Conditional Letter of Map Revision or LOMR</p> <p>AND</p> <p>Project address a primary pollution source in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>AND</p> <p>Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible berm removal feasibility study</p>	<p>3 POINTS:</p> <p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "precluded" or "impaired"</p> <p>AND</p> <p>Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible berm removal feasibility study</p>	<p>2 POINTS:</p> <p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "stressed" or "threatened"</p> <p>AND</p> <p>Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible berm removal feasibility study</p>	<p>1 POINT:</p> <p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are unassessed</p> <p>OR</p> <p>Waterbody is not included on the WI/PWL</p> <p>AND</p> <p>Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible berm removal feasibility study</p>
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<p>Impact Factor continued</p>	<p><i>Wetland Creation/ Restoration</i></p>	<p>4 POINTS:</p> <p>Project address a primary pollution source in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABS Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>AND</p> <p>Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible wetland creation/ restoration feasibility study</p>	<p>3 POINTS:</p> <p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "precluded" or "impaired"</p> <p>AND</p> <p>Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible wetland creation/restoration feasibility study</p>	<p>2 POINTS:</p> <p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "stressed" or "threatened"</p> <p>AND Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible wetland creation/ restoration feasibility study</p>	<p>1 POINT:</p> <p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are unassessed</p> <p>OR</p> <p>Waterbody is not included on the WI/PWL</p> <p>AND</p> <p>Project reduces flooding as identified in a DEC-approved watershed implementation plan (i.e., Resilient NY Flood Mitigation Plan).</p> <p>OR</p> <p>Project has an eligible wetland creation/ restoration feasibility study</p>
	<p><i>In-Waterbody Controls for Nutrients</i></p>	<p>Project where internal loading has been identified as the primary source of pollution in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABS Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>OR</p> <p>Project has a DEC-approved Nonpoint Source Planning Grant report</p>	<p>Project is identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or DEC HABS Action Plan) where internal loading was identified as a secondary source of pollution as listed in DEC's Pollutant Source Prioritization Table</p>	<p>Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "impaired"</p>	<p>Project will impact a WI/PWL segment where best use(s) are "stressed", "threatened", or "unassessed"</p> <p>OR</p> <p>Waterbody is not included in the WI/PWL</p>

	<i>Bathing Beach Restoration</i>	Project combines two or more practices (e.g., porous pavement, rain gardens and bioswale) to reduce/restore waterbody (such that the water quality benefit is greater than any one practice alone) AND the proposed project is located on the beach or within the beach/park property OR Project has a DEC-approved Nonpoint Source Planning Grant report	Project combines two or more practices (e.g., porous pavement, rain garden and bioswale) to reduce/restore waterbody (such that the water quality benefit is greater than any one practice alone) AND the proposed project is located on a tributary adjacent to the beach that has been identified as a source of pollution	Project with one practice to reduce/restore waterbody AND the proposed project is on a tributary adjacent to the beach that has been identified as a source of pollution	Project with one practice to reduce/restore waterbody AND the proposed project is located within the HUC 12 watershed of that waterbody
Impact Factor continued	<i>Stream Culvert Repair and Replacement</i>	Project where hydraulically undersized, improperly placed, or failing/structurally deficient stream culverts have caused erosion of stream bed and/or banks, AND will further protect high risk or critical infrastructure ⁴⁷ AND would improve NAACC score ⁴⁸ by at least one level OR Project has a DEC-approved Nonpoint Source Planning Grant report	Project where hydraulically undersized, improperly placed, or failing/structurally deficient stream culverts have caused erosion of stream bed and/or banks AND that would improve NAACC score by at least one level	Project where hydraulically undersized, improperly placed, or failing/structurally deficient stream culverts have caused erosion of stream bed and/or banks AND that will help protect high risk or critical infrastructure	Project where hydraulically undersized, improperly placed, or failing/structurally deficient stream culverts have caused erosion of stream bed and/or banks AND improvement of NAACC score is unlikely or does not have a NAACC score

⁴⁷ Infrastructure is located on the primary ingress and/or egress from a community or a significant portion of a community that serves a substantial number of residents and/or businesses; or is located on a designated emergency evacuation route.

⁴⁸ NAACC score refers to the North Atlantic Aquatic Connectivity Collaborative's Aquatic Passability Score which uses a numeric scale from 0.0 to 1.0 with six associated levels from "severe barrier" to "no barrier." Culvert repair or replacement must raise the passability score such that the associated descriptor level will change/improve. Where scoring is unavailable, professional judgement will be used to categorize the passability of each structure.

Waterbody Assessment (for all projects EXCEPT Green Infrastructure Practice/ Stormwater Retrofits project subtypes) <i>5 to 0 points possible</i>	<i>Waterbody Classification</i>	2 POINTS: AA, A, A-special, AA-special, A(T), A(TS), B, B(T), B(TS), SB, C(T), C(TS), GA (primary water supply aquifer) or has a watershed plan	1 POINT: C, SC, I, D, SD, GSA, GSB			
	<i>Type of Pollutant (must be a nonpoint source pollutant)</i>	3 POINTS: Confirmed	2 POINTS: Unconfirmed	0 POINTS: Unassessed or Waterbody not included in the WI/PWL		
Waterbody Assessment (for Green Infrastructure Practice/ Stormwater Retrofits project subtypes) <i>5 to 0 point(s) possible</i>	<i>Type of Pollutant (must be a pollutant traditionally identified with CSO discharges)</i>	5 POINTS: Confirmed	3 POINTS: Unconfirmed	0 POINTS: Unassessed or Waterbody not included in the WI/PWL		
Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i>	10 POINTS: Project improves water quality and is within a PEJA or DAC area OR Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.	5 POINTS: Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area	0 POINTS: Project does not improve water quality within a PEJA or DAC area OR Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area OR Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area			
Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i>	10 POINTS: Applicant is a municipality with a DAC population	8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.	6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.	4 POINTS: Applicant is a municipality with a DAC population of 20 - 40% ¹⁶ .	2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.	0 POINTS: Applicant is not a municipality with a DAC population.

	of 81 – 100% ⁴⁹ . See Attachment A.				
Reasonableness of Cost <i>25 to 0 points possible</i>	25 POINTS: Budget clearly details and justifies only eligible costs related to implementation of a non-agricultural nonpoint source project AND Project costs provide an exceptional value as it applies to achieving pollutant reduction.	15 POINTS: Budget is missing some detail and/or justification of costs and/or includes ineligible costs OR Project costs provide a good value as it applies to achieving pollutant reduction.	5 POINTS: Budget is missing some detail and/or justification of costs and/or includes ineligible costs AND Project costs provide a good value as it applies to achieving pollutant reduction.	0 POINTS: Budget is not completed and/or costs are not justified AND/OR Project costs do not provide a good value as it applies to achieving pollutant reduction Applications that fall into this category will not be funded.	
Project Readiness <i>10 to 0 points possible</i>	10 POINTS: Project has all necessary permits (or does not need permits) and approvals AND the project is ready to move forward with construction.	5 POINTS: Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay.	2 POINTS: Project has not secured any of the necessary approvals but is expected to be completed within five years.	0 POINTS: Project has none of the necessary approvals and is not expected to be completed within 5 years. Applications that fall into this category will not be funded.	
Experience and Ability <i>5 to 0 points possible</i>	5 POINTS: Applicant has shown the ability to complete state-funded non-agricultural nonpoint source projects in the past 10 years in a timely manner OR Applicant has sufficiently shown its ability to complete this non-agricultural nonpoint source project based upon experience with similar non-agricultural nonpoint source projects.	3 POINTS: Applicant has shown the ability to complete a state funded water quality project that was not related to non-agricultural nonpoint source treatment in the past 10 years in a timely manner OR Applicant has not	0 POINTS: Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years OR 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. Applications that fall into this category will not be funded.		

⁴⁹ See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

		been awarded a state grant related to water quality in the past 10 years but appears to have the experience and ability to carry out the project	
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is identified in a Community Asset Management Plan as a project that will promote climate resiliency. AND is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detailing how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)	2 POINTS: Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding) OR is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detailing how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)	0 POINTS: Project does not address climate resiliency
Flood Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is outside a 0.2% or 1% annual chance of occurrence floodplain OR Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.		0 POINTS: Project is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience
Total Maximum Points	115 points		

NONPOINT SOURCE PROGRAM SCORING CRITERIA

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 30 points to be eligible for funding. Applications that receive 0 points for Reasonableness of Cost, Project Readiness, or Experience and Ability will not be funded.				
Vision <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 project score, only the combined Vision points.				
Performance Measures (Programs) <i>10 to 1 point(s) possible (as part of Vision score)</i>	<p>10 POINTS:</p> <p>Programs that address a primary pollution source identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABS Action Plan) as listed in DEC's Pollutant Source Prioritization Table AND impact an active public drinking water supply</p> <p>OR</p> <p>Green infrastructure programs that reduce stormwater flow to a combined sewer system</p> <p>OR</p> <p>Programs that mitigate flooding as identified in a DEC Watershed Action Agenda or a DEC-approved plan or report (i.e., Resilient NY Flood Mitigation Report⁵⁰)</p>	<p>8 POINTS:</p> <p>Programs that address a primary pollution source identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or HABS Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>OR</p> <p>Programs where work will be completed in the watershed of a WI/PWL segment that will reduce a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use(s) to be assessed as "impaired" or "precluded"</p> <p>OR</p> <p>Programs that support multiple actions in a DEC Watershed Action Agenda (i.e., Mohawk, Hudson River Estuary or Great Lakes Action Agendas) or DEC-accepted plan or report, (i.e., Drinking Water Source Protection Program Plan (DWSP2)⁵¹ that reduce nonpoint source pollution</p>	<p>6 POINTS:</p> <p>Programs that address a secondary pollution source identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABS Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>OR</p> <p>Programs where work will be completed in the watershed of a WI/PWL segment that will reduce a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use(s) to be assessed as "stressed" or "threatened"</p> <p>OR</p> <p>Programs that support an action or priority in a DEC Watershed Action Agenda (i.e., Mohawk, Hudson River Estuary or Great Lakes Action Agendas) or DEC-accepted plan or report (i.e., Drinking Water Source Protection Program Plan (DWSP2)⁵² that reduce nonpoint source pollution</p>	<p>4 POINTS:</p> <p>Programs where work will be completed in the watershed of a WI/PWL segment that is "unassessed"</p>	<p>1 POINT:</p> <p>Programs where work will be completed in the watershed of a waterbody not included in the WI/PWL</p>

⁵⁰Resilient NY Flood Mitigation Reports: <https://www.dec.ny.gov/lands/121102.html>

⁵¹ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

⁵² Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

Impact Factor <i>4 to 1 point(s) possible (as part of Vision score)</i>	4 POINTS: Program will be implemented in the watershed of a waterbody with a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or HABS Action Plan) AND implements a practice recommended in the implementation section of that document OR Program will implement projects identified in a DEC-approved plan (i.e., Resilient New York Flood Mitigation Report) or DEC-accepted plan or report (i.e., Drinking Water Source Protection Program Plan (DWSP2) ⁵³) that address nonpoint source pollution or mitigates flooding	3 POINTS: Program addresses pollutant impacts to at least two WI/PWL segments identified as “impaired” or “precluded” in the WI/PWL segment fact sheet OR Program addresses aquatic habitat connectivity and/or flood resiliency in addition to nonpoint source pollution	2 POINTS: Program addresses pollutant impacts to at least one WI/PWL segment identified as “impaired” or “precluded” in the WI/PWL segment fact sheet AND at least one WI/PWL segment identified as “stressed” or “threatened” in the WI/PWL segment fact sheet OR At least two WI/PWL segments identified as “stressed” or “threatened” in the WI/PWL segment fact sheet	1 POINT: Program will address pollutant impacts to at least one WI/PWL segment identified as “stressed” or “threatened” in the WI/PWL segment fact sheet AND at least one WI/PWL segment identified as unassessed in the WI/PWL segment fact sheet OR At least two WI/PWL segments identified as unassessed in the WI/PWL segment fact sheet
Program Scale <i>5 to 1 points possible</i>	5 POINTS: Programs that will be implemented at a watershed scale (HUC 12 or greater)	3 POINTS: Programs that will be implemented at a county scale	1 POINTS: Programs that will be implemented at the municipal scale	
Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i>	10 POINTS: Project improves water quality and is within a PEJA or DAC area OR Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.	5 POINTS: Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area	0 POINTS: Project does not improve water quality within a PEJA or DAC area OR Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area OR Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area	

⁵³ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

<p>Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i></p>	<p>10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%⁵⁴. See Attachment A.</p>	<p>8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.</p>	<p>6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.</p>	<p>4 POINTS: Applicant is a municipality with a DAC population of 20 - 40%¹⁶.</p>	<p>2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.</p>	<p>0 POINTS: Applicant is not a municipality with a DAC population.</p>
<p>Reasonableness of Cost <i>25 to 0 points possible</i></p>	<p>25 POINTS: Budget clearly details and justifies only eligible costs related to implementation of a non-agricultural nonpoint source program AND Program costs provide a good value as it applies to achieving pollutant reduction</p>		<p>15 POINTS: Budget is missing some detail and/or justification of costs and/or includes ineligible costs OR Program costs provide a good value as it applies to achieving pollutant reduction.</p>		<p>0 POINTS: Budget is not completed and/or costs are not justified AND Program costs do not provide a good value as it applies to achieving pollutant reduction <i>Applications that fall into this category will not be funded</i></p>	
<p>Program Readiness <i>10 to 0 points possible</i></p>	<p>10 POINTS: Program has all necessary permits (or does not need permits) and approvals. Program is ready to move forward with construction</p>	<p>5 POINTS: Program is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay</p>	<p>2 POINTS: Program has not secured any of the necessary approvals but is expected to be completed within five years</p>	<p>0 POINTS: Program has none of the necessary approvals and is not expected to be completed within 5 years <i>Applications that fall into this category will not be funded</i></p>		
<p>Experience and Ability <i>5 to 0 points possible</i></p>	<p>5 POINTS: Applicant has shown the ability to complete state-funded non-agricultural nonpoint source projects or programs in the past 10 years in a timely manner OR Applicant has sufficiently shown its ability to complete this non-agricultural nonpoint source program based upon experience with similar non-agricultural nonpoint source projects or programs</p>	<p>3 POINTS: Applicant has shown the ability to complete a state funded water quality project or program that was not related to non-agricultural nonpoint source in the past 10 years in a timely manner OR Applicant has not been awarded a state grant related to water quality in the past 10 years but appears to have the experience and ability to carry out the program</p>		<p>0 POINTS: Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years OR 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>Applications that fall into this category will not be funded.</i></p>		

⁵⁴ See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

<p>Climate Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Program is identified in a Community Asset Management Plan as a program that will promote climate resiliency. AND is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>2 POINTS: Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding) OR is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>0 POINTS: Project does not address climate resiliency</p>
<p>Flood Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Project is outside a 0.2% or 1% annual chance of occurrence floodplain OR Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.</p>		<p>0 POINTS: Project is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience</p>
<p>Total Maximum Points</p>	<p>115 points</p>		

VACUUM TRUCKS IN MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) AREAS

ELIGIBLE APPLICANTS

- Municipality⁵⁵ Regulated by the MS4⁵⁶ General Permit
- Soil and Water Conservation Districts

DESCRIPTION

Projects to purchase one vacuum truck to be used in an MS4 area.

REQUIREMENTS FOR ALL VACUUM TRUCK APPLICATIONS:

Required Attachments:

- Completed WQIP Budget worksheet⁵⁷
- Project map uploaded as a separate file. Project maps cannot be imbedded within another required attachment. Map must be a 1:24,000 scale USGS or DOT planimetric map, or equivalent to such maps
- Mapping Status Table worksheet(s)⁵⁸ with the application for each MS4 Operator participating or benefitting directly from the proposed project.
- Catch basin cleanout plan and procedures that meet Catch Basin Clean-Out Plan Minimum Requirements⁵⁹
- Letters of support from regulated MS4 entities participating in and/or benefitting from this project
- Completed Sexual Harassment Prevention Certification Form⁶⁰
- Completed and signed Executive Order No. 16 Certification Form⁶¹
- If the project is in a floodplain, attach the applicable floodplain map with the location indicated of where the vacuum truck is to be stored.
- All required attachments are due at the time of application through the Consolidated Funding Application.

⁵⁵ For the purposes of this grant, "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.

⁵⁶ 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

⁵⁷ WQIP Budget Worksheet: <http://www.dec.ny.gov/pubs/4774.html>

⁵⁸ MS4 Mapping Status Worksheet: <http://www.dec.ny.gov/pubs/4774.html>

⁵⁹ Catch Basin Clean-Out Plan Minimum Requirements: <http://www.dec.ny.gov/pubs/4774.html>

⁶⁰ Sexual Harassment Prevention Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

⁶¹ Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

Description	Maximum award	Required match	Special Requirements
Projects to purchase one vacuum truck to be used in an MS4 area	\$325,000	25% of award amount	<p>Applicant must have completed all Basic Elements Map items (view MS4 Mapping Status Worksheet⁶²) by the date of application submittal.</p> <p>Applicants must participate in an areawide 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.</p> <p>Funding will be considered for proposals submitted on behalf of multiple regulated MS4 Operators. 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.</p> <p>Required attachments:</p> <ul style="list-style-type: none"> • Letters of support from regulated MS4 entities participating in and/or benefiting from this project • Mapping Status Table worksheet(s) for each MS4 participating or benefiting directly from proposed project. • Catch basin clean-out plan and procedures that meet Catch Basin Clean-Out Plan Minimum Requirements⁶³

⁶² MS4 Mapping Status Worksheet: <http://www.dec.ny.gov/pubs/4774.html>

⁶³ Catch Basin Clean-Out Plan Minimum Requirements: <http://www.dec.ny.gov/pubs/4774.html>

ELIGIBLE COSTS

- Equipment
- Contractual services
- Salary and fringe benefits
- Planning, design, administrative, monitoring, and construction oversight costs (total may not exceed 20% of award amount)
- Vacuum truck operation and maintenance

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Purchase of equipment already owned and available through the cooperative stormwater group
- Costs incurred outside the start and end date of the contract (no earlier than May 15, 2023)
- Indirect costs (e.g., space property rent, utilities, and other office supplies)
- Legal fees
- Applications that do not include required attachments with application.
- Applications for a vacuum truck where the applicant received WQIP funding in previous rounds for a vacuum truck
- Applications for a vacuum truck where the applicant has not completed Basic Elements mapping.
- Applications that do not attach the Mapping Status Table Worksheet identifying the status of mapping for each of the parties in the cooperative agreement for this project

RESOURCES

- DECinfo Locator⁶⁴ (most up to date source of WI/PWL segment fact sheets),
- Maps of PEJA areas in New York State: <http://www.dec.ny.gov/pubs/109457.html>
- Maps of DAC areas in New York State: <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>
- HUC 12 watershed map: <https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>
- Pollutant Source Prioritization Table: <http://www.dec.ny.gov/pubs/4774.html>

CONTACT

New York State Department of Environmental Conservation, Division of Water
Christina Chiappetta, (518) 402-1224

⁶⁴ For projects impacting surface water, the applicant must provide the correct WI/PWL segment ID and HUC 12 watershed of the closest waterbody the project will impact. To find the closest WI/PWL segment fact sheet, visit the DECinfo Locator at <https://gisservices.dec.ny.gov/gis/dii/>. In the left column of the map, click “DEC Information Layers”>“Environmental Quality”>“Environmental Monitoring” and check the box for “Waterbody Inventory/Priority Waterbodies List”. In the left column, select “Search” and enter the address or project location. Click 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 description. To access the WI/PWL assessment for that waterbody, click the “Fact Sheet” link in the box.

VACUUM TRUCK FOR MS4 AREAS SCORING CRITERIA

Agency Points	Up to 115 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 Reasonableness of Cost, Project Readiness, or Experience and Ability will not be funded.			
Vision <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 project score, only the combined Vision points.			
Performance Measures <i>10 to 2 point(s) possible (as part of Vision score)</i>	<p>10 POINTS:</p> <p>Projects that address a primary pollution source identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table⁶⁵ AND benefit an active public drinking water supply</p>	<p>8 POINTS:</p> <p>Projects that address a primary pollution source identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table</p> <p>OR</p> <p>Projects located in the HUC 12 watershed of a Waterbody Inventory/Priority Waterbodies List (WI/PWL) segment that reduce a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use(s) to be assessed as "impaired" or "precluded"</p>	<p>6 POINTS:</p> <p>Projects that address a secondary pollution source identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) as listed in DEC's Pollutant Source Prioritization Table⁶⁵</p> <p>OR</p> <p>Projects located in the HUC 12 watershed of a WI/PWL segment that reduce a pollutant documented in the WI/PWL segment factsheet as the pollutant causing the waterbody's best use(s) to be assessed as "stressed" or "threatened"</p>	<p>2 POINTS:</p> <p>Projects located in the HUC 12 watershed of a WI/PWL segment that is "unassessed"</p>

⁶⁵ Pollutant Source Prioritization Table: <http://www.dec.ny.gov/pubs/4774.html>

Impact Factor <i>4 to 1 point(s) possible (as part of Vision score)</i>	Applicant has completed Basic and Intermediate Elements Map items AND Applicant has demonstrated support from all collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this project or project is on behalf of a single municipality with needs specific to the scope of this project or is neither located in an area with other cooperating regulated MS4 entities nor are shared services available (must specify this in application)	Applicant has completed Basic Elements Map items AND Applicant has demonstrated support from all collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this project or project is on behalf of a single municipality with needs specific to the scope of this project or is neither located in an area with other cooperating regulated MS4 entities nor are shared services available (must specify this in application)	Applicant has completed Basic Elements Map items AND Applicant has demonstrated support from 50% or more of collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this project.	Applicant has completed Basic Elements Map items AND Applicant has demonstrated support from less than 50% of collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this project
Waterbody Assessment <i>5 to 0 points possible</i>	<i>Waterbody Classification</i>	2 POINTS: AA, A special, SA, GA (primary supply aquifer), AA special, A(T), C(T), C(TS), A, B(T), GA (other), or has a watershed plan	1 POINT: B, SB, C, SC, I, D, SD, GSB, GSA	0 POINTS:
	Pollutant Confirmation	3 POINTS: Confirmed	2 POINT: Unconfirmed	0 POINTS: Not documented in the waterbody assessment.
Environmental Justice (EJ) or Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i>	10 POINTS: Project improves water quality and is within a PEJA or DAC area OR Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.	5 POINTS: Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area	0 POINTS: Project does not improve water quality within a PEJA or DAC area OR Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area OR Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area	

<p>Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i></p>	<p>10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%⁶⁶. See Attachment A.</p>	<p>8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.</p>	<p>6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.</p>	<p>4 POINTS: Applicant is a municipality with a DAC population of 20 - 40%¹⁶.</p>	<p>2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.</p>	<p>0 POINTS: Applicant is not a municipality with a DAC population.</p>
<p>Reasonableness of Cost <i>25 to 0 points possible</i></p>	<p>25 POINTS: Budget clearly details and justifies only eligible costs related to implementation of a non-agricultural nonpoint source project AND Project costs provide an exceptional value as it applies to achieving pollutant reduction.</p>		<p>15 POINTS: Budget is missing some detail and/or justification of costs and/or includes ineligible costs OR Project costs provide a good value as it applies to achieving pollutant reduction</p>		<p>5 POINTS: Budget is missing some detail and/or justification of costs and/or includes ineligible costs AND Project costs provide a good value as it applies to achieving pollutant reduction.</p>	<p>0 POINTS: Budget is not completed and/or costs are not justified AND/OR Project costs do not provide a good value as it applies to achieving pollutant reduction Applications that fall into this category will not be funded.</p>
<p>Project Readiness <i>10 to 0 points possible</i></p>	<p>10 POINTS: Project has all necessary permits (or does not need permits) and approvals AND the project is ready to move forward with construction.</p>		<p>5 POINTS: Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay.</p>		<p>2 POINTS: Project has not secured any of the necessary approvals but is expected to be completed within five years.</p>	<p>0 POINTS: Project has none of the necessary approvals and is not expected to be completed within 5 years. Applications that fall into this category will not be funded.</p>

⁶⁶ See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

<p>Experience and Ability <i>5 to 0 points possible</i></p>	<p>5 POINTS: Applicant has shown the ability to complete state-funded non-agricultural nonpoint source projects in the past 10 years in a timely manner</p> <p>OR Applicant has sufficiently shown its ability to complete this non-agricultural nonpoint source project based upon experience with similar non-agricultural nonpoint source projects.</p>	<p>3 POINTS: Applicant has shown the ability to complete a state funded water quality project that was not related to non-agricultural nonpoint source treatment in the past 10 years in a timely manner</p> <p>OR Applicant has not been awarded a state grant related to water quality in the past 10 years but appears to have the experience and ability to carry out the project</p> <p>5 POINTS: Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay.</p>	<p>0 POINTS: Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years</p> <p>OR Applicant has not been awarded a WQIP in the past 10 years and does not appear to have the experience and ability to carry out the project.</p> <p>Applications that fall into this category will not be funded.</p>
<p>Climate Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Project is identified in a Community Asset Management Plan as a project that will promote climate resiliency.</p> <p>AND is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>2 POINTS: Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p> <p>OR is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>0 POINTS: Project does not address climate resiliency</p>
<p>Flood Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Vacuum truck will be stored outside of the 0.2% or 1% annual chance floodplain</p>	<p>0 POINTS: Vacuum truck will be stored within the 0.2% or 1% annual chance floodplain</p>	
<p>Total Maximum Points</p>	<p>115 points</p>		

LAND ACQUISITION FOR SOURCE WATER PROTECTION

ELIGIBLE APPLICANTS

- Municipalities⁶⁷, including Indian Nations
- Soil and Water Conservation Districts
- Not-for-profit corporations⁶⁸

DESCRIPTION

Funding is available to purchase land and/or conservation easements, including associated transactional, riparian buffer, or groundwater recharge area restoration costs for the purpose of protecting public 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 supplies⁶⁹ as defined by the New York State Department of Health (NYSDOH) are eligible⁷⁰.
- **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. To ensure all current and future uses are consistent with the public purposes set forth in ECL § 15-3303⁷¹, monitoring and enforcement protocol and the associated property is subject to inspection.
- Agricultural Environmental Management (AEM)⁷² Tier 2 assessment or Tier 3 plan

⁶⁷ For the purposes of Land Acquisition 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) .

⁶⁸“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))

⁶⁹ 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”.

⁷⁰ Applicants may contact their local county health departments to verify active public drinking water supplies. Contact information can be found by visiting:

https://www.health.ny.gov/contact/contact_information/

⁷¹ Public purpose as set forth in ECL § 15-3303. See <https://www.nysenate.gov/legislation/laws/ENV/15-3303>.

⁷² For information regarding the Agricultural Environmental Management program, visit <https://agriculture.ny.gov/soil-and-water/agricultural-environmental-management>.

may be required **post award** for acquisitions that currently, or in the future, have agricultural uses and activities. AEM plans may be developed, reviewed, and monitored by a qualified subcontractor.

- Parcels acquired prior to an executed contract are not guaranteed reimbursement.
- Donated parcels or parcels to be used as match are subject to the terms of the grant and applicable land acquisition document requirements.
- Parcels previously acquired with WQIP grant funds cannot be used as match.
- 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 restore a riparian buffer. Both existing and restored riparian buffers **must** meet the requirements listed below. Only riparian buffer restoration activities performed on properties or easements acquired through this grant opportunity are eligible for funding.
- Riparian Buffer Requirements (Projects and programs):
 - Riparian buffers must have one of the following minimum widths:
 - Equal to or greater than 300 feet⁷³;
 - At least 100 feet but less than 300 feet;
 - At least 35 feet but less than 100 feet⁷⁴.
 - Riparian buffers **must** be revegetated using only native trees, shrubs, or grasses appropriate for the site conditions. Replacement of dead trees or shrubs must be continued until the buffer is, or will progress to, a fully functional condition.
 - 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.
 - Physical protective barriers (i.e., fencing or rocks) may be used to limit access to the riparian buffer with DEC review and approval.

⁷³ Parcels adjacent to a lake or reservoir used as an active public drinking water supply must have a riparian buffer width equal to or greater than 300 feet.

⁷⁴ Parcels are only eligible to have at least 35 feet but less than 100 foot riparian buffer if they do not fall within the 30- or 20-point performance measure category for both projects and programs.

- Groundwater Recharge Area Restoration Requirements (Projects or Programs):
 - The area of a parcel, acquired to protect a wellhead, which overlays a designated groundwater recharge area⁷⁵ **may** be revegetated using only native trees, shrubs, or grasses appropriate for the site conditions.
 - 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 groundwater recharge area restoration, or remove, mitigate, or warn against unreasonable harm to people, property or health of native species on or around the defined groundwater recharge area restoration.
 - For newly created or restored groundwater recharge areas, the applicant **must** develop and implement a maintenance plan during the recharge area restoration establishment period, defined as 3-5 years after planting of vegetation.
- Wetland Requirements:
 - 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.⁷⁶
 - Lands currently protected by a federal or state easement program are **not** eligible.
 - Conservation easements **must** be acquired in perpetuity. Applicants for easements will be expected to make use of the Conservation Easement Template found on <https://www.dec.ny.gov/pubs/115920.html>.
 - If the property is used for activities which interfere with the accomplishment of approved purposes, the violating activities⁷⁷ **must** cease, and any resulting adverse effects **must** be remedied.
 - Disturbances that compromise the ecological condition of the riparian buffer

⁷⁵ Recharge area identified in a plan produced by a licensed geologist, Rural Water authority, Regional Planning authority, or state-hired DWSP2 consultant.

⁷⁶ Water withdrawal permitting requirements as stated in 6 NYCRR Part 601.6. See [https://govt.westlaw.com/nycrr/Document/I4ebfafbecd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Document/I4ebfafbecd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))

⁷⁷ The following are examples of violating activities: the property is used for the improper storage or illegal dumping of materials including, but not limited to, household materials, car parts, wood, etc.

- 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 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.
 - In the event that a municipality or not-for-profit sells a parcel(s) that was acquired with funds made available pursuant to ECL Article 15 Title 33, other new lands must be acquired, and the following must be met:
 - parcel(s) must be of equal environmental and source water value;
 - parcel(s) must be equal to or greater than the original purchase amount, excluding the awardee's match and any stewardship & monitoring expenses incurred; and
 - value of the new parcel(s) must account for inflation of the original parcel(s).

The Department must review and approve the proposed acquisition of a new parcel(s) prior to the sale of the original parcel. This requirement shall remain in effect beyond the term of this contract.

- Public access and passive recreational trails will be reviewed by DEC on a case-by-case basis. The applicant **must** provide at the earliest date practicable, 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.
- Transaction requirements (post-award) ⁷⁸:

⁷⁸ For more information on WQIP Land Acquisition Projects for Source Water Protection resources and standards, visit the WQIP Land Acquisition Projects for Source Water Protection Toolkit: <https://www.dec.ny.gov/pubs/115920.html>

- 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. Two appraisals will be required if the appraised value is more than \$500,000. DEC may pay up to the highest appraised value if the appraisal report is approved and accepted by the Department.
- 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.
- Baseline Data **is required** for all conservation easement acquisitions.
- Phase I environmental assessment reports **are required** for **all properties** and must be completed by a qualified consultant. If a Phase II is recommended, the awardee **must** contact DEC to propose and request approval on appropriate next steps if reimbursement will be requested. If the land is determined to be contaminated in either the Phase I or Phase II report, DEC must be contacted to determine whether the parcel is eligible for the program and reimbursement. If conditions are considered unacceptable, DEC will notify awardee within 30 days of receipt of the environmental report.
- Title insurance **is required** for all properties.
- Appraisals, surveys, title report and insurance, baseline data and easement language (if applicable), Phase I environmental assessments, and deeds **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.

Required Application Attachments

- Detailed protocol for monitoring and enforcement of properties or easements. The protocols should include all Elements listed in the WQIP Land Acquisition for Source Water Protection Documentation Guidance⁷⁹.
- Detailed expenditure-based summary budget. The budget summary **must** estimate the value of the land or development rights being acquired (for each specific parcel if there are multiple), transactional costs (for each specific parcel if there are multiple), staff salaries directly devoted to or connected to the project or

⁷⁹ WQIP Land Acquisition for Source Water Protection Documentation Guidance:
<http://www.dec.ny.gov/pubs/4774.html>

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), parcel tax map I.D.(s), areal extent of the zone of contribution, watershed boundary, land use (National Land Cover Dataset 2019), existing riparian buffer or wetlands (if applicable), proposed riparian buffer or wetland restoration sites (if applicable), circles showing distance to 1,000 feet and 1,500 feet from groundwater wells (if applicable), and circles showing distance to 1,000 feet from surface water intake (if applicable). The map(s) **must** include all Elements listed in the WQIP Land Acquisition for Source Water Protection Documentation Guidance⁷⁹.
- Completed and signed Sexual Harassment Prevention Certification Form⁸⁰
- Completed and signed Executive Order No. 16 Certification Form⁸¹
- If the project is in a floodplain, attach the applicable floodplain map with the location of the project indicated.
- All required attachments are due at the time of application through the Consolidated Funding Application.

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) OR for the purpose of protecting one or more active public groundwater drinking water supplies (groundwater wells)	\$5,000,000	25% of award amount	Land parcel(s) must 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.

⁸⁰ Sexual Harassment Prevention Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

⁸¹ Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

Subtype	Description	Maximum award	Required match	Special Requirements
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) OR parcels at multiple locations within the areal extent of the zone of contribution ⁸² of one or more active public groundwater drinking water supplies.	\$5,000,000	25% of award amount	<p>Must 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.</p> <p>Parcels are not required to be specifically identified at the time of application to be considered for funding under the Program category.</p>

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. Personal services and Planning costs cannot exceed a total of 25% of the award amount.
- Non-personal services (e.g., contractual services, travel)
 - Value of contractual services provided by professional and technical personnel and consultants (i.e., 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.) deemed acceptable by DEC.
 - 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

⁸² Areal extent of the zone of contribution as defined by USGS. See <https://water.usgs.gov/water-resources/memos/memo.php?id=1425>

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 and 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
 - Stewardship fee
 - Project specific defense liability insurance fees
 - Property taxes
 - State or local real estate transfer taxes
- Riparian buffer, groundwater recharge area restoration, or wetland restoration costs as defined above and deemed acceptable by DEC. Riparian Buffer design, restoration, and implementation and/or field drain restoration (including equipment rental) costs cannot exceed a total of 25% of the award amount.
- Planning costs. Personal Services and Planning costs cannot exceed a total of 25% of the award amount.

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS⁸³

- 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 August 1, 2022). 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
- 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
- Costs associated with DEC accepted public access and passive recreational trails

⁸³ This list is not all encompassing. There may be other costs/activities/applications that the DEC may deem ineligible.

- 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.
- Costs associated with water withdrawal permit modification (e.g., completion of engineering reports, water withdrawal program forms).
- Forest Management Plans.
- Agricultural Environmental Management (AEM) assessments or plans.
- Nutrient Management Plans

RESOURCES

- 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>
- Example detailed expenditure-based summary budget meeting all required elements: <https://www.dec.ny.gov/pubs/4774.html>
- Maps of Environmental Justice areas in New York State:
<http://www.dec.ny.gov/public/911.html>.
- Maps of DAC areas in New York State:
<https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

CONTACT

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

LAND ACQUISITION FOR SOURCE WATER PROTECTION PROJECT SCORING CRITERIA

Agency Points	<i>Up to 115 points are available, as defined below. Applications must receive a minimum of 30 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.</i>			
Performance Measures⁸⁴	25 POINTS: Projects identified in a DEC-approved watershed implementation plan (i.e., TMDL,	15 POINTS: Projects included in the extended and/or source	5 POINTS: Parcel(s) within the HUC 12	0 POINTS: Projects that target protection of land

⁸⁴ 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.

<p>25 to 0 points possible</p>	<p>Nine Element Watershed Plan or DEC HABs Action Plan)</p> <p>OR</p> <p>Projects included in the critical area⁸⁵ of a DEC/DOH reviewed and accepted Drinking Water Source Protection Program (DWSP2) Plan⁸⁶</p> <p>OR</p> <p>Parcels to protect a lake or reservoir used as an active public drinking water supply that are within 1,000 feet of shoreline⁸⁷ and within 10 miles of public water supply intake</p> <p>OR</p> <p>Parcels to protect a lake or reservoir used as an active public drinking water supply that are adjacent to shoreline⁸⁷ and within 10 miles of public water supply intake.</p> <p>OR</p> <p>Parcels to protect a lake or reservoir used as an active public drinking water supply that are within 1,000 feet of tributary shoreline⁸⁷ and are no more than 1 mile upstream of reservoir</p> <p>OR</p> <p>Parcels to protect a lake or reservoir used as an active public drinking water supply that are adjacent to tributary shoreline⁸⁷ and are no more than 1 mile upstream of reservoir</p> <p>OR</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 intake and within 1,000 feet of shoreline⁸⁷</p> <p>OR</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 intake and adjacent to shoreline</p> <p>OR</p> <p>Parcels to protect a water supply wellhead that are identified in a recharge zone or protection plan produced by a licensed geologist, Rural Water authority or Regional Planning authority as needing protection</p> <p>OR</p>	<p>water protection area⁸⁸ of a DEC/DOH reviewed and accepted DWSP2 Plan⁸⁶</p> <p>OR</p> <p>Parcels to protect a lake or reservoir used as an active public drinking water supply and are within area 1,001 feet to ½ mile of shoreline⁸⁷ and within 10 miles of public water supply intake</p> <p>OR</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 intake and within area 1,001 feet to ½ mile of shoreline⁸⁷</p> <p>OR</p> <p>Parcels within 1,001 – 1,500 feet from water supply wellhead permitted as an active public drinking water source</p> <p>OR</p> <p>Parcels to protect a river or stream used as an active public drinking water supply that are within 1 to 3 miles upstream of intake and within 1,000 feet of shoreline⁸⁷</p>	<p>watershed of a surface waterbody used as an active public drinking water supply</p> <p>OR</p> <p>Parcels adjacent to an upstream tributary and within the HUC 12 inlet⁸⁹ of the lake or reservoir used as an active public drinking water supply⁹⁰</p>	<p>parcel(s) outside the HUC 12 watershed of a surface waterbody used as an active public drinking water supply</p> <p>OR</p> <p>Projects that target protection of parcels that are not adjacent to an upstream tributary and within the HUC 12 inlet of lake or reservoir used as active public drinking water supply</p> <p>OR</p> <p>Greater than 50% of parcel(s) are more than 1,500 feet away from a water supply wellhead permitted as an active public drinking water source</p> <p>Applications that fall into this category will not be funded</p>
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⁸⁵ This is the area of land that is directly surrounding the drinking water source.

⁸⁶ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

⁸⁷ Lateral distance from the shoreline

⁸⁸ This is the area of land that extends beyond the critical area, but still has the potential to contribute water to the drinking water source.

⁸⁹ Inlet is defined as the HUC 12 that drains to, or enters, the lake or reservoir used as a public water supply

⁹⁰ Tributaries should be identified using the National Hydrography Dataset from USGS: <https://www.usgs.gov/core-science-systems/ngp/national-hydrography>.

	Parcels within 1,000 feet of a water supply wellhead permitted as an active public drinking water source OR Parcels identified within a Long Island Special Groundwater Protection Area OR Parcels specifically identified for drinking water protection in the New York State Open Space Plan and within 10 miles of public water supply intake			
Riparian Buffer ⁹¹ <i>10 to 0 points possible</i>	10 Points Parcels to protect a surface waterbody or tributary used as an active public drinking water supply and riparian buffer width is equal to or greater than 300 feet OR Parcels adjacent to protect a surface waterbody or tributary used as an active public drinking water supply and riparian buffer width is equal to or greater than 300 feet	5 Points Parcels to protect a surface waterbody or tributary used as an active public drinking water supply and buffer is at least 100 feet to less than 300 feet	2 Points Parcels to protect a surface waterbody used as an active public drinking water supply and falls outside of the 25 and 15 point performance measure category but within the HUC 12 watershed and buffer is at least 35 to less than 100 feet OR Parcels to protect a lake or reservoir used as an active public drinking water supply and within the HUC 12 inlet and buffer is at least 35 to less than 100 feet	0 Points Parcels adjacent to a lake or reservoir used as an active public drinking water supply and riparian buffer width is less than 300 feet OR Parcels to protect a lake, reservoir, river, or tributary and riparian buffer is less than 35 feet for eligible parcels <i>Applications that fall into this category will not be funded</i>
Reasonableness of Cost <i>25 to 0 points possible</i>	25 POINTS: 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	15 POINTS: 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	0 POINTS: 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 <i>Applications that fall into this category will not be funded</i>	
Source Water Protection Prioritization <i>10 to 5 points possible</i>	10 POINTS: 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.,	5 POINTS: At least 50% of the parcel is designated as agriculture or low/medium intensity developed area by the 2019 National Land Cover Dataset OR	2 POINTS: At least 50% of the parcel is designated as high density developed area by the 2019 National Land Cover Dataset OR 35% - 49% of the parcel is designated as agriculture or low/medium intensity developed area by the 2019	

⁹¹ Projects that include more than one parcel will be scored based on where the majority (over 50%) of the parcels fall in the scoring criteria. If a majority of the parcels meet the criteria for 0 points, the project will not be funded.

	<p>TMDL, Nine Element Watershed Plan or DEC HABS Action Plan), or DEC-accepted Drinking Water Source Protection Program (DWSP2) Plan⁸⁶, or other plan produced by a licensed geologist, Rural Water authority or Regional Planning authority</p> <p>OR</p> <p>At least 50% of the parcel is designated as wetlands, forested land, open space, or grasslands by the 2019 National Land Cover Dataset</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 2019 National Land Cover Dataset</p>	<p>National Land Cover Dataset</p>			
<p>Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i></p>	<p>10 POINTS: Project improves water quality and is within a PEJA or DAC area</p> <p>OR</p> <p>Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.</p>	<p>5 POINTS: Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area</p>	<p>0 POINTS: Project does not improve water quality within a PEJA or DAC area</p> <p>OR</p> <p>Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area</p> <p>OR</p> <p>Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area</p>			
<p>Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i></p>	<p>10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%⁹². See Attachment A.</p>	<p>8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.</p>	<p>6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.</p>	<p>4 POINTS: Applicant is a municipality with a DAC population of 20 - 40%¹⁶.</p>	<p>2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.</p>	<p>0 POINTS: Applicant is not a municipality with a DAC population.</p>

⁹² See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

<p>Project Readiness <i>10 to 0 points possible</i></p>	<p>10 POINTS: Parcels have been identified and at least 50% of landowner endorsement is demonstrated by a letter of commitment AND applicant has provided protocols for monitoring and enforcement of properties using the WQIP Land Acquisition for Source Water Protection Documentation Guidance</p>	<p>5 POINTS: Parcels have been identified but 49% or less of landowner endorsement has been demonstrated AND applicant has provided protocols for monitoring and enforcement of properties using the WQIP Land Acquisition for Source Water Protection Documentation Guidance</p>	<p>0 POINTS: Specific parcels have not been clearly identified OR Applicant has not provided protocols for monitoring and enforcement of properties Applications that fall into this category will not be funded</p>
<p>Experience and Ability <i>5 to 0 points available</i></p>	<p>5 POINTS: 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>3 POINTS: 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>0 POINTS: 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 OR Applicant has previous experience with WQIP Land Acquisition for Source Water Protection grants and did not complete all tasks in a timely manner Applications that fall into this category will not be funded</p>
<p>Climate Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Project is identified in a Community Asset Management Plan as a project that will promote climate resiliency. AND is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>2 POINTS: Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding) OR is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>0 POINTS: Project does not address climate resiliency</p>

<p>Flood Resilience</p> <p><i>5 to 0 points possible</i></p>	<p>5 POINTS:</p> <p>Project is outside a 0.2% or 1% annual chance of occurrence floodplain</p> <p>OR</p> <p>Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.</p>	<p>0 POINTS:</p> <p>Project is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience</p>
<p>Total Maximum Points</p>	<p>115 points</p>	

LAND ACQUISITION FOR SOURCE WATER PROTECTION PROGRAM SCORING CRITERIA

Agency Points	<i>Up to 115 points are available, as defined below. Applications must receive a minimum of 30 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>			
Performance Measures <i>25 to 0 points possible</i>	<p>25 POINTS:</p> <p>Programs identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or DEC HABs Action Plan)</p> <p>OR</p> <p>Programs included in the critical area⁹³ of a DEC/DOH reviewed and accepted Drinking Water Source Protection Program (DWSP2) Plan⁹⁴</p>	<p>15 POINTS:</p> <p>Programs in watersheds specifically identified for drinking water protection in the New York State Open Space Plan</p> <p>OR</p> <p>Programs included in the extended and/or source water protection area⁹⁵ of a DEC/DOH reviewed and accepted Drinking Water Source Protection Program (DWSP2) Plan⁹⁴</p>	<p>5 POINTS:</p> <p>Programs that demonstrate that some level of planning has taken place using tools or methods to prioritize acquiring lands to protect public water supplies</p> <p>OR</p> <p>Inclusion of source water protection in comprehensive plans, municipal resolutions, etc. of the majority of municipalities in the HUC 12 watersheds being proposed</p>	<p>0 POINTS:</p> <p><i>Applications that do not meet any of the previous performance measures will not be funded</i></p>

⁹³ This is the area of land that is directly surrounding the drinking water source.

⁹⁴ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

⁹⁵ This is the area of land that extends beyond the critical area, but still has the potential to contribute water to the drinking water source

<p>Riparian Buffer⁹⁶ <i>10 to 0 points possible</i></p>	<p>10 Points Programs to protect a surface waterbody or tributary used as an active public drinking water supply and riparian buffer width is, or will be, equal to or greater than 300 feet OR Programs adjacent to protect a surface waterbody or tributary used as an active public drinking water supply and riparian buffer width is equal to or greater than 300 feet</p>	<p>5 Points Programs to protect a surface waterbody or tributary used as an active public drinking water supply and buffer is, or will be, at least 100 feet to less than 300 feet</p>	<p>2 Points Programs to protect a surface waterbody used as an active public drinking water supply that fall outside of the 25 and 15 point performance measure category but within the HUC 12 watershed and buffer is at least 35 to less than 100 feet</p>	<p>0 Points Programs adjacent to a lake or reservoir used as an active public drinking water supply and riparian buffer width is, or will be, less than 300 feet OR Programs to protect a surface waterbody or tributary, and riparian buffer is, or will be, less than 35 feet for eligible parcels <i>Applications that fall into this category will not be funded</i></p>
<p>Reasonableness of Cost <i>25 to 0 points possible</i></p>	<p>25 POINTS: 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</p>	<p>15 POINTS: 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</p>	<p>0 POINTS: 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></p>	

⁹⁶ Programs will be scored based on where the majority (over 50%) of the projects will fall. If a majority of the project meets the criteria for 0 points, the program will not be funded. Programs will be held to a majority of the parcels meeting the width identified if awarded.

<p>Source Water Protection Prioritization</p> <p><i>10 to 5 points possible</i></p>	<p>10 POINTS:</p> <p>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)</p> <p>OR</p> <p>Program prioritizes parcels within a community’s critical drinking water source protection area that is delineated using methodology or tools found in “A Framework for Creating a Drinking Water Source Protection Program Plan”⁹⁷</p>		<p>5 POINTS:</p> <p>Program prioritizes parcels based on proximity to the drinking water source</p> <p>OR</p> <p>Program prioritizes parcels within a community’s drinking water source protection area that is delineated using methodology or tools found in “A Framework for Creating a Drinking Water Source Protection Program Plan”⁹²</p>		<p>2 POINTS:</p> <p>Program prioritizes parcels based on vacancy or availability for acquisition</p>	
<p>Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits</p> <p><i>10 to 0 points possible</i></p>	<p>10 POINTS:</p> <p>Project improves water quality and is within a PEJA or DAC area</p> <p>OR</p> <p>Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.</p>		<p>5 POINTS:</p> <p>Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area</p>		<p>0 POINTS:</p> <p>Project does not improve water quality within a PEJA or DAC area</p> <p>OR</p> <p>Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area</p> <p>OR</p> <p>Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area</p>	
<p>Disadvantaged Communities (DAC) (includes financial hardship)</p> <p><i>10 to 0 points possible</i></p>	<p>10 POINTS:</p> <p>Applicant is a municipality with a DAC population of 81 – 100%⁹⁸.</p> <p>See Attachment A.</p>	<p>8 POINTS:</p> <p>Applicant is a municipality with a DAC population of 61 - 80%.</p>	<p>6 POINTS:</p> <p>Applicant is a municipality with a DAC population of 41 - 60%.</p>	<p>4 POINTS:</p> <p>Applicant is a municipality with a DAC population of 20 - 40%¹⁶.</p>	<p>2 POINTS:</p> <p>Applicant is a municipality with a DAC population of 1 - 19%.</p>	<p>0 POINTS:</p> <p>Applicant is not a municipality with a DAC population.</p>

⁹⁷ “A Framework for Creating a Drinking Water Source Protection Program Plan” can be found on DEC’s website. See <https://www.dec.ny.gov/chemical/115250.html>.

⁹⁸ See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

<p>Program Readiness</p> <p><i>10 to 0 points available</i></p>	<p>10 POINTS:</p> <p>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 using the WQIP Land Acquisition for Source Water Protection Documentation Guidance; for projects involving personal service costs, applicant has demonstrated the ability to maintain the level of effort funded by this grant</p>	<p>8 POINTS:</p> <p>Watershed parcels have been identified but 49% or less of landowner endorsement has been demonstrated AND applicant has provided protocols for monitoring and enforcement of properties using the WQIP Land Acquisition for Source Water Protection Documentation Guidance AND for projects involving personal service costs, applicant has demonstrated the ability to maintain the level of effort funded by this grant</p>	<p>5 POINTS:</p> <p>Drinking water supply watershed targeted for protection has been identified AND applicant has provided protocols for monitoring and enforcement of properties using the WQIP Land Acquisition for Source Water Protection Documentation Guidance AND for projects involving personal service costs, applicant has demonstrated the ability to maintain the level of effort funded by this grant</p>	<p>0 POINTS:</p> <p>Drinking water supply watershed targeted for protection has not been clearly identified</p> <p>OR</p> <p>Applicant has not provided protocols for monitoring and enforcement of properties</p> <p>OR</p> <p>For projects involving personal service costs, applicant has not demonstrated the ability to maintain the level of effort funded by this grant</p> <p><i>Applications that fall into this category will not be funded</i></p>
<p>Experience and Ability</p> <p><i>5 to 0 points available</i></p>	<p>5 POINTS:</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>3 POINTS:</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>0 POINTS:</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>OR</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><i>Applications that fall into this category will not be funded</i></p>	

<p>Climate Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Program is identified in a Community Asset Management Plan as a program that will promote climate resiliency. AND is a Climate Smart Community AND can demonstrate how the program will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>2 POINTS: Programs that demonstrate how the program will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding) OR is a Climate Smart Community AND can demonstrate how the program will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>0 POINTS: Program does not address climate resiliency</p>
<p>Flood Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Program is outside a 0.2% or 1% annual chance of occurrence floodplain OR Program is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.</p>	<p>0 POINTS: Program is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience</p>	
<p>Total Maximum Points</p>	<p>115 points</p>		

SALT STORAGE

ELIGIBLE APPLICANTS

- Municipalities⁹⁹, including Indian Nations
- 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://online2.ogs.ny.gov/DNC/MasterSpec04/MasterSpecListing.asp?Div=13>)
 - Section 133423 – Rectangular Salt Storage Structure, Parts 1.02, 1.03, 1.04, 1.05 and 1.06
 - Section 133424 – Dome Salt Storage Structure, Parts 1.02, 1.03, 1.04, 1.05 and 1.06

Required Attachments

- Project map uploaded as a separate file. Project maps cannot be imbedded within another required attachment. Map must be a 1:24,000 scale USGS or DOT planimetric map, or equivalent to such maps.
- If the structure is to be built in a floodplain, attach the applicable floodplain map with the location of project indicated.
 - Any Salt Storage project that occurs in the regulatory floodway may require a hydrological and hydraulic (H&H) analysis conducted by a Professional Engineer demonstrating the proposed project will have 0.00 feet of rise in the base flood elevation when comparing pre- and post-project conditions²³.
- Completed WQIP budget worksheet¹⁰⁰
- Completed and signed Sexual Harassment Prevention Certification Form¹⁰¹
- Completed and signed Executive Order No. 16 Certification Form¹⁰²
- All required attachments are due at the time of application through the Consolidated Funding Application.

⁹⁹ 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).

¹⁰⁰ WQIP Budget Worksheet: <http://www.dec.ny.gov/pubs/4774.html>

¹⁰¹ Sexual Harassment Prevention Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

¹⁰² Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

PROJECT SUBTYPES

Project subtype	Description	Maximum award	Required match	Additional Information
High Priority				
New structures	Projects to construct new structures to enclose an uncovered salt or salt/sand mixture storage pile	\$600,000	25% 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 (public or private well) or surface water used for a public water system; or within a primary, principal, or sole source aquifer (maps and definitions provided below).
Low Priority				
Replacement structures	Projects to replace an existing salt or salt/sand mixture storage structure	\$600,000	50% of award amount	Applications will receive lower points for Vision
Capacity expansion	Projects to expand the capacity of an existing salt or salt/sand mixture structure	\$600,000	50% of award amount	Applications will receive lower points for Vision

ELIGIBLE COSTS

- Costs related to the construction of the salt or salt/sand mixture storage structure
- Planning, design, administrative¹⁰³ and construction oversight costs (total may not exceed 20% of 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, design, administrative, and construction oversight costs in excess of 20% of the award amount may be deemed ineligible.
- Costs incurred outside the start and end date of the contract (no earlier than May 15, 2023).
- Legal fees
- Costs for stormwater controls that are required under the SPDES General Permit for Construction Activities.
- Demolition and/or removal costs for current storage structure if the project is for a replacement.
- Indirect costs (e.g., space/property rent, utilities, office supplies, additional maintenance facilities, etc.).
- Applications that do not include required attachments with the application.
- Pre- and post-construction monitoring and sampling

¹⁰³ The following are examples of **eligible administrative costs**: Procuring sub-contractors and materials needed to implement the project; contacting municipalities to schedule projects; and reviewing and paying invoices for materials and sub-contractors associated with the project. The following are examples of **ineligible administrative costs**: preparing, completing, submitting the WQIP application for funding; preparing, completing, submitting information and documents needed to get a contract in place; preparing, completing, submitting information for progress reporting, payment requests and contract amendments; preparing, completing, and submitting environmental regulatory approvals/permits needed to implement the project

RESOURCES

- Office of General Services Specifications for salt storage facilities:
<https://online2.ogs.ny.gov/DNC/MasterSpec04/MasterSpecListing.asp?Div=13>
- DECinfo Locator¹⁰⁴ (most up to date source of WI/PWL segment fact sheets):
<http://www.dec.ny.gov/pubs/109457.html>
- HUC 12 watershed map:
<https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>
- Principal aquifers¹⁰⁵ map: <https://www.dec.ny.gov/lands/36119.html>.
- Primary aquifers¹⁰⁶ map: <https://www.dec.ny.gov/lands/36119.html>
- Sole source aquifers¹⁰⁷ map:
<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>
- Maps of Environmental Justice areas in New York State:
<http://www.dec.ny.gov/public/911.html>.
- Maps of DAC areas in New York State:
<https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

CONTACT

NYS Department of Environmental Conservation, Division of Water

- Don Tuxill, (518) 402-8168
- Ryan Waldron (518) 402-8244

¹⁰⁴ For projects impacting surface water, the applicant must provide the correct WI/PWL segment ID and HUC 12 watershed of the closest waterbody the project will impact. To find the closest WI/PWL segment fact sheet, visit the DECinfo Locator at <https://gisservices.dec.ny.gov/gis/dil/>. In the left column of the map, click “DEC Information Layers”>”Environmental Quality”>”Environmental Monitoring” and check the box for “Waterbody Inventory/Priority Waterbodies List”. In the left column, select “Search” and enter the address or project location. Click 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 description. To access the WI/PWL assessment for that waterbody, click the “Fact Sheet” link in the box.

¹⁰⁵ 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.

¹⁰⁶ Primary aquifers are defined as highly productive aquifers presently utilized as sources of water supply by major municipal water supply systems.

¹⁰⁷ 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

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 30 points to be eligible for funding. Applications that receive 0 points for Project Readiness or Experience and Ability will not be funded.				
Vision <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.				
Performance Measures¹⁰⁸ <i>10 to 1 point(s) possible (as part of Vision score)</i>	<p>10 POINTS:</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>OR</p> <p>Within a principal aquifer</p> <p>OR</p> <p>Within a primary aquifer</p> <p>OR</p> <p>Within a sole source aquifer</p> <p>OR</p> <p>Within the critical area of a DEC/DOH reviewed and accepted groundwater Drinking Water Source Protection Program (DWSP2) Plan</p>	<p>7 POINTS:</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>OR</p> <p>Less than 500 feet from a private well</p> <p>OR</p> <p>Within the extended and/or source water protection area of a DEC/DOH reviewed and accepted groundwater DWSP2 plan¹⁰⁹</p>	<p>5 POINTS:</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>OR</p> <p>500 feet or more but less than 1,000 feet from a private well</p> <p><u>OR</u></p> <p>Projects to build a structure that replaces an existing structure or projects to expand the capacity of an existing salt or salt/sand mixture structure which is currently located:</p> <p>300 feet of a groundwater drinking water source or surface water</p>	<p>3 POINTS:</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>OR</p> <p>1,000 feet or more but less than 1,500 feet from a private well</p> <p><u>OR</u></p> <p>Projects to build a structure that replaces an existing structure or projects to expand the capacity of an existing salt or salt/sand mixture structure which is currently located:</p> <p>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</p> <p>OR</p>	<p>1 POINT:</p> <p>Projects to build a structure that replaces an existing structure or expand the capacity of existing salt or salt/sand mixture structure that is currently located:</p> <p>2,000 feet or more from a groundwater drinking water source or surface water used for a public water system</p> <p>OR</p> <p>1,000 feet or more from a private well</p> <p><u>OR</u></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>OR</p> <p>1,500 feet or more from a private well</p>

¹⁰⁸ Points are based on the location of the current uncovered salt or salt/sand pile

¹⁰⁹ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

			used for a public water system OR Within a principal aquifer OR Within a primary aquifer OR Within a sole source aquifer	Within 1,000 feet of a private well	
Impact Factor <i>4 to 1 point(s) possible (as part of Vision score)</i>	4 POINTS: 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 OR within a principal aquifer OR within a primary aquifer OR within a sole source aquifer	3 POINTS: 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	2 POINTS: 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. OR Project is to move existing structure out of floodplain.	1 POINT: Projects to replace an existing salt or salt/sand storage structure or that expand the capacity of an existing structure	
Reasonableness of Cost <i>25 to 0 points possible</i>	25 POINTS: Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project	15 POINTS: Cost is good as it applies to both achieving the project objectives and being a fiscally sound project	5 POINTS: Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project	0 POINTS: Cost not reasonable for this type of project	
Classification Points Factor <i>8 to 1 point(s) possible</i>	8 POINTS: AA, GA (Primary or principal water supply aquifer), AA special, A, A Special, GA (other)	5 POINTS: B(T) B(TS) C(T) ¹¹⁰ , C(TS)	1 POINT: B, SB, C, SC, I, D, SD, SA, GSB GSA		

¹¹⁰ (T) and (TS) indicate the application of standards to protect trout and trout spawning respectively.

<p>Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i></p>	<p>10 POINTS: Project improves water quality and is within a PEJA or DAC area</p> <p>OR</p> <p>Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.</p>		<p>5 POINTS: Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area</p>		<p>0 POINTS: Project does not improve water quality within a PEJA or DAC area</p> <p>OR</p> <p>Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area</p> <p>OR</p> <p>Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area</p>	
<p>Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i></p>	<p>10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%¹¹¹.</p> <p>See Attachment A.</p>	<p>8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.</p>	<p>6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.</p>	<p>4 POINTS: Applicant is a municipality with a DAC population of 20 - 40%¹⁶.</p>	<p>2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.</p>	<p>0 POINTS: Applicant is not a municipality with a DAC population.</p>
<p>Project Readiness <i>7 to 0 points possible</i></p>	<p>7 POINTS: Project has all necessary permits (or does not need permits) and approvals. The project is ready to move forward with construction.</p>		<p>3 POINTS: Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay</p>		<p>0 POINTS: Project has not secured any of the necessary approvals and is not ready to proceed to construction</p> <p><i>Applications that fall into this category will not be funded</i></p>	
<p>Experience and Ability <i>5 to 0 points possible</i></p>	<p>5 POINTS: Applicant has shown the ability to complete all WQIP contracts in the past 10 years in a timely manner</p> <p>OR</p> <p>Applicant has sufficiently shown its ability to complete this salt facility project.</p>		<p>3 POINTS: Applicant has shown the ability to complete most WQIP contracts in the past 10 years in a timely manner</p> <p>OR</p> <p>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</p>		<p>0 POINTS: Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years</p> <p>OR</p> <p>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</p> <p><i>Applications that fall into this category will not be funded</i></p>	

¹¹¹ See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

<p>Climate Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Project is identified in a Community Asset Management Plan as a project that will promote climate resiliency. AND is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>2 POINTS: Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding) OR is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>0 POINTS: Project does not address climate resiliency</p>
<p>Flood Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Project is outside a 0.2% or 1% annual chance of occurrence floodplain OR Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.</p>	<p>0 POINTS: Project is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience</p>	
<p>Total Maximum Points</p>	<p>115 points</p>		

DAM SAFETY REPAIR/REHABILITATION

ELIGIBLE APPLICANTS

- Municipalities¹¹², including Indian Nations

DESCRIPTION

Funding is available¹¹³ to improve dam safety through the repair and rehabilitation of dams with a downstream hazard classification of Class C (High) and Class B (Intermediate) to reduce flood risk and promote climate change resilience.

REQUIREMENTS FOR ALL DAM SAFETY REPAIR/REHABILITATION APPLICATIONS

- The hazard classification assigned to the dam must be Class C – High Hazard or Class B – Intermediate Hazard.
- The applicant must have a current Annual Certification, in conformance with 6 NYCRR Part 673.8 on file with the Department (due by January 31st every year).
- The dam must be regulated by the NYS Dam Safety Program.
- The applicant must have a current Emergency Action Plan.
- The applicant will be required to own the dam site.

Required Attachments:

- Current Annual Certification
- If a Population at Risk (PAR) was developed/calculated, submit a document with discussion and analysis of how it was developed/calculated.
- Engineering report **prepared, stamped, signed, and dated** by a NYS-registered professional engineer¹¹⁴
 - Feasibility reports and engineering plans not accompanied by engineering reports do not fulfill the engineering report requirement.
 - Engineering reports must include at a minimum the following elements:
 - Project background and history/problem statement
 - Alternatives analysis with cost estimates (if applicable)
 - Summary and comparison of alternatives
 - Recommended alternative

¹¹² For the purposes of Dam Safety Repair/Rehabilitation 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).

¹¹³ Funding for this project type is contingent on Clean Water, Clear Air, and Green Jobs Environmental Bond Act allocations.

¹¹⁴ All plans, specifications and reports prepared by the professional engineer or by a full-time or part-time subordinate under their supervision, shall be signed and sealed when filed with public officials. Whatever the means of production, on all documents on which a seal is required, there shall be visible the required image, satisfying the provisions of Sections 7209, and Part 68.10 of the Regulations of the Commissioner, and which clearly and legibly shows both the professional engineer’s name and license number. The documents are to be signed by the professional engineer whose name appears on the seal in such a manner that neither the name nor the number appearing on the seal is obscured in any way.

(New York State Education Law Article 145 §7209. Special Provisions)

- Completed WQIP budget worksheet¹¹⁵
- Completed and signed Sexual Harassment Prevention Certification Form¹¹⁶
- Completed and signed Executive Order No. 16 Certification Form¹¹⁷
- Project map uploaded as a separate file. Project maps cannot be imbedded within another required attachment. Map must be a 1:24,000 scale USGS or DOT planimetric map, or equivalent to such maps.
- If the project is in a floodplain, attach the applicable floodplain map with the location of the project indicated.
- All required attachments are due at the time of application through the Consolidated Funding Application.

PROJECT SUBTYPES AND REQUIREMENTS

- All primary and secondary priority projects may be funded before general dam repair projects.

Project subtype	Description	Maximum award	Required match	Special Requirements
Primary Priority				
High Hazard Dam Projects	Projects to bring a high hazard dam into conformance with NYS Guidelines for Design of Dams Safety Criteria, that has an assigned condition rating of Unsafe or Unsound	\$5,000,000	25% of award amount	Project must reduce a hazard condition and result in a safe impoundment structure that meets Dam Safety criteria as identified in the Department's Guidelines for Design of Dams, and other sound engineering principles;
Secondary Priorities				
Intermediate Hazard Dam Projects	Projects to bring an intermediate hazard dam into conformance with NYS Guidelines for Design of Dams Safety Criteria, that has an assigned	\$5,000,000	25% of award amount	Project must reduce a hazard condition and result in a safe impoundment structure that meets Dam Safety criteria as identified in the Department's Guidelines for Design of

¹¹⁵ WQIP Budget Worksheet: <http://www.dec.ny.gov/pubs/4774.html>

¹¹⁶ Sexual Harassment Prevention Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

¹¹⁷ Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

Project subtype	Description	Maximum award	Required match	Special Requirements
	condition rating of Unsafe or Unsound			Dams, and other sound engineering principles;
General Dam Safety Projects				
Other Dam Repair Projects for High and Intermediate Classified Dams	All other dam repair projects	\$5,000,000	25% of award amount	Project must result in a safe impoundment structure for an existing dam, that meets Dam Safety criteria as identified in the Department's Guidelines for Design of Dams ¹¹⁸ , and other sound engineering principles

ELIGIBLE COSTS

- Equipment
- Contractual costs (construction, equipment, supplies/materials) related to construction that results in a safe impoundment structure.
 - Only the repair or rehabilitation/reconstruction of an existing dam and its appurtenant works which are performed in compliance with the Department's Guidelines for Design of Dams, Revised January 1989, and other sound engineering principles are eligible for funding.
- Construction inspection (on-site activities typically performed by a licensed professional engineer, e.g., inspection of methods and materials)
- Salary and fringe benefits
- Administrative costs directly related to implementing the project¹¹⁹

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- FERC licensed hydroelectric dams and federally owned dams are not eligible
- Costs that do not resolve a hazardous condition.
- Cost for parks, parking areas, landscaping not related to the dam or its appurtenant works, dredging, bathing areas, and other costs not related to dam safety.
- Costs incurred outside the start and end date of the contract (no earlier than May 15, 2023).
- Administrative costs not directly related to implementing the project¹²⁰

¹¹⁸ Guidelines for Design of Dams: https://www.dec.ny.gov/docs/water_pdf/damguideli.pdf

¹¹⁹ The following are examples of **eligible administrative costs**: Procuring sub-contractors and materials needed to implement the project; contacting municipalities to schedule projects; and reviewing and paying invoices for materials and sub-contractors associated with the project.

¹²⁰ The following are examples of **ineligible administrative costs**: preparing, completing, submitting the WQIP application for funding; preparing, completing, submitting information and documents needed to get a contract in place; preparing, completing, submitting information for progress reporting, payment requests and contract

- Legal fees
- Indirect costs (e.g., space/property rent, utilities, office supplies, additional maintenance facilities, etc.).
- Applications that do not include required attachments with the application.

RESOURCES

- NYS Guidelines for Design of Dams: [Guidelines for Design of Dams \(ny.gov\)](#)
- DOW TOGS 3.1.3 -Emergency Action Plans: [DOW TOGS 3.1.3 - Emergency Action Plans for Dams \(ny.gov\)](#)
- DOW TOGS 3.1.4 – Guidelines for Engineering Assessment Reports: [Final DOW 3.1.4 - Guidelines for Dam Engineering Assessment Reports \(ny.gov\)](#)
- DOW TOGS 3.1.5 – Dam Hazard Class Classification: [Guidance for Dam Hazard Classification \(ny.gov\)](#)
- NYS Dam Safety Webpage: [Dam Safety - NYS Dept. of Environmental Conservation](#)
- Maps of Environmental Justice areas in New York State: <http://www.dec.ny.gov/public/911.html>.
- Maps of DAC areas in New York State: <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

CONTACT

NYS Department of Environmental Conservation, Division of Water

- Don Canestrari, (518) 402-8138
- Joshua Johnson, (518) 402-8249

DAM SAFETY REPAIR/REHABILITATION SCORING CRITERIA

Agency Points	<i>Up to 115 points are available, as defined below. Applications must receive a minimum of 30 points to be eligible for funding. Applications that receive 0 points for Project Readiness or Experience and Ability will not be funded.</i>			
Hazard Class of Dam 10 points to 0 points	10 points: Class C – High Hazard Dam	5 points: Class B – Intermediate Hazard Dam	0 points: Other Classification	
Population at Risk (PAR) 10 points to 0 points	10 points: Greater than 1,001	5 points: 1 – 1,000	0 points: 0	
Condition Rating 10 points to 0 points	10 Points: Unsafe (DEC assigned) OR Unsound – Deficiency Recognized (DEC assigned)	7 points: Unsound – any other sub-rating (DEC assigned)	5 points: Engineer's identified deficiencies in an Engineering Assessment that equate to either unsafe or unsound	0 Points: Other rating or no rating
Compliance Status (6 NYCRR Part 673.-)	15 Points: Applicant in compliance with all three (3) identified regulations.		0 Points: Applicant NOT in compliance with all three (3) identified regulations.	

amendments; preparing, completing and submitting environmental regulatory approvals/permits needed to implement the project.

<p>.7 - Emergency Action Plan, .8 - Annual Certification, .13 - Engineering Assessment) <i>15 points to 0 points</i></p>						
<p>Possible Dam Failure Impact to Structures/Facilities <i>5 Points to 0 points</i></p>	<p>5 Points: Inundation map includes at least one of the following: hospital; nursing home; principal arterial interstate; K-12 school; critical railroad (intercity passenger, commuter, transit, inter-regional and inter-city freight lines (typically Class 1 or Class 2 freight lines)) OR The dam is a primary water supply impoundment</p>			<p>0 Points: Inundation map does NOT include any of the following: hospital; nursing home; principal arterial interstate; K-12 school; critical railroad (intercity passenger, commuter, transit, inter-regional and inter-city freight) OR The dam is not a primary water supply impoundment</p>		
<p>Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i></p>	<p>10 POINTS: EJ and/or DAC community is within the dam failure inundation area</p>			<p>0 POINTS: EJ and/or DAC community is not within the dam failure inundation area.</p>		
<p>Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i></p>	<p>10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%¹²¹. See Attachment A.</p>	<p>8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.</p>	<p>6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.</p>	<p>4 POINTS: Applicant is a municipality with a DAC population of 20 - 40%¹⁶.</p>	<p>2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.</p>	<p>0 POINTS: Applicant is not a municipality with a DAC population.</p>
<p>Reasonable-ness of Cost <i>25 to 0 points possible</i></p>	<p>25 POINTS: Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project. WQIP budget includes no ineligible activities.</p>	<p>15 POINTS: Cost is good as it applies to both achieving the project objectives and being a fiscally sound project.</p>	<p>5 POINTS: Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project.</p>		<p>0 POINTS: Costs are not clearly explained or not reasonable for this type of project.</p>	
<p>Project Readiness <i>10 to 0 points possible</i></p>	<p>10 POINTS: Project has all necessary permits (or does not need permits) and engineering report is approved/accepted. SEQR is completed. The project is ready to move forward with construction.</p>		<p>5 POINTS: Project is not ready to proceed with construction but will be completed in the next 5 years.</p>		<p>0 POINTS: Project has none of the necessary approvals and is not expected to be completed within five years. <i>Applications that fall into this category will not be funded.</i></p>	

¹²¹ See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

<p>Climate Resilience</p> <p><i>5 to 0 points possible</i></p>	<p>5 POINTS: Project is identified in a Community Asset Management Plan as a project that will promote climate resiliency</p> <p>AND</p> <p>is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detailing how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>2 POINTS: Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p> <p>OR</p> <p>is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detailing how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>0 POINTS: Project does not address climate resiliency</p>
<p>Flood Resilience</p> <p><i>5 to 0 points possible</i></p>	<p>5 POINTS: Project dam is or will be brought into conformance with dam spillway design flood (SDF) criteria, and if the project consists of construction to meet the SDF, at least 1-foot of freeboard will be included with the spillway repairs</p> <p>AND</p> <p>the Emergency Operations Center (EOC) in the Emergency Action Plan (EAP) is located outside the 0.2% flood plain area</p> <p>OR</p> <p>the EOC in the EAP is located within the 0.2% flood plain area, and the EOC is being relocated</p>	<p>0 POINTS: Project dam is not or will not be brought into conformance with SDF criteria or the EOC in the EAP is within the 0.2% floodplain area and is not being relocated.</p>	
<p>Total Maximum Points</p>	<p>115 points</p>		

AQUATIC CONNECTIVITY RESTORATION

ELIGIBLE APPLICANTS

- Municipalities¹²², including Indian Nations
- 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, and may promote flood risk reduction and enhanced flood and climate resiliency

REQUIRED ATTACHMENTS

- Completed WQIP budget worksheet¹²³
- Completed and signed Sexual Harassment Prevention Certification Form¹²⁴
- Completed and signed Executive Order No. 16 Certification Form¹²⁵
- Project map uploaded as a separate file. Project maps cannot be imbedded within another required attachment. Map must be a 1:24,000 scale USGS or DOT planimetric map, or equivalent to such maps.
- If the project is in a floodplain, attach the applicable floodplain map with the location of the project indicated.
 - Any Aquatic Connectivity Restoration project that occurs in the regulatory floodway may require a hydrological and hydraulic (H&H) analysis conducted by a professional engineer demonstrating the proposed project will have 0.00 feet of rise in the base flood elevation when comparing pre- and post-project conditions²³. If the rise cannot be mitigated, a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision (CLOMR) or Letter of Map Revision (LOMR) would be required.
- Landowner agreements (if property not owned by applicant)¹²⁶
- NAACC assessment or picture(s) of proposed site(s) upstream, downstream, inlet and outlet (culverts), structure (dams)

¹²² 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).

¹²³ WQIP Budget Worksheet: <http://www.dec.ny.gov/pubs/4774.html>

¹²⁴ Sexual Harassment Prevention Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

¹²⁵ Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

¹²⁶ 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

- Pictures of successful right-sized culvert project(s) if the applicant has successfully completed right-sized culvert projects in the past 10 years (if applicable)
- All required attachments are due at the time of application through the Consolidated Funding Application

PROJECT SUBTYPES

Description	Maximum award	Required match	Special Requirements
<p>Projects that improve aquatic habitat connectivity at road/stream crossings or dams and may promote flood risk reduction and enhanced flood and climate resiliency.</p>	<p>\$250,000</p>	<p>25% of award amount</p>	<p>Projects must focus on culverts, bridges or dams that are causing the aquatic connectivity obstructions.</p> <p>Applicant must 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 must demonstrate in their application that they have secured funding for the remainder of the project cost to be eligible. Projects should 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 design to increase ecological connectivity and hydraulic capacity; removal or breach of stream barriers such as dams or weirs that limit aquatic connectivity, or directly contribute to flooding, and meet the natural resource management goals for the area.</p>

ELIGIBLE COSTS

- Salary and fringe benefits
- Contractual costs
- Travel
- Equipment/materials

- Planning, design, administrative¹²⁷ 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, and rejuvenation activities¹²⁸
- Culvert replacement projects should be designed, at a minimum, to meet New York State Department of Transportation’s Highway Design Manual Chapter 8 for culverts¹²⁹

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Costs incurred outside the start and end date of the contract (no earlier than May 15, 2023)
- 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, or the associated pre-screening review by DEC, may impact the decision to award a grant.

RESOURCES

- DECinfo Locator¹³⁰ (most up to date source of WI/PWL segment fact sheets): <http://www.dec.ny.gov/pubs/109457.html>
- Guidance for projects to upgrade and replace road stream crossing structures to a larger size and appropriate design to increase ecological connectivity and

¹²⁷ The following are examples of **eligible administrative costs**: Procuring sub-contractors and materials needed to implement the project; contacting municipalities to schedule projects; and reviewing and paying invoices for materials and sub-contractors associated with the project. The following are examples of **ineligible administrative costs**: preparing, completing, submitting the WQIP application for funding; preparing, completing, submitting information and documents needed to get a contract in place; preparing, completing, submitting information for progress reporting, payment requests and contract amendments; preparing, completing and submitting environmental regulatory approvals/permits needed to implement the project

¹²⁸ The terms reconstruction, revitalization, and rejuvenation refer to those activities necessary to reestablish stream channel dimensions, structure, and grade, and to revegetate streambanks in the vicinity of the road/stream crossing or dam.

¹²⁹ New York State Department of Transportation’s [Highway Design Manual \(ny.gov\)](http://www.dec.ny.gov/pubs/109457.html).

¹³⁰ For projects impacting surface water, the applicant must provide the correct WI/PWL segment ID and HUC 12 watershed of the closest waterbody the project will impact. To find the closest WI/PWL segment fact sheet, visit the DECinfo Locator at <https://gisservices.dec.ny.gov/gis/diil/>. In the left column of the map, click “DEC Information Layers”>”Environmental Quality”>”Environmental Monitoring” and check the box for “Waterbody Inventory/Priority Waterbodies List”. In the left column, select “Search” and enter the address or project location. Click 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 description. To access the WI/PWL assessment for that waterbody, click the “Fact Sheet” link in the box.

hydrologic capacity: <http://www.dec.ny.gov/permits/49066.html>.

- Species of Greatest Conservation Need (SGCN): <https://www.dec.ny.gov/animals/7179.html>
- North Atlantic Aquatic Connectivity Project (NAACC): <https://streamcontinuity.org/naacc>
- Maps of Environmental Justice areas in New York State: <http://www.dec.ny.gov/public/911.html>.
- Maps of DAC areas in New York State: <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

CONTACT

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

AQUATIC CONNECTIVITY RESTORATION SCORING CRITERIA

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 30 points to be eligible for funding. Applications that receive 0 points for Barrierity, Project Readiness or Experience and Ability will not be funded.				
Barrierity¹³¹: <i>28 to 0 points possible</i>	28 POINTS: Significant or severe	20 POINTS: Moderate	10 POINTS: Minor	0 POINTS: Insignificant or no barrier Applications that fall into this category will not be funded.	
Species Miles¹³² <i>20 to 0 points possible</i>	20 POINTS: 5 or more	15 POINTS: 3 to 4.9	10 POINTS: 1 to 2.9	5 POINTS: 0.1 to 0.9	0 POINTS: Less than 0.1
Reasonableness of Cost <i>25 to 0 points possible</i>	25 POINTS: Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project	15 POINTS: Cost is good as it applies to both achieving the project objectives and being a fiscally sound project	5 POINTS: Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project	0 POINTS: Cost is not reasonable for this type of project	
Project Readiness <i>7 to 0 points possible</i>	7 POINTS: Project has all necessary permits (or does not need permits) and approvals. The project is ready to move forward with construction	3 POINTS: Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay	0 POINTS: Project has not secured any of the necessary approvals and is not ready to proceed to construction AND/OR Project cost exceeds maximum grant amount and has not secured remaining funding needed Applications that fall into this category will not be funded		

¹³¹ Barrierity: See explanation at the end of this matrix.

¹³² Species Miles: See explanation at the end of this matrix.

Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i>	10 POINTS: Project improves water quality and is within a PEJA or DAC area OR Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.		5 POINTS: Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area	0 POINTS: Project does not improve water quality within a PEJA or DAC area OR Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area OR Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area		
Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i>	10 POINTS: Applicant is a municipality with a DAC population of 81 – 100% ¹³³ . See Attachment A.	8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.	6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.	4 POINTS: Applicant is a municipality with a DAC population of 20 - 40% ¹⁶ .	2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.	0 POINTS: Applicant is not a municipality with a DAC population.
Experience and Ability <i>5 to 0 points possible</i>	5 POINTS: Applicant has shown the ability to complete state-funded aquatic connectivity restoration projects in the past 10 years in a timely manner OR Applicant has successfully completed right-sized culvert projects in the past 10 years (must attach pictures)		3 POINTS: Applicant has shown the ability to complete a state-funded water quality project that was not related to aquatic connectivity restoration in the past 10 years in a timely manner OR Applicant has not been awarded a state grant related to water quality in the past 10 years but appears to have the experience and ability to carry out the project		0 POINTS: Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years OR 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 Applications that fall into this category will not be funded	
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is identified in a Community Asset Management Plan as a project that will promote climate resiliency. AND is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the		2 POINTS: Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding) OR is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is		0 POINTS: Project does not address climate resiliency	

¹³³ See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

	effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)	being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)	
Flood Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is outside a 0.2% or 1% annual chance of occurrence floodplain OR Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.		0 POINTS: Project is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience
Total Maximum Points	115 points		

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) (<https://www.dec.ny.gov/animals/7179.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
No barrier	1.0

MARINE DISTRICT HABITAT RESTORATION

ELIGIBLE APPLICANTS

- Municipalities¹³⁴, including Indian Nations
- Soil and Water Conservation Districts
- Not-for-profit corporations

DESCRIPTION

Projects that improve the ecological condition of the waters within the [marine district](#) with the intent to support a spawning, nursery, wintering, migratory, nesting, breeding, or foraging environment for fish and wildlife, and other biota.

REQUIRED ATTACHMENTS

- Completed WQIP Budget worksheet¹³⁵
- Completed Sexual Harassment Prevention Certification Form¹³⁶
- Completed and signed Executive Order No. 16 Certification Form¹³⁷
- Project map uploaded as a separate file. Project maps cannot be imbedded within another required attachment. Map must be a 1:24,000 scale USGS or DOT planimetric map, or equivalent to such maps. If the project is in a floodplain, attach the applicable floodplain map with the location of the project indicated.
- If the project is in a floodplain, attach the applicable floodplain map with the location of the project indicated.
 - Any Marine District Habitat Restoration project that occurs in the regulatory floodway may require a hydrological and hydraulic (H&H) analysis conducted by a professional engineer demonstrating the proposed project will have 0.00 feet of rise in the base flood elevation when comparing pre- and post-project conditions²³.
- Feasibility study for the project that includes Marine District Habitat Restoration Feasibility Study Outline required elements¹³⁸
- Landowner agreements (if property not owned by applicant)¹³⁹

¹³⁴ For the purposes of Marine District Habitat Restoration projects under this grant opportunity, "Municipality" means a 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 marine district habitat restoration projects, the term municipality shall include the state. (Environmental Conservation Law §56-0101).

¹³⁵ WQIP Budget Worksheet: <http://www.dec.ny.gov/pubs/4774.html>

¹³⁶ Sexual Harassment Prevention Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

¹³⁷ Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

¹³⁸ Marine District Habitat Restoration Feasibility Study Outline: <http://www.dec.ny.gov/pubs/4774.html>

¹³⁹ 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

- Pictures of successful marine district project(s) if the applicant has successfully completed marine district habitat restoration projects in the past 10 years (if applicable)
- All required attachments are due at the time of application through the Consolidated Funding Application.

PROJECT SUBTYPES

Description	Maximum award	Required match	Special Requirements
Projects for habitat restoration within the marine district ¹⁴⁰	\$750,000	25% of award amount	<p>Projects must improve the ecological condition of the waters of the state including ponds, bogs, wetlands, bays, sounds, streams, rivers, or lakes and shorelines with the intent to support a spawning, nursery, wintering, migratory, nesting, breeding, or foraging environment for fish and wildlife, and other biota.</p> <p>Sample projects, include, but are not limited to:</p> <ul style="list-style-type: none"> • Restoration or management of tidal or freshwater wetlands • Creation or restoration of submerged aquatic vegetation • Restoration or enhancement of shellfish and shellfish beds • Removal of tidal restrictions (i.e., berms, culverts) to reconnect formerly functioning wetlands • Fish passage

ELIGIBLE COSTS

- Salary and fringe benefits
- Contractual costs
- Travel
- Equipment
- Construction inspection
- Maintenance
- Reconstruction
- Revitalization
- Rejuvenation activities

¹⁴⁰ New York's Marine District Waters: <https://www.dec.ny.gov/permits/95483.html>

- Planning, design, administrative, monitoring, and construction oversight costs (total may not exceed 20% of award amount)

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Costs incurred outside the start and end date of the contract (no earlier than May 15, 2023)
- Indirect costs (e.g., space property rent, utilities, and other office supplies)
- Legal fees

RESOURCES

- Species of Greatest Conservation Need (SGCN):
<https://www.dec.ny.gov/animals/7179.html>
- Maps of PEJA areas in New York State: <http://www.dec.ny.gov/public/911.html>.
- Maps of DAC areas in New York State:
<https://climate.ny.gov/resources/disadvantaged-communities-criteria/>
- Natural Resource Management Plans
 - NY/NJ Harbor Estuary Program Action Agenda
<https://www.hudsonriver.org/NYNJHEPActionAgenda.pdf>
 - South Shore Estuary Reserve Comprehensive Management Plan (CMP):
<https://dos.ny.gov/system/files/documents/2022/09/2022-sser-cmp.pdf>
 - Peconic Estuary Program CCMP:
<https://www.peconicestuary.org/ccmp2020/>
 - Long Island Sound Study CCMP:
<https://longislandsoundstudy.net/2015/09/2015-comprehensive-conservation-and-management-plan/>

CONTACT

NYS Department of Environmental Conservation, Division of Marine Resources, Bureau of Marine Habitat
Cassandra Bauer, (631) 444-0474

MARINE DISTRICT HABITAT RESTORATION SCORING CRITERIA

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 30 points to be eligible for funding. Applications that receive 0 points for Performance Measures, Project Readiness or Experience and Ability will not be funded.				
Performance Measures <i>30 to 0 points possible</i>	30 POINTS: Addresses three or more habitat restoration priorities or critical habitat identified in a Federal or state management plan. OR Project provides benefit to three or more Species of Greatest Conservation Need (SGCN) or Federal trust species.	24 POINTS: Addresses two habitat restoration priorities or critical habitats identified in a Federal or State management plan. OR Project provides benefit to two or more State SGCN or Federal trust species.	12 POINTS: Addresses more than one goal identified in a Federal or state management plan. OR Project provides direct benefit to any species of management concern to DEC.	6 POINTS: Addresses only one goal identified in a Federal or State management plan.	0 POINTS: Applications that do not meet any of the previous performance measures.
Reasonableness of Cost <i>25 to 0 points possible</i>	25 POINTS: Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project.	13 POINTS: Cost is good as it applies to both achieving the project objectives and being a fiscally sound project.	6 POINTS: Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project.	0 POINTS: Cost is not reasonable for this type of project. OR Proposals where planning, design, administrative, monitoring, and construction oversight costs exceeds 20%. <i>Applications that fall into this category will not be funded</i>	
Vision <i>10 to 0 points possible</i>	10 POINTS: Project will improve water quality as it pertains to two or more goals of the Marine District Habitat Restoration category requirements. OR Project will improve water quality of a waterbody with best use(s) assessed as “impaired” or “precluded” as documented in the Waterbodies Inventory/Priority Waterbodies List (WI/PWL) factsheet.		5 POINTS: Project will improve water quality as it pertains to one goal of the Marine District Habitat Restoration category requirements. OR Project will improve water quality of a waterbody with best use(s) assessed as “stressed” or “threatened” as documented in the WI/PWL factsheet.		0 POINTS: Applications that do not meet any of the previous vision criteria.

<p>Project Readiness <i>12 to 0 points possible</i></p>	<p>12 POINTS: Project has all necessary permits (or does not need permits) and approvals. The project is ready to move forward with construction.</p>		<p>6 POINTS: Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay.</p>		<p>0 POINTS: Project has not secured any of the necessary approvals and is not ready to proceed to construction. <i>Applications that fall into this category will not be funded</i></p>	
<p>Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i></p>	<p>10 POINTS: Project improves water quality and is within a PEJA or DAC area OR Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.</p>		<p>5 POINTS: Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area</p>		<p>0 POINTS: Project does not improve water quality within a PEJA or DAC area OR Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area OR Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area</p>	
<p>Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i></p>	<p>10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%¹⁴¹. See Attachment A.</p>	<p>8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.</p>	<p>6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.</p>	<p>4 POINTS: Applicant is a municipality with a DAC population of 20 - 40%¹⁶.</p>	<p>2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.</p>	<p>0 POINTS: Applicant is not a municipality with a DAC population.</p>

¹⁴¹ See Attachment A for specific information the Department has compiled, and is providing, for applicants to identify the percent of DAC populations within NYS municipalities. Additional information on the population and environmental characteristics of DAC areas can be found here: <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>

<p>Experience and Ability</p> <p><i>8 to 0 points possible</i></p>	<p>8 POINTS:</p> <p>Applicant has shown the ability to complete state-funded marine district habitat restoration projects in the past 10 years in a timely manner.</p> <p>OR</p> <p>Applicant has successfully completed marine district habitat restoration projects in the past 10 years (please attach pictures).</p>	<p>4 POINTS:</p> <p>Applicant has shown the ability to complete a state funded water quality project that was not related to marine district habitat restoration in the past 10 years in a timely manner.</p> <p>OR</p> <p>Applicant has not been awarded a state grant related to water quality in the past 10 years but appears to have the experience and ability to carry out the program.</p>	<p>0 POINTS:</p> <p>Applicant has demonstrated poor management of WQIP contract(s) in the past 10 years.</p> <p>OR</p> <p>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.</p> <p><i>Applications that fall into this category will not be funded</i></p>
<p>Climate Resilience</p> <p><i>5 to 0 points possible</i></p>	<p>5 POINTS:</p> <p>Project is identified in a Community Asset Management Plan as a project that will promote climate resiliency.</p> <p>AND</p> <p>is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>2 POINTS:</p> <p>Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p> <p>OR</p> <p>is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>	<p>0 POINTS:</p> <p>Project does not address climate resiliency</p>
<p>Flood Resilience</p> <p><i>5 to 0 points possible</i></p>	<p>5 POINTS:</p> <p>Project is outside a 0.2% or 1% annual chance of occurrence floodplain</p> <p>OR</p> <p>Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.</p>		<p>0 POINTS:</p> <p>Project is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience</p>
<p>Total Maximum Points</p>	<p>115 points</p>		

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 geographically specific or project specific 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 120 days of a grant award.
- Consider regional distribution in the determination of awards and funding allocations, 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.
- Refuse to fund projects that are determined to be inconsistent with the Climate Leadership and Community Protection Act or its implementing regulations.¹⁴²
- 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.
- Accept Regional Economic Development Council feedback and, if possible/practicable, use this feedback in the review of projects.
- Limit all or some funding for a project in the final scored ranked list if the same activities have been awarded funding by another funding source.

Additional Application Submission Information

Pre-Application Requirements

All applicants must register in the NYS Grants Gateway to be considered eligible to accept this grant opportunity <https://grantsmanagement.ny.gov/>. The applicant name

¹⁴² The Climate Leadership and Community Protection Act is in Chapter 106 of the laws of 2019

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 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/grantee-documents>, download a copy of the Registration Form for Administrators.
- 2.) Complete the form according to the instructions provided. The completed form must be signed and notarized.
- 3.) After the form is received and reviewed, you will be provided with a Username and Password allowing you to access the Grants Gateway.
- 4.) 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. 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, H-1032 Revised, effective July 16, 2014, 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/get-prequalified> 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. Debriefings requested after fifteen calendar days may be denied.

Protest Procedure

DEC does not have a formal protest procedure, therefore an applicant may file an initial protest with OSC's Bureau of Contracts (BOC) after the Department has made a contract award. The protest must be in writing and filed with BOC within ten business days of notice of the contract award or if a debriefing has been requested by the interested party, within five business days of the debriefing (whichever is later). If the interested party is not provided with notice of the contract award, the interested party may file a protest with BOC at any time after the contract award and prior to the Comptroller's final action on the contract.

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.

The protest must be filed with:

Bureau Director
at bidprotests@osc.ny.gov or
Bureau of Contracts
New York State Office of the State Comptroller
110 State Street, 11th Floor
Albany, NY 12236.

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 or upload a signed statement with their application detailing the reasons why the certification cannot be made.

Executive Order 16

Executive Order No. 16 provides that "all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia." The complete text of Executive Order No. 16 can be found at <https://www.governor.ny.gov/executive-order/no-16-prohibiting-state-agencies-and-authorities-contracting-businesses-conducting>. The Executive Order remains in effect while sanctions against Russia imposed by the federal government are

in effect. Accordingly, applicants who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations. As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership. Applicants responding to this solicitation are required to complete and submit the form entitled “Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia”.

All contractors shall complete the Executive Order No. 16 Certification form, and submit with their application. Failure to submit will render your application non-responsive, and no award will be made.

State Environmental Quality Review Act (SEQR) 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.
- If the applicant is a not-for-profit proposing a project on municipal property - a signed Municipal Endorsement. A municipal endorsement provides authorization for the not-for-profit to conduct the proposed project on municipal property. A sample municipal endorsement can be downloaded and viewed in the Pre-submission Upload section in the Grants Gateway.

Quality Assurance

Quality assurance applies to all programs/projects that involve the collection, generation or use of environmental data associated with the mapping, modeling, monitoring, and assessment of water quality data intended for use by the New York State Department of Environmental Conservation (DEC) for its regulatory purposes. This includes the design or use of water quality focused environmental technology. Guidance and resources for DEC’s quality assurance can be found on DEC’s quality assurance webpage at <https://www.dec.ny.gov/chemical/23850.html>. Activities associated with these types of programs/projects, conducted in the field or laboratory, shall be:

1. 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. An effective Quality System 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 American National Standard ASQ/ANSI E4:2014: Quality management systems for environmental information and technology programs—Requirements with guidance for use, approved February 4, 2014.
2. The fulfillment of the data verification, validation, and usability component of QAPP is to be documented in a Data Usability Assessment Report (DUAR).
3. 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 where NYS DOH ELAP has not issued a certificate for the specific parameter.
4. Performed in a manner that ensures all requisite quality control and calibration requirements are met, including field testing, sample collection, preservation, and record-keeping. Basic quality assurance and quality control requirements defined in 40 CFR Part 136.7 shall be followed as well as any specific method requirements.
5. Required to submit environmental monitoring data electronically to US EPA Water Quality Exchange (WQX) following the guidance as set by US EPA's WQX Submission Instructions.
6. Covered under the Publicity clause (article IV.G.) of the Master Contract for Grants – Standard Terms and Conditions. Specifically, the Contractor agrees that any work products, including but not limited to, water quality data or environmental information; measured, generated, or developed under this contract shall not be released, published, cited, or shared in draft or final form without prior written authorization from the Department.
7. At a minimum, performed in accordance with water quality standards in 6 NYCRR Part 703 and/or guidance values in Technical and Operational Guidance Series (TOGS) 1.1.1. Projects designed to assess water quality or inform regulatory decisions must measure parameters with applicable water quality standards and/or guidance values.

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://dos.ny.gov/coastal-consistency-review>. 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://dos.ny.gov/coastal-consistency-review>.

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 to the Contractor, including Contractors that are municipalities, for project start-up funding¹⁴³. Contractors must provide justification of the need for the advance payment.

For Land Acquisition Projects for Source Water Protection, awardees may request advance payment of transactional and purchase costs.

- Transactional advance: To provide funds needed to complete land acquisition research (for programs) and documents prior to closing.
- Purchase advance: To provide funds needed to purchase a parcel or easement including associated personal and legal services.

No reimbursement payments under the MCG will be made by the Department to the Contractor until 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

¹⁴³ 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.

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 with 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 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 five to thirty 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 Land Acquisition for Source Water Protection projects) will need to fall between May 15, 2023 and May 14, 2028. Applicants should not apply if they do not expect their project to be complete by May 14, 2028.

For Land Acquisition for Source Water Protection projects, the initial contract term will need to fall between August 1, 2022 and July 31, 2027.

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 are expected to execute a MCG within 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 (if applicable)
- 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.

MCG Requirements

Applicants (referred to as “Contractor” following award of Grant Contract) should be prepared to comply with the following MCG requirements:

1. Insurance Requirements

Contractor will be required to carry appropriate insurance as specified in the MCG or Letter of Agreement (for awards less than \$10,0000, 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.

2. 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.

3. 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 of all awardees, are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. Landowners selling property or a conservation easement to an applicant in the Land Acquisition category are also considered sub-contractors and are subject to vendor responsibility requirements. 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/searchcertifieddirectory.asp>
- MWBE reporting for Department of Environmental Conservation contracts must now be completed using the New York State Contract System (NYSCS). <https://ny.newnycontracts.com/>.
- For purposes of this procurement, the Department hereby establishes an overall goal of up to **30%** for Minority and Women-Owned Business Enterprises (“MWBE”) participation, (based on the current availability of qualified MBEs and WBEs).
- All contracts of \$25,000 or more will be assessed for MWBE goals. Contracts which meet the established MWBE-EEO thresholds require the Contractor to submit the Utilization Plan prior to the execution of the contract and Monthly Compliance Audits in the NYSCS after the contract is executed. To submit the required MWBE Utilization Plan, log-in to NYSCS and access the Utilization Plans section displayed on the user dashboard. Plans requiring action will be displayed in red.
- All contractors shall complete an Equal Employment Opportunity (EEO) Policy Statement and Staffing Plan form and submit it prior to the execution of the contract. These EEO forms are to be uploaded to the Grants Gateway in the grantee document folder.

- For more information regarding MWBE compliance and reporting guidelines, and to download required forms, please visit <https://www.dec.ny.gov/about/61016.html#MWBE>.
 - The following MWBE “Fair Share” goals are established as follows:
 - **Minority and Women Owned Business Enterprise (MWBE)**
 - Overall Participation Goals:**
 - Construction/Engineering – up to 30%
 - Commodities – up to 30%
 - Services/Technologies –up to 30%

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
 Mwbe@dec.ny.gov
 Phone: (518) 402-9240
 Fax: (518) 402-9023

Participation Opportunities for New York State Certified Service-Disabled Veteran Owned Businesses

The Department is required to implement the provisions of New York State Veteran’s Law Article 3. The contractor must make Good Faith Efforts to subcontract a goal of 6% of the contract amount to New York State Certified Service-Disabled Veteran-Owned Businesses (SDVOBs), for purposes of providing meaningful participation by SDVOBs.

The contractor is required to complete and submit a SDVOB Utilization Plan detailing how the contractor intends to meet the SDVOB goal. In addition, the contractor must complete and submit quarterly compliance reports detailing the amount spent on SDVOBs in the previous quarter. Please upload all required forms to the Grants Gateway. In addition, all forms and guidance can be located at; [Division of Service-Disabled Veterans' Business Development Compliance and Reporting | Office of General Services \(ny.gov\)](#). Please contact the Department’s SDVOB compliance staff with any questions at:

DEC SDVOB Compliance Unit
 NYS Department of Environmental Conservation
 Bureau of Contract and Grant Development/SDVOB Program
 625 Broadway, 10th Floor
 Albany, New York 12233-5028
SDVOB@dec.ny.gov
 Phone: (518) 402-9240

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>.

Diesel Emissions Reduction Act 2006

In 2007, New York State passed legislation establishing the Diesel Emissions Reduction Act 2006 (DERA). This Act amended the Environmental Conservation Law (ECL) by adding Section 19-0323 which requires the use of best available retrofit technology (BART) and ultra-low sulfur diesel fuel (ULSD) for heavy duty vehicles owned or operated by, including on behalf of, state agencies and state or regional public authorities. The Department has promulgated regulations (6 NYCRR Part 248) to provide guidance on provisions of the law. The regulations may be found on the Department's website at <http://www.dec.ny.gov/regs/2492.html>.

If applicable, the contractor must comply with the specifications and provisions of ECL Section 19-0323 and 6 NYCRR Part 248, which require the use of BART and ULSD, unless specifically waived by the Department. Qualifications for a waiver under this law are the responsibility of the Contractor.

Attachment A: List of Municipalities that Contain Disadvantaged Community Populations

This list of municipalities was created specifically for use with Climate Smart Communities grant programs. Population data is drawn from the 2010 Census data to align with the Climate Justice Working Group final criteria. Town population is town-outside-village. Final percentages have been rounded following the standard rounding rule, up if over 0.5 and down if under 0.5.

Municipality	Type	County	DAC Percentage
Alabama	Town	Genesee	100%
Albany	County	Albany	26%
Albany	City	Albany	52%
Albion	Town	Orleans	45%
Albion	Village	Orleans	100%
Allegany	County	Allegany	16%
Amenia	Town	Dutchess	100%
Amity	Town	Allegany	48%
Amsterdam	City	Montgomery	85%
Angelica	Town	Allegany	8%
Angelica	Village	Allegany	1%
Arcadia	Town	Wayne	5%
Ashford	Town	Cattaraugus	1%
Athens	Town	Greene	59%
Athens	Village	Greene	100%
Auburn	City	Cayuga	66%
AuSable	Town	Clinton	69%
Babylon	Town	Suffolk	24%
Baldwinsville	Village	Onondaga	38%
Barker	Village	Niagara	100%
Barre	Town	Orleans	100%
Barton	Town	Tioga	1%

Batavia	City	Genesee	31%
Bath	Town	Steuben	47%
Bath	Village	Steuben	100%
Beacon	City	Dutchess	73%
Beekman	Town	Dutchess	14%
Belmont	Village	Allegany	100%
Benton	Town	Yates	11%
Bethel	Town	Sullivan	44%
Bethlehem	Town	Albany	8%
Binghamton	City	Broome	76%
Bombay	Town	Franklin	100%
Brighton	Town	Monroe	19%
Brockport	Village	Monroe	53%
Brocton	Village	Chautauqua	100%
Brookhaven	Town	Suffolk	12%
Broome	County	Broome	32%
Buchanan	Village	Westchester	100%
Buffalo	City	Erie	71%
Butler	Town	Wayne	85%
Canastota	Village	Madison	99%
Carlton	Town	Orleans	28%
Catskill	Town	Greene	30%
Catskill	Village	Greene	100%
Cattaraugus	County	Cattaraugus	18%
Cayuga	County	Cayuga	28%
Chautauqua	County	Chautauqua	29%
Cheektowaga	Town	Erie	18%
Chemung	County	Chemung	28%

Chenango	County	Chenango	6%
Chester	Town	Orange	10%
Chester	Village	Orange	98%
Chili	Town	Monroe	16%
Clarkstown	Town	Rockland	17%
Clarksville	Town	Allegany	50%
Clifton Springs	Village	Ontario	78%
Clinton	County	Clinton	10%
Clyde	Village	Wayne	100%
Cohoes	City	Albany	60%
Collins	Town	Erie	11%
Colonie	Town	Albany	1%
Columbia	County	Columbia	17%
Conquest	Town	Cayuga	100%
Corfu	Village	Genesee	100%
Cortland	City	Cortland	62%
Cortland	County	Cortland	24%
Cortlandt	Town	Westchester	31%
Coxsackie	Town	Greene	2%
Coxsackie	Village	Greene	99%
Cuba	Town	Allegany	38%
Cuba	Village	Allegany	100%
Deerpark	Town	Orange	100%
Delaware	County	Delaware	12%
DeWitt	Town	Onondaga	29%
Dickinson	Town	Broome	69%
Dover	Town	Dutchess	44%
Dresden	Village	Yates	100%

Dundee	Village	Yates	100%
Dunkirk	City	Chautauqua	100%
Dunkirk	Town	Chautauqua	100%
Dutchess	County	Dutchess	45%
East Fishkill	Town	Dutchess	17%
East Syracuse	Village	Onondaga	100%
Elbridge	Town	Onondaga	59%
Elbridge	Village	Onondaga	100%
Ellenville	Village	Ulster	99%
Ellicottville	Town	Cattaraugus	11%
Elmira	City	Chemung	64%
Elmira	Town	Chemung	1%
Elmira Heights	Village	Chemung	48%
Elmsford	Village	Westchester	83%
Endicott	Village	Broome	68%
Enfield	Town	Tompkins	3%
Erie	County	Erie	25%
Esopus	Town	Ulster	38%
Fallsburg	Town	Sullivan	93%
Farmersville	Town	Cattaraugus	37%
Fenner	Town	Madison	99%
Fishkill	Town	Dutchess	60%
Fishkill	Village	Dutchess	100%
Fonda	Village	Montgomery	100%
Fort Covington	Town	Franklin	100%
Fort Plain	Village	Montgomery	100%
Franklin	County	Franklin	16%
Franklinville	Town	Cattaraugus	37%

Franklinville	Village	Cattaraugus	100%
Freeport	Village	Nassau	72%
Friendship	Town	Allegany	88%
Fulton	City	Oswego	75%
Fulton	County	Fulton	19%
Fultonville	Village	Montgomery	100%
Gaines	Town	Orleans	59%
Galen	Town	Wayne	51%
Gates	Town	Monroe	51%
Geddes	Town	Onondaga	18%
Genesee	County	Genesee	19%
Geneva	City	Ontario	34%
German Flatts	Town	Herkimer	1%
Glen	Town	Montgomery	69%
Glen Cove	City	Nassau	49%
Glens Falls	City	Warren	30%
Gloversville	City	Fulton	43%
Goshen	Town	Orange	53%
Goshen	Village	Orange	53%
Granby	Town	Oswego	100%
Great Valley	Town	Cattaraugus	10%
Greece	Town	Monroe	18%
Greene	County	Greene	30%
Green Island	Village	Albany	100%
Greenport	Town	Columbia	100%
Greenport	Village	Suffolk	100%
Hamlin	Town	Monroe	47%
Hammond	Town	St. Lawrence	76%

Hammond	Village	St. Lawrence	100%
Hanover	Town	Chautauqua	28%
Harriman	Village	Orange	100%
Harrison	Village	Westchester	13%
Haverstraw	Town	Rockland	19%
Haverstraw	Village	Rockland	100%
Hempstead	Town	Nassau	10%
Hempstead	Village	Nassau	90%
Henrietta	Town	Monroe	12%
Herkimer	County	Herkimer	13%
Herkimer	Village	Herkimer	26%
Heuvelton	Village	St. Lawrence	100%
Highland Falls	Village	Orange	30%
Highlands	Town	Orange	15%
Hillburn	Village	Rockland	100%
Holley	Village	Orleans	60%
Horseheads	Town	Chemung	9%
Horseheads	Village	Chemung	44%
Hudson	City	Columbia	100%
Hudson Falls	Village	Washington	66%
Humphrey	Town	Cattaraugus	8%
Huntington	Town	Suffolk	4%
Hyde Park	Town	Dutchess	84%
Ilion	Village	Herkimer	42%
Irondequoit	Town	Monroe	17%
Islandia	Village	Suffolk	100%
Islip	Town	Suffolk	20%
Ithaca	City	Tompkins	19%

Ithaca	Town	Tompkins	4%
Jamestown	City	Chautauqua	45%
Jefferson	County	Jefferson	13%
Johnson City	Village	Broome	36%
Johnstown	City	Fulton	46%
Jordan	Village	Onondaga	100%
Kingston	City	Ulster	65%
Kingston	Town	Ulster	100%
Kirkwood	Town	Broome	100%
Lackawanna	City	Erie	51%
Lenox	Town	Madison	9%
Liberty	Town	Sullivan	37%
Liberty	Village	Sullivan	100%
Lincoln	Town	Madison	100%
Livingston	County	Livingston	5%
Lloyd	Town	Ulster	100%
Lockport	City	Niagara	56%
Lockport	Town	Niagara	36%
Long Beach	City	Nassau	19%
Lyndon	Town	Cattaraugus	10%
Lyndonville	Village	Orleans	100%
Machias	Town	Cattaraugus	22%
Madison	County	Madison	26%
Mamaroneck	Village	Westchester	51%
Manchester	Town	Ontario	49%
Manchester	Village	Ontario	100%
Marlborough	Town	Ulster	45%
Massena	Town	St. Lawrence	18%

Massena	Village	St. Lawrence	62%
Maybrook	Village	Orange	100%
Medina	Village	Orleans	43%
Menands	Village	Albany	100%
Mentz	Town	Cayuga	46%
Middleport	Village	Niagara	100%
Middletown	City	Orange	88%
Milo	Town	Yates	13%
Minden	Town	Montgomery	46%
Minisink	Town	Orange	86%
Mohawk	Town	Montgomery	79%
Mohawk	Village	Herkimer	100%
Monroe	County	Monroe	32%
Monroe	Town	Orange	4%
Monroe	Village	Orange	14%
Montgomery	County	Montgomery	68%
Montgomery	Town	Orange	39%
Montgomery	Village	Orange	100%
Monticello	Village	Sullivan	100%
Mount Kisco	Village	Westchester	41%
Mount Morris	Village	Livingston	100%
Mount Pleasant	Town	Westchester	5%
Mount Vernon	City	Westchester	89%
Munnsville	Village	Madison	100%
Murray	Town	Orleans	58%
Nassau	County	Nassau	17%
Nelliston	Village	Montgomery	100%
Newark	Village	Wayne	99%

Newburgh	City	Orange	100%
Newburgh	Town	Orange	85%
Newfane	Town	Niagara	30%
Newfield	Town	Tompkins	2%
New Paltz	Town	Ulster	20%
New Paltz	Village	Ulster	100%
New Rochelle	City	Westchester	71%
New Windsor	Town	Orange	100%
New York	City	Multiple	49%
Niagara	County	Niagara	43%
Niagara	Town	Niagara	100%
Niagara Falls	City	Niagara	84%
North Hempstead	Town	Nassau	6%
North Tonawanda	City	Niagara	31%
Norwich	City	Chenango	43%
Nyack	Village	Rockland	100%
Ogdensburg	City	St. Lawrence	100%
Olean	City	Cattaraugus	25%
Oneida	City	Madison	55%
Oneida	County	Oneida	24%
Oneonta	City	Otsego	22%
Onondaga	County	Onondaga	31%
Onondaga	Town	Onondaga	10%
Ontario	County	Ontario	13%
Orange	County	Orange	52%
Orleans	County	Orleans	62%
Ossining	Village	Westchester	85%
Oswegatchie	Town	St. Lawrence	84%

Oswego	City	Oswego	100%
Oswego	County	Oswego	30%
Otsego	County	Otsego	5%
Owego	Village	Tioga	100%
Oyster Bay	Town	Nassau	2%
Palatine	Town	Montgomery	59%
Palatine Bridge	Village	Montgomery	100%
Patchogue	Village	Suffolk	100%
Peekskill	City	Westchester	100%
Pembroke	Town	Genesee	83%
Penfield	Town	Monroe	4%
Plattekill	Town	Ulster	52%
Plattsburgh	City	Clinton	16%
Plattsburgh	Town	Clinton	18%
Pomfret	Town	Chautauqua	22%
Port Byron	Village	Cayuga	100%
Port Chester	Village	Westchester	61%
Port Dickinson	Village	Broome	100%
Porter	Town	Niagara	58%
Port Jervis	City	Orange	100%
Portland	Town	Chautauqua	69%
Poughkeepsie	City	Dutchess	89%
Poughkeepsie	Town	Dutchess	64%
Pulaski	Village	Oswego	100%
Red Creek	Village	Wayne	100%
Red Hook	Town	Dutchess	17%
Rensselaer	City	Rensselaer	100%
Rensselaer	County	Rensselaer	28%

Riverhead	Town	Suffolk	56%
Rochester	City	Monroe	83%
Rockland	County	Rockland	28%
Rockville Centre	Village	Nassau	22%
Rome	City	Oneida	41%
Root	Town	Montgomery	100%
Rose	Town	Wayne	100%
Rosendale	Town	Ulster	48%
Rossie	Town	St. Lawrence	100%
Rotterdam	Town	Schenectady	10%
Salamanca	City	Cattaraugus	94%
Salina	Town	Onondaga	35%
Saugerties	Town	Ulster	30%
Saugerties	Village	Ulster	100%
Savannah	Town	Wayne	100%
Savona	Village	Steuben	100%
Schenectady	City	Schenectady	67%
Schenectady	County	Schenectady	30%
Scio	Town	Allegany	13%
Seneca	County	Seneca	26%
Seneca Falls	Town	Seneca	26%
Shelby	Town	Orleans	51%
Shortsville	Village	Ontario	100%
Sidney	Town	Delaware	32%
Sidney	Village	Delaware	100%
Sleepy Hollow	Village	Westchester	69%
Smithfield	Town	Madison	100%
Sodus	Town	Wayne	68%

Sodus	Village	Wayne	100%
Sodus Point	Village	Wayne	100%
Solvay	Village	Onondaga	39%
Somerset	Town	Niagara	80%
Southampton	Town	Suffolk	22%
South Nyack	Village	Rockland	100%
Spring Valley	Village	Rockland	79%
Starkey	Town	Yates	52%
Steuben	County	Steuben	13%
St. Johnsville	Town	Montgomery	34%
St. Johnsville	Village	Montgomery	100%
St. Lawrence	County	St. Lawrence	24%
Stockbridge	Town	Madison	77%
Stony Point	Town	Rockland	30%
Suffern	Village	Rockland	29%
Suffolk	County	Suffolk	16%
Sullivan	County	Sullivan	45%
Syracuse	City	Onondaga	74%
Tarrytown	Village	Westchester	44%
Thompson	Town	Sullivan	34%
Tioga	County	Tioga	16%
Tivoli	Village	Dutchess	100%
Tompkins	County	Tompkins	6%
Tonawanda	City	Erie	15%
Tonawanda	Town	Erie	7%
Torrey	Town	Yates	67%
Troy	City	Rensselaer	70%
Ulster	Town	Ulster	100%

Ulster	County	Ulster	47%
Union	Town	Broome	5%
Unionville	Village	Orange	100%
Utica	City	Oneida	67%
Valley Stream	Village	Nassau	47%
Van Buren	Town	Onondaga	2%
Walden	Village	Orange	100%
Wallkill	Town	Orange	69%
Wappinger	Town	Dutchess	30%
Wappingers Falls	Village	Dutchess	100%
Warren	County	Warren	7%
Washington	County	Washington	8%
Watertown	City	Jefferson	57%
Watervliet	City	Albany	100%
Waverly	Village	Tioga	95%
Wawarsing	Town	Ulster	55%
Wawayanda	Town	Orange	63%
Wayne	County	Wayne	39%
Westbury	Village	Nassau	29%
Westchester	County	Westchester	44%
Westhampton Beach	Village	Suffolk	100%
West Haverstraw	Village	Rockland	100%
West Seneca	Town	Erie	16%
Westville	Town	Franklin	100%
White Plains	City	Westchester	57%
Wirt	Town	Allegany	16%
Wolcott	Town	Wayne	57%
Wolcott	Village	Wayne	100%

Woodridge	Village	Sullivan	100%
Yates	Town	Orleans	67%
Yates	County	Yates	23%
Yonkers	City	Westchester	79%