



Department of
Environmental
Conservation

Water Quality Improvement Project (WQIP)

2024 PROGRAM OVERVIEW

FUNDING AVAILABLE: AT LEAST \$75 MILLION

Kathy Hochul, Governor | Sean Mahar, Interim Commissioner

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 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 Best Management Practice Detail Form (projects only) 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 Comprehensive Mapping Worksheet Catch basin clean-out plan and procedures Sexual Harassment Prevention Certification Form Executive Order 16 Form
Land Acquisition for Source Water Protection	\$5,000,000	25% of award amount	Municipalities Soil and Water Conservation Districts	Budget worksheet Monitoring and enforcement protocol Project map Floodplain map

¹ The applicant's name must exactly match the name of the eligible entity registered in the NYS Statewide Financial System Grants Management System. It may not be the name of an individual.

Project Type	Maximum Award	Required Match	Eligible Applicants¹	Required Attachments
			Not-for-profit corporations	Fiscal reports (programs only) Sexual Harassment Prevention Certification Form Executive Order 16 Form
Salt Storage and Road Salt Reduction	\$250,000 to \$600,000 depending on project subtype	25% of award amount	Municipalities Soil and Water Conservation Districts	Budget worksheet Project map Floodplain map Sexual Harassment Prevention Certification Form Executive Order 16 Form Public highway lane and water resource map (Salt Reduction Practices only)
Dam Safety Repair/ Rehabilitation and Dam Removal	\$1,000,000 to \$2,500,000 depending on project subtype	25% of award amount	Municipalities Not-for-profit corporations	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	\$1,000,000	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
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
Fish and Wildlife	\$1,000,000	25% of award amount	Municipalities	Budget worksheet

Project Type	Maximum Award	Required Match	Eligible Applicants ¹	Required Attachments
Habitat Restoration and Enhancement			Soil and Water Conservation Districts Not-for-profit corporations	Landowner agreements as applicable Project map Floodplain map Sexual Harassment Prevention Certification Form Feasibility Study Executive Order 16 Form

FLOOD RESILIENCY REQUIREMENTS FOR ALL PROJECT TYPES

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 Programs, including Nonpoint Source Road Ditch Stabilization program, Septic Tank Pumpout program or Rain Garden/Rain Barrel Programs
- Land Acquisition Programs

Eligibility Requirements: If the project is wholly or partially 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. Floodplain maps cannot be imbedded within another required attachment.

If a floodplain map is not provided with the application or does not clearly depict the project location in relation to the floodplain or if not enough information is provided in the application to determine that the work proposed is occurring outside of the floodplain, DEC reserves the right to deem the application ineligible. 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 Federal Emergency Management Agency (FEMA) National Flood Insurance Program Special Flood Hazard Area process requirements, where applicable (<https://dec.ny.gov/environmental-protection/water/water-quantity/dam-safety-coastal-flood-protection/floodplain-managementhttps://www.dec.ny.gov/lands/24267.html>).

² Floodplain map resources: <https://www.fema.gov/flood-maps>

Guidance and information for meeting this requirement is on DEC's WQIP webpage: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

CLIMATE RESILIENCY CRITERIA

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

To qualify for climate resilience points, the project must be: within or serving a certified silver or bronze Climate Smart Community or a community that has completed specific actions identified for the project type being applied; or for wastewater treatment improvement projects, the project may receive points if it includes assets identified in an asset management program for Publicly Owned Treatment Works that was developed in accordance with DEC's Asset Management Guide.³

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 or habitat 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 upstream⁴ of a PEJA or DAC, or projects that protect PEJA or DAC that are within a dam failure inundation area, will receive "PEJA and DAC Benefits" points in the evaluation of an application where indicated. Additionally, 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.

Maps of PEJA and DAC areas in New York State are available at: <https://dec.ny.gov/get-involved/environmental-justice/gis-tools> and <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>, respectively.

³ Asset Management Resources: <https://dec.ny.gov/environmental-protection/water/water-quality/wastewater-treatment-resources>.

⁴ Upstream is defined as in the opposite direction from that in which a waterbody flows.

To qualify for “PEJA 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 or habitat 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.

INELIGIBLE PROJECTS/APPLICATIONS

Applications are ineligible that:

- Do not improve water quality, habitat, mitigate flooding risk, protect a drinking water source, or improve safety of a dam⁵;
- 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 NYS Statewide Financial System Grants Management System 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 40 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 13, 2024, 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.
- 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

⁵ As defined in the scoring criteria for each project type.

projects other than those located within the Long Island Sound and Lake Champlain watersheds and funded using federal allocations.^{6,7}

- 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 or Lake Champlain watersheds.

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

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

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

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

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

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

⁶ Long Island Sound watershed map:

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

⁷ Lake Champlain Watershed map:

<https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=06f793fcd76540e49f0f48c0123d309b>

WASTEWATER TREATMENT IMPROVEMENT

ELIGIBLE APPLICANTS

- Municipalities,⁸ 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 requires engineering reports follow the Engineering Report Outline for New York State Wastewater Infrastructure Projects (see resources list below) and is recommended that the report be approved by DEC/accepted by EFC prior to application submission.
- 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 wholly or partially in a floodplain, attach the applicable floodplain map with the location of the project indicated. Floodplain maps cannot be imbedded within another required attachment. Refer to the [Flood Resiliency Requirements](#) of this RFA.
- Completed WQIP budget worksheet¹⁰
- Completed and signed Sexual Harassment Prevention Certification Form¹¹
- Completed and signed Executive Order No. 16 Certification Form¹²
- All required attachments are due at the time of application through the Consolidated Funding Application.

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: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹¹ Sexual Harassment Prevention Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹² Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

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 and the general wastewater category scoring 70 or above before awarding additional primary, secondary, and tertiary priority and general 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 and watershed plan implementation of phosphorus reduction 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., TMDL, Nine Element Watershed plan, DEC Action Agenda or DEC HABs Action Plan) phosphorus requirements.	\$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, DEC Action Agenda or DEC HABs Action Plan).

Project Subtype	Description	Maximum Award	Required Match	Special Requirements
Secondary Priorities				
Watershed Plan Implementation	Projects to upgrade municipal systems to meet a DEC-approved watershed implementation plan's (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).
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.
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 a DEC-approved watershed implementation plan (i.e., TMDL, Nine

Project Subtype	Description	Maximum Award	Required Match	Special Requirements
				<p>Element Watershed Plan or HABs Action Plan) or the need for the project must be documented in a completed sanitary survey documenting failing septic systems or a final Drinking Water Source Protection Plan.</p> <p>If awarded, a sewer district must be formed within 2 years of date of award. No funding will be disbursed until sewer district is formed.</p>
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

- Salary and fringe benefits
- Contractual costs (construction, equipment, supplies/materials)
- Equipment
- Construction inspection (on-site activities typically performed by a licensed professional engineer, e.g., inspection of methods and materials). Total may not exceed 10% of award amount.
- Administrative costs directly related to implementing the project¹³

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Planning, design, specification, and engineering costs
- Construction oversight (e.g., resident inspection, monitoring the schedule and budget, contract performance and quality control)
- Contingency costs cannot be a reimbursable item in the WQIP budget
- Non-construction costs incurred during the construction phase
- Indirect costs (e.g., travel, space/property rent, utilities, office supplies)

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.

- 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
- Costs incurred outside the start and end date of the contract (no earlier than May 13, 2024)
- **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

- Engineering Report Outline for New York State Wastewater Infrastructure Projects: <https://efc.ny.gov/system/files/documents/2023/10/ero-ffy2024.pdf>
- DECinfo Locator¹⁵ (most up to date source of WI/PWL segment fact sheets): <https://dec.ny.gov/maps/interactivemaps/decinfo-locator>
- New York State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act: <https://dec.ny.gov/environmental-protection/climate-change/new-york-response/crra#Implementation>
- HUC 12 watersheds map: <https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>
- Maps of PEJA areas in New York State: <https://dec.ny.gov/get-involved/environmental-justice/gis-tools>.
- 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
- Danyel King, (518) 402-8257

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.

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://giservices.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		Up to 115 points are available, as defined below. Applications must receive a minimum of 40 points to be eligible for funding. Applications that receive 0 points for Project Readiness or Experience and Ability will not be funded.	
Performance Measures			
40 to 5 points possible			
Wastewater Effluent Disinfection	40 POINTS: 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.	Wastewater Effluent Disinfection projects that do not meet the 40 points will be scored as a General Wastewater Project. See criteria below.	
Watershed Plan Implementation for Phosphorus Reduction	40 POINTS: Wastewater treatment projects that are designed to meet phosphorus 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 specifically reduce phosphorus discharge identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, DEC HABs Action Plan or DEC Action Agenda).	30 POINTS: Watershed plan implementation projects that specifically reduce phosphorus discharge identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, DEC HABs Action Plan or DEC Action Agenda).	Watershed Implementation Plan for Phosphorus Reduction projects that do not meet at least 30 points will be scored as a General Wastewater Project. See criteria below.

Watershed Plan Implementation		<p>30 POINTS:</p> <p>Wastewater treatment projects that are designed to meet nutrient 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</p> <p>are watershed implementation plan projects that specifically reduce nutrient discharge other than phosphorus identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, DEC HABs Action Plan or DEC Action Agenda).</p>	<p>20 POINTS:</p> <p>Watershed plan implementation projects that specifically reduce nutrient discharge other than phosphorus identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, DEC HABs Action Plan or DEC Action Agenda).</p>	<p><i>Watershed Implementation Plan projects that do not meet at least 20 points will be scored as a General Wastewater Project. See criteria below.</i></p>
Combined Sewer Overflow (CSO)		<p>30 POINTS:</p> <p>CSO projects specifically identified under an approved Long Term Control Plan (LTCP).</p>	<p>20 POINTS:</p> <p>CSO projects that are identified as a CSO overflow reduction project in a permit or Order on Consent or projects that are not specifically identified in a LTCP but are being implemented with the identified objective of reducing CSOs in a receiving collection system to meet a permit or Order on Consent.</p>	<p><i>CSO projects that do not meet at least 20 points will be scored as a General Wastewater Project. See criteria below.</i></p>
Sanitary Sewer Overflow (SSO)		<p>30 POINTS:</p> <p>SSO 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</p>	<p>20 POINTS:</p> <p>SSO projects that would contribute to overflow reductions identified in a DEC-approved CMOM program, a DEC-approved SSES plan, or a DEC-approved CAP.</p>	<p><i>SSO projects that do not meet at least 20 points will be scored as a General Wastewater Project. See criteria below.</i></p>

		<p>facility's SPDES permit</p> <p>AND</p> <p>are specifically listed 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>		
Municipal Systems to Serve Multiple Properties with Inadequate On-site Septic Systems			<p>20 POINTS:</p> <p>Municipal systems to serve multiple properties with inadequate on-site septic systems that 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>OR</p> <p>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)</p> <p>OR</p> <p>have a completed sanitary survey¹⁶</p> <p>OR</p> <p>Municipal systems to serve multiple</p>	<p><i>Municipal Systems to Serve Multiple Properties with Inadequate On-site Septic Systems projects that do not meet at least 20 points will be scored as a General Wastewater Project. See criteria below.</i></p>

¹⁶ A sanitary survey must be prepared by a licensed engineer, document the existing condition of the septic systems in a measurable way, and include any recent information available on the direct impact the failing systems have on nearby waterbodies or drinking water sources. An example includes fecal coliform sampling of nearby water wells or waterbody(ies).

			properties with inadequate on-site septic systems where at least 50% of the project area is within the critical area identified in a DEC/DOH reviewed and accepted Drinking Water Source Protection Program (DWSP2) Plan and replacing onsite septic systems is identified as a priority implementation action.	
Wastewater Treatment Facility Nitrogen Abatement for Shellfishing Waters			20 POINTS: Projects to reduce and/or eliminate nitrogen impairments in shellfishing waters.	<i>Wastewater Treatment Facility Nitrogen Abatement for Shellfishing Waters projects that do not meet at least 20 points will be scored as a General Wastewater Project.</i>
General Wastewater Treatment Projects				<div> 10 POINTS: Projects that are in a schedule of compliance for an Order on Consent or SPDES permit but are not a WQIP high priority project OR Projects that will reduce CSOs but do not meet the CSO priority project performance measures OR Projects that will reduce SSOs but are not specifically listed in the applicable DEC-approved CMOM program, a DEC-approved SSES plan, DEC-approved CAP, or </div> <div> 5 POINTS: All other projects that are necessary to preserve or protect a surface waterbody. </div>

				<p>listed in an Order on Consent.</p> <p>OR</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 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>	
Classification Points Factor <i>5 to 2 points possible</i>	5 POINTS: AA, A, A-special, AA-special, AA (T), 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	
Potential Environmental Justice Area (PEJA) 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) ¹⁷ (includes financial hardship) <i>10 to 0 points possible</i> See Attachment A.	10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%.	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%	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 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 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. <i>Applications that fall into this category will not be funded.</i>	

¹⁷ 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>

Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project includes assets identified in the capital improvement plan of a final POTW asset management program that was developed in accordance with DEC's POTW Asset Management Guide. OR Project is located in or serving a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE3: Energy Benchmarking; PE7: Climate Vulnerability Assessment; PE7: Watershed-based Flood Mitigation Plan; PE10: Greenhouse Gas Tracking System. ¹⁸	0 POINTS: Project is not identified in a POTW capital improvement plan. OR Project is not located in or serving a bronze or silver certified Climate Smart Community. OR municipality has not completed any of the identified Climate Smart Community actions.
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		

NON-AGRICULTURAL NONPOINT SOURCE ABATEMENT AND CONTROL

ELIGIBLE APPLICANTS

- Municipalities,¹⁹ 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 programs²⁰ 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.

¹⁸ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>.

¹⁹ 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)

²⁰ 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.

REQUIREMENTS FOR ALL NONPOINT SOURCE APPLICATIONS:

Required Attachments:

- Completed WQIP budget worksheet²¹
- Completed and signed Sexual Harassment Prevention Certification Form²²
- Completed and signed Executive Order No. 16 Certification Form²³
- 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
- Best Management Practice Form²⁴ (except for Nonpoint Source Programs)
- If the project is wholly or partially 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). Floodplain maps cannot be imbedded within another required attachment. Refer to the [Flood Resiliency Requirements](#) of this RFA.
- Any Streambank/Shoreline Stabilization, 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 conditions.²⁵ 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.
- See special requirements column in below table for additional 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.

²¹ WQIP Budget Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

²² Sexual Harassment Prevention Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

²³ Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>²⁴ Best Management Practice Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

²⁴ Best Management Practice Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

²⁵ Floodplain Development and Floodway Guidance: <https://dec.ny.gov/environmental-protection/water/water-quantity/dam-safety-coastal-flood-protection/floodplain-management>

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>Additional required attachments:</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 Projects.²⁶ Best Management Practice Detail Form²⁷
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	<p>\$2,000,000/ \$10,000,000*</p> <p>*Only projects in communities serving populations over 3,000,000 are eligible for funding up to \$10,000,000. The maximum</p>	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 tree Stormwater harvesting and reuse Stream daylighting <p>Must be designed in</p>

²⁶ Engineering Report Outline for NYS Wastewater Infrastructure Projects: <https://efc.ny.gov/forms-tools>

²⁷ Best Management Practice Detail Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

Project Subtypes	Description	Maximum Award	Required Match	Special Requirements
	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.	award amount for all other projects in this category is \$2,000,000.		<p>accordance with the <i>2015 NYS Stormwater Design Manual</i>²⁸.</p> <p>Must go above and beyond water quality volume treatment and/or reduction requirements in SPDES Construction General Permit.</p> <p>Additional required attachments:</p> <ul style="list-style-type: none"> • Feasibility study that meets WQIP Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements²⁹ • Policies and procedures for maintaining BMPs.³⁰ Policies and procedures for maintaining BMPs cannot be imbedded within another required attachment. • Best Management Practice Detail Form³¹
Stormwater Retrofits	Stormwater retrofit projects designed to capture and remove pollutants	\$1,000,000		Eligible practices limited to those identified in Chapters 5 & 6 of the <i>NYS Stormwater Design Manual</i> .

²⁸ NYS Stormwater Design Manual: <https://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>

²⁹ Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements: <https://dec.ny.gov/get-involved/grant-applications/wqip-program> ³⁰ Policies and Procedures at a minimum must include: BMP Type, description of operation and maintenance to be performed, frequency of operation and maintenance (both scheduled and as-needed), personnel responsible to perform operation maintenance, cost of component replacement, where funds will come from to cover operation and maintenance activities, including cost of replacement components. Suggested procedures for operation and maintenance are included in the NYS Maintenance Guidance: Stormwater Management Practices, March 31, 2017:

³⁰ Policies and Procedures at a minimum must include: BMP Type, description of operation and maintenance to be performed, frequency of operation and maintenance (both scheduled and as-needed), personnel responsible to perform operation maintenance, cost of component replacement, where funds will come from to cover operation and maintenance activities, including cost of replacement components. Suggested procedures for operation and maintenance are included in the NYS Maintenance Guidance: Stormwater Management Practices, March 31, 2017: <https://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>.

³¹ Best Management Practice Detail Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

Project Subtypes	Description	Maximum Award	Required Match	Special Requirements
	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>.³²</p> <p>Required attachments:</p> <ul style="list-style-type: none"> • Feasibility study that meets WQIP Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements³³ • Policies and procedures for maintaining BMPs³⁴ • Best Management Practice Detail Form³⁵
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>

³² NYS Stormwater Design Manual: <https://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>

³³ Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

³⁴ Policies and Procedures at a minimum must include: BMP Type, description of operation and maintenance to be performed, frequency of operation and maintenance (both scheduled and as-needed), personnel responsible to perform operation maintenance, cost of component replacement, where funds will come from to cover operation and maintenance activities, including cost of replacement components. Suggested procedures for operation and maintenance are included in the NYS Maintenance Guidance: Stormwater Management Practices, March 31, 2017: <https://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>.

³⁵ Best Management Practice Detail Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

Project Subtypes	Description	Maximum Award	Required Match	Special Requirements
				<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. ○ 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>Additional Required attachments:</p> <ul style="list-style-type: none"> • Best Management Practice Detail Form³⁶

³⁶ Best Management Practice Detail Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

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.</p> <p>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 Form³⁷</p>

³⁷ Best Management Practice Detail Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

Project Subtypes	Description	Maximum Award	Required Match	Special Requirements
In-Waterbody Controls for Nutrients	Projects that reduce internal loading of nutrients (mainly phosphorus) within freshwater waterbodies experiencing internal nutrient cycling leading to excessive algae and plant growth, low water quality, and other water quality impairments.	\$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 <p>Must secure appropriate permits prior to submitting application.</p> <p>Additional required attachments:</p> <ul style="list-style-type: none"> • Documentation³⁸ 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 Projects³⁹ • A study acceptable to DEC by a qualified professional⁴⁰ 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

³⁸ 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.

³⁹ Minimum Documentation Requirements for Control of External Sources of Nutrients Projects:

<https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁴⁰ 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
				<p>operation and maintenance.</p> <ul style="list-style-type: none"> Best Management Practice Detail Form⁴¹
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> <p>The following green infrastructure practices:</p> <ul style="list-style-type: none"> Bioinfiltration/ Bioretention Porous pavement Rain gardens Stormwater tree trenches Constructed wetlands <p>The following beach re-naturalization practices:</p> <ul style="list-style-type: none"> Beach sand enrichment/ nourishment Beach sloping/grading <p>Additional required attachments:</p> <ul style="list-style-type: none"> Completed beach sanitary survey for swimming beaches⁴² For green infrastructure practices: Feasibility Study that meets WQIP Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements⁴³ Best Management Practice Detail Form⁴⁴

⁴¹ Best Management Practice Detail Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁴² Beach Sanitary Survey Requirements: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁴³ Green Infrastructure or Stormwater Retrofit Feasibility Study Requirements: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁴⁴ Best Management Practice Detail Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

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 hydraulically insufficient and not conforming to NYSDOT's Culvert Design standards⁴⁵ and DEC's Technical Guidance #2 (DFW GS 24-01)⁴⁶.</p> <p>Culvert replacement projects must be designed, at a minimum, to meet New York State Department of Transportation's Highway Design Manual Chapter 8 for culverts and DEC's Technical Guidance #2 (DFW GS 24-01).</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>

⁴⁵ 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:

<https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/chapter-8>

⁴⁶ Division of Fish and Wildlife Technical Guidance: [Draft Guidance for the Review of Bridge and Culvert Projects in Nontidal Waters Requiring a Protection of Waters Permit and a Water Quality Certificate \(ny.gov\)](#)

Project Subtypes	Description	Maximum Award	Required Match	Special Requirements
				<p>Projects that also improve aquatic organism connectivity will receive additional points⁴⁷. However, projects that are for the primary goal of improving aquatic organism passage should apply under the Aquatic Connectivity Restoration project type.</p> <p>Additional required attachments:</p> <ul style="list-style-type: none"> • Best Management Practice Detail Form⁴⁸ • Photographs demonstrating erosion on the upstream side of the stream culvert caused by failing or inadequately sized stream culverts AND/OR a 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	\$4,000,000	25% of award amount	<p>Eligible programs are limited to one of the following types of BMPs per application:</p> <ul style="list-style-type: none"> • Streambank/shoreline stabilization • Road ditch stabilization (including hydroseeding⁴⁹) • Riparian buffers • Stream culvert repair and/or replacement

⁴⁷ In order to be eligible for Bond Act funding, stream culverts must be evaluated using the North Atlantic Aquatic Connectivity Collaborative (NAACC) protocol to determine severity of existing aquatic organism passage constriction and document improvement to aquatic organism passage post-construction (when this methodology is not used to assess a structure, professional judgment will be used to assess a structure that most closely replicates the categories used by NAACC) and must raise the NAACC passability score such that the associated descriptor level will change/improve.

⁴⁸ Best Management Practice Detail Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁴⁹WQIP 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
	limited to: counties, watersheds, municipalities, or sanitary sewer overflow (SSO) areas.			<ul style="list-style-type: none"> • Septic tank pump-out • 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, Road ditch stabilization programs, and Riparian buffers, Stream culvert repair and/or replacement 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>

Project Subtypes	Description	Maximum Award	Required Match	Special Requirements
				<ul style="list-style-type: none"> • photographs (must show erosion on upstream side of culverts); or • a DEC-accepted culvert site assessment report. • Culverts must be inspected by a New York State licensed Professional Engineer and determined to be hydraulically insufficient and not conforming to NYSDOT's Culvert Design standards⁵⁰ and DEC's Technical Guidance #2 (DFW GS 24-01)⁵¹. • Culvert replacement projects must be designed, at a minimum, to meet New York State Department of Transportation's Highway Design Manual Chapter 8 for culverts and DEC's Technical Guidance #2 (DFW GS 24-01).

ELIGIBLE COSTS

- Salary and fringe
- Contractual services
- Equipment
- Equipment operating expenses
- Construction
- Construction inspection (on-site activities typically performed by a licensed professional engineer, e.g., inspection of methods and materials)
- Travel

⁵⁰ 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:

<https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/chapter-8>

⁵¹ Division of Fish and Wildlife Technical Guidance: [Draft Guidance for the Review of Bridge and Culvert Projects in Nontidal Waters Requiring a Protection of Waters Permit and a Water Quality Certificate \(ny.gov\)](#)

- Planning, design, administrative and construction oversight costs (total may not exceed 20% of award amount). Administrative costs must be directly related to implementing the project.⁵²

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 13, 2024)
- Administrative costs not directly related to implementing the project⁵³
- Projects with planning, design, administrative, and construction oversight costs in excess of 20% of the award amount may be deemed ineligible.
- 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
- Stream culvert replacement projects/programs that do not address erosion, flood mitigation, and structural deficiency issues Stream 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:
 - 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.

⁵² 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.

⁵³ 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.

- 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://dec.ny.gov/environmental-protection/water/water-quality/nps-program/guidance-and-technical-assistance>
- Information on preferred, nature-based methods of shoreline stabilization:
<https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/protection-of-waters-program/shoreline-stabilization>.
- DECinfo Locator⁵⁴ (most up to date source of WI/PWL segment fact sheets):
<https://dec.ny.gov/maps/interactive-maps/decinfo-locator>
- HUC 12 watershed map:
<https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8> EPA Guidance for Sanitary Surveys:
<https://www.epa.gov/dwreginfo/sanitary-survey-guidance-manuals>
- NYS Stormwater Design Manual: <https://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>
- North Atlantic Aquatic Connectivity Project (NAACC):
<https://streamcontinuity.org/naacc>
- Maps of PEJA areas in New York State: <https://dec.ny.gov/get-involved/environmental-justice/gis-tools>
- 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>

⁵⁴ 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://giservices.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.

⁵⁵ 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://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>.

- Division of Fish and Wildlife (DLF) Technical Guidance: Draft 2024
Bridget and Culvert Guidance:
<https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/protection-of-waters-program/stream-crossings>

CONTACTS

NYS Department of Environmental Conservation, Division of Water

- Decentralized Wastewater Treatment Facilities for Failing On-Site Treatment Systems— Ed Schneider, (518) 402-811
- Green Infrastructure Practices—Ryan Waldron, (518) 402-8244
- Stormwater Retrofits—John Muthersbaugh, (518) 402-8188
- Streambank/Shoreline Stabilization — Ed Schneider, (518) 402-8116
- Riparian Buffers – Ed Schneider, (518) 402-8116
- In-Waterbody Controls for Nutrients— Matthew Kraft, (518) 402-8260
- Bathing Beach Restoration— Aseem Kumar, (518) 402-8275
- Stream Culvert Repair and Replacement— Aseem Kumar, (518) 402-8275
- Nonpoint Source Programs— Aseem Kumar, (518) 402-8275

NONPOINT SOURCE PROJECT SCORING CRITERIA

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 40 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.			
ision 40 to 2 points 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 10 to 2 points possible (as part of Vision score)				
Decentralized Municipal Wastewater Treatment Facilities for Failing On- Site Treatment Systems	10 POINTS: Projects that reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) AND benefit an active public drinking water supply. OR Decentralized municipal wastewater treatment facilities for failing on-	8 POINTS: Projects that reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan). OR 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.	6 POINTS: 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". OR Projects that support an action or priority identified in a DEC Watershed Action	2 POINTS: Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are "fully supported" or "unassessed" OR waterbody is not included on the WI/PWL.

	<p>site treatment systems where the need for the project has been documented in a completed sanitary survey</p> <p>AND</p> <p>benefit an active public drinking water supply.</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>Agenda (i.e., Mohawk Hudson River Estuary, Great Lakes Action Agendas) or a DEC-accepted plan or report (i.e., Drinking Water Source Protection Program [DWSP2] Plan) that will reduce nonpoint source pollution.</p>	
Green Infrastructure	<p>10 POINTS:</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>8 POINTS:</p> <p>Green infrastructure projects that reduce stormwater flow to a combined sewer system.</p> <p>OR</p> <p>Projects that reduce the pollutant of concern 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>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 a DEC-accepted plan or report (i.e., Drinking Water Source Protection Program [DWSP2] Plan) that will reduce nonpoint</p>	<p>6 POINTS:</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 a DEC-accepted plan or report (i.e., DWSP2 Plan) that will reduce nonpoint source pollution.</p>	<p>2 POINTS:</p> <p>Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are "fully supported" or "unassessed"</p> <p>OR</p> <p>waterbody is not included on the WI/PWL.</p>

		source pollution.		
Stormwater Retrofits	10 POINTS: Stormwater retrofit projects required by an MS4 permit.	8 POINTS: Stormwater retrofit projects in an MS4 area. OR Projects that reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABS Action Plan). OR 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". OR Projects that support multiple actions in a DEC-approved Watershed Action Agenda (i.e., Mohawk or Great Lakes Action Agendas) or a DEC-accepted plan or report (i.e., Drinking Water Source Protection Program [DWSP2] Plan) that will reduce nonpoint source pollution.	6 POINTS: 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". OR 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 a DEC-accepted plan or report (i.e., DWSP2 Plan) that will reduce nonpoint source pollution.	2 POINTS: Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are "fully supported" or "unassessed" OR waterbody is not included on the WI/PWL.
Streambank/Shoreline Stabilization	10 POINTS: Projects that reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine	8 POINTS: Projects that reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element	6 POINTS: Projects located in the HUC 12 watershed of a WI/PWL segment that will reduce a pollutant documented in the WI/PWL segment	2 POINTS: Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are "fully supported" or "unassessed"

	<p>Element Watershed Plan, or DEC HABs Action Plan)</p> <p>AND</p> <p>benefit an active public drinking water supply.</p>	<p>Watershed Plan, or DEC HABs Action Plan).</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 a DEC-accepted plan or report (i.e., Drinking Water Source Protection Program [DWSP2] Plan or Stream Management Plan) that will reduce nonpoint source pollution.</p>	<p>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 a DEC-accepted plan or report (i.e., DWSP2 Plan or Stream Management Plan) that will reduce nonpoint source pollution.</p>	<p>OR</p> <p>waterbody is not included on the WI/PWL.</p>
Riparian Buffers	<p>10 POINTS:</p> <p>Projects that reduce the pollutant of concern identified in a DEC- approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan)</p> <p>AND</p> <p>benefit an active public drinking water supply.</p>	<p>8 POINTS:</p> <p>Projects that reduce the pollutant of concern 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>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>6 POINTS:</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 a DEC-accepted plan or report (i.e., DWSP2 Plan or</p>	<p>2 POINTS:</p> <p>Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are "fully supported" or "unassessed"</p> <p>OR</p> <p>waterbody is not included on the WI/PWL.</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 a DEC-accepted plan or report (i.e., Drinking Water Source Protection Program [DWSP2] Plan or Stream Management Plan) that will reduce nonpoint source pollution.</p>	Stream Management Plan) that will reduce nonpoint source pollution.	
In-Waterbody Controls	<p>10 POINTS:</p> <p>Projects that reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan)</p> <p>AND</p> <p>benefit an active public drinking water supply.</p>	<p>8 POINTS:</p> <p>Projects that reduce the pollutant of concern 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>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 a DEC-accepted plan or report (i.e., Drinking Water Source Protection Program [DWSP2] Plan) that will reduce nonpoint source pollution.</p>	<p>6 POINTS:</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 a DEC-accepted plan or report (i.e., DWSP2 Plan) that will reduce nonpoint source pollution.</p>	<p>2 POINTS:</p> <p>Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are "fully supported" or "unassessed"</p> <p>OR</p> <p>waterbody is not included on the WI/PWL.</p>
Bathing Beach Restoration	<p>10 POINTS:</p> <p>Projects that reduce the pollutant of</p>	<p>8 POINTS:</p> <p>Projects that reduce the pollutant of concern</p>	<p>6 POINTS:</p> <p>Projects that address a pollution source</p>	<p>2 POINTS:</p> <p>Projects located in the HUC 12 watershed of a</p>

	<p>concern identified a DEC-approved watershed plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan)</p> <p>AND</p> <p>Benefit an active public drinking water supply.</p> <p>OR</p> <p>Beach restoration projects that are specifically listed as a priority in a DEC-approved beach restoration report.</p>	<p>identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or HABs Action Plan).</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 a DEC-accepted plan or report (i.e., Drinking Water Source Protection Program [DWSP2] Plan or Stream Management Plan) that will 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>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>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>WI/PWL segment where best use(s) are "fully supported" or "unassessed"</p> <p>OR</p> <p>waterbody is not included on the WI/PWL.</p>
Stream Culvert Repair and Replacement	<p>10 POINTS:</p> <p>Projects that reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs</p>	<p>8 POINTS:</p> <p>Projects that reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC</p>	<p>6 POINTS:</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</p>	<p>2 POINTS:</p> <p>Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are "fully supported" or "unassessed".</p> <p>OR</p>

	<p>Action Plan) AND benefit an active public drinking water supply.</p>	<p>HABs Action Plan). OR 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". OR Projects that support multiple actions in DEC-approved Watershed Action Agenda (i.e., Mohawk or Great Lakes Action Agendas) or DEC-accepted plan or report (i.e., Drinking Water Source Protection Program [DWSP2] Plan or Stream Management Plan) that will reduce nonpoint source pollution.</p>	<p>waterbody's best use(s) to be assessed as "stressed" or "threatened". OR 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 plan or report (i.e., DWSP2 Plan, Stream Management Plan) that will reduce nonpoint source pollution.</p>	<p>Waterbody is not included on the WI/PWL.</p>
<p>Impact Factor <i>4 to 1 point(s) possible (as part of Vision</i></p>				
<p><i>Decentralized Municipal Wastewater Treatment Facilities for Failing On-Site Systems projects</i></p>	<p>4 POINTS: Project will reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan). OR Project has a DEC-approved Nonpoint Source Planning Grant report. OR Project will remove treatment systems from the mapped floodplain.</p>	<p>3 POINTS: 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". AND The proposed project serves properties located directly on the waterbody segment.</p>	<p>2 POINTS: 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". AND the proposed project serves properties located directly on the waterbody segment.</p>	<p>1 POINT: Project will impact a WI/PWL segment where best uses are "unassessed" or assessed as "fully supported" OR waterbody is not included on the WI/PWL.</p>

<i>Green Infrastructure</i>	4 POINTS: Total water quality volume (WQv) ⁵⁵ treated or reduced 7,500 cubic feet (ft ³) or more OR project is in an MS4 area AND will reduce localized flooding. OR Project has a DEC-approved Nonpoint Source Planning Grant report.	3 POINTS: Total WQv treated or reduced 5,000 to 7,499 ft ³ OR project is in an MS4 area AND will reduce localized flooding.	2 POINTS: Total WQv treated or reduced 2,500 to 4,999 ft ³ OR project is in an MS4 area AND will reduce localized flooding.	1 POINT: Total WQv treated or reduced 2,499 ft ³ or less OR project is in an MS4 area AND will reduce localized flooding.
<i>Stormwater Retrofits</i>	4 POINTS: Total water quality volume (WQv) ⁵⁶ treated or reduced 7,500 cubic feet (ft ³) or more OR project is in an MS4 area AND will reduce localized flooding. OR Project has a DEC-approved Nonpoint Source Planning Grant report.	3 POINTS: Total WQv treated or reduced 5,000 to 7,499 ft ³ OR project is in an MS4 area AND will reduce localized flooding.	2 POINTS: Total WQv treated or reduced 2,500 to 4,999 ft ³ OR project is in an MS4 area AND will reduce localized flooding.	1 POINT: Total WQv treated or reduced 2,499 ft ³ or less OR project is in an MS4 area AND will reduce localized flooding.
<i>Streambank / Shoreline Stabilization</i>	4 POINTS: Project implements streambank/shoreline stabilization AND Riparian Buffers AND Project location and type is listed in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Plan, or DEC HABs Action Plan). OR Project has a DEC-	3 POINTS: Project implements streambank/shoreline stabilization AND Project type is listed in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Plan, or DEC HABs Action Plan). OR Project reduces flooding as identified in a DEC-	2 POINTS: Project implements streambank/shoreline stabilization AND Project will reduce pollutant(s) listed in the WI/PWL segment fact sheet where best use(s) are assessed as "impaired" or "precluded".	1 POINT: Project implements streambank/shoreline stabilization AND 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 Waterbody is not included on the WI/PWL.

⁵⁵ 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://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>.

⁵⁶ 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://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>.

	approved Nonpoint Source Planning Grant report.	approved plan (i.e., Resilient NY Flood Mitigation Plan ⁵⁷).		
<i>Riparian Buffers</i>	<p>4 POINTS:</p> <p>Projects that implement riparian buffers</p> <p>AND</p> <p>reduce the pollutant of concern identified in a DEC-approved watershed plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan).</p> <p>OR</p> <p>Project has a DEC-approved Nonpoint Source Planning Grant report.</p>	<p>3 POINTS:</p> <p>Projects that implement riparian buffers</p> <p>AND</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., Drinking Water Source Protection Program Plan [DWSP2] that will reduce nonpoint source pollution.</p>	<p>2 POINTS:</p> <p>Projects that implement riparian buffers</p> <p>AND</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 in a DEC-accepted plan or report (i.e., DEC-approved Action Agenda or DWSP2 Plan) that will reduce nonpoint source pollution.</p>	<p>1 POINT:</p> <p>Projects that implement riparian buffers</p> <p>AND</p> <p>Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are "fully supported" or "unassessed"</p> <p>OR</p> <p>waterbody is not included on the WI/PWL.</p>
<i>In-Waterbody Controls for Nutrients</i>	<p>4 POINTS:</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).</p> <p>OR</p> <p>Project has a DEC-approved Nonpoint Source Planning Grant report.</p>	<p>3 POINTS:</p> <p>Project type is identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or DEC HABs Action Plan).</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 "impaired" or "precluded".</p>	<p>1 POINT:</p> <p>Project does not meet the criteria of the other impact factor point categories.</p>

⁵⁷ Resilient NY Flood Mitigation Reports: <https://dec.ny.gov/environmental-protection/water/water-quantity/resilient-ny>

Bathing Beach Restoration	4 POINTS: 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.	3 POINTS: 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.	2 POINTS: 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.	1 POINT: Project with one practice to reduce/restore waterbody AND the proposed project is located within the HUC 12 watershed of that waterbody.
Stream Culvert Repair and Replacement	4 POINTS: 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 ⁵⁸ AND would improve NAACC score ⁵⁹ by at least one level. OR Project has a DEC-approved Nonpoint Source Planning Grant report.	3 POINTS: 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.	2 POINTS: 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.	1 POINT: 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.
Waterbody Assessment (for all projects EXCEPT Green Infrastructure Practice/ Stormwater	Waterbody Classification	2 POINTS: AA, A, A-special, AA-special, AA(T), 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

⁵⁸ 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.

⁵⁹ 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.

Retrofits project subtypes) <i>5 to 0 points possible</i>	<i>Type of Pollutant</i> (must be nonpoint source pollutant)	3 POINTS: Confirmed		2 POINTS: Unconfirmed		0 POINTS: Unassessed, Fully Supported or Waterbody not included in the WI/PWL	
Waterbody Assessment (for Green Infrastructure Practice/ Stormwater Retrofits project subtypes) <i>5 to 0 points possible</i>	<i>Type of Pollutant</i> (must be a pollutant traditionally identified with CSO discharges)	5 POINTS: Confirmed		2 POINTS: Unconfirmed		0 POINTS: Unassessed, Fully Supported, or Waterbody not included in the WI/PWL	
Potential Environmental Justice Area (PEJA) 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)⁶⁰ includes financial hardship) <i>10 to 0 points possible</i>	10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%. 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%	2 POINTS: Applicant is a municipality with a DAC population of 1 – 19%.	0 POINTS: Applicant is not a municipality with a DAC population.	

⁶⁰ 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>

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 excellent 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 AND Project costs provide an excellent good value as it applies to achieving pollutant reduction. OR Budget clearly details and justifies only eligible costs related to implementation of a non-agricultural nonpoint source project AND 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. OR 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. <i>Applications that fall into this category will not be funded.</i>
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. <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 non-agricultural nonpoint source projects in the past 10 years in a timely manner. OR Applicant has sufficiently shown the 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 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 project. <i>Applications that fall into this category will not be funded.</i>	
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in, or serving, a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ⁶¹	0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.	

⁶¹ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

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	<i>Up to 115 points are available, as defined below. Applications must receive a minimum of 40 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.</i>			
Vision <i>40 to 2 points 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 points possible (as part of Vision score)</i>	10 POINTS:	8 POINTS:	6 POINTS:	2 POINTS:

<p>Nonpoint Source Programs including: streambank/shoreline stabilization, riparian buffers, road ditch stabilization, stream culvert repair/replacement, septic tank pump out programs</p>	<p>Programs that address a pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan)</p> <p>AND</p> <p>impact an active public drinking water supply.</p>	<p>Programs that address a pollutant of concern 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 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 a DEC-accepted plan or report (i.e., Drinking Water Source Protection Program [DWSP2] Plan</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 a DEC-accepted plan or report (i.e., DWSP2 Plan or Stream Management Plan) that reduce nonpoint source pollution.</p>	<p>Programs where work will be completed in the watershed of a WI/PWL segment that is "fully supported" or "unassessed".</p> <p>OR</p> <p>Waterbody is not included on the WI/PWL.</p>
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<p>Nonpoint Source Programs including:</p> <p>Rain garden/rain barrel program for SSO areas</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 Report⁶²).</p>	<p>Programs that reduce the pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or HABs Action Plan).</p> <p>OR</p> <p>Programs 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 a DEC-accepted plan or report (i.e., DWSP2 Plan⁶³) that will reduce nonpoint source pollution.</p>	<p>Programs located in the HUC 12 watershed of a WI/PWL segment that will reduce a pollutant documented in the WI/PWL segment factsheets 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-accepted plan or report (i.e., DEC-approved Action Agenda or DWSP2 Plan) that will reduce nonpoint source pollution.</p>	<p>Projects located in the HUC 12 watershed of a WI/PWL segment where best use(s) are "fully supported" or "unassessed"</p> <p>OR</p> <p>Waterbody is not included on the WI/PWL.</p>
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⁶² Resilient NY Flood Mitigation Reports: <https://dec.ny.gov/environmental-protection/water/water-quantity/resilient-ny>

⁶³ 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] ⁶⁴ or Stream Management Plan) 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” or “fully supported” in the WI/PWL segment fact sheet. OR At least two WI/PWL segments identified as “unassessed” or “fully supported” in the WI/PWL segment fact sheet.
Program Scale <i>5 to 1 point(s) possible</i>	5 POINTS: Program will be implemented at a watershed scale (larger than county scale).	3 POINTS: Program will be implemented at a county scale.	1 POINT: Program will be implemented at the municipal scale.	
Potential Environmental Justice Area (PEJA) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i>	10 POINTS: Program improves water quality and is within a PEJA or DAC area. OR Program 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: Program improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area.	0 POINTS: Program does not improve water quality within a PEJA or DAC area. OR Program 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 Program does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area.	

⁶⁴ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

Disadvantaged Communities (DAC) (includes financial hardship) 10 to 0 points possible	10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%.	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%.	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 25 to 0 points possible	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.		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.		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. Applications that fall into this category will not be funded.	
Program Readiness 10 to 0 points possible	10 POINTS: Program has all necessary permits (or does not need permits) and approvals. Program is ready to move forward with construction.	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.	2 POINTS: Program has not secured any of the necessary approvals but is expected to be completed within five years.	0 POINTS: Program 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 5 to 0 points possible	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.		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.		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 located in or serving a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ⁶⁵	0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.
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		

⁶⁵ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

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

ELIGIBLE APPLICANTS

- Municipality⁶⁶ Regulated by the MS4⁶⁷ General Permit
- Soil and Water Conservation Districts on behalf of regulated MS4 Operators

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 worksheet⁶⁸
- 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.
- Completed Comprehensive Mapping Worksheet(s)⁶⁹ indicating all Basic Elements have been mapped. A worksheet must be submitted for each cooperating MS4 Operator .
- Catch basin clean-out plan and procedures. Refer to Catch Basin Clean-Out Plan Template⁷⁰
- If the project is wholly or partially in a floodplain, attach the applicable floodplain map with the location of the project indicated. Floodplain maps cannot be imbedded within another required attachment. Refer to the [Flood Resiliency Requirements](#) of this RFA.
- Completed Sexual Harassment Prevention Certification Form⁷¹
- Completed and signed Executive Order No. 16 Certification Form⁷²
- All required attachments are due at the time of application through the Consolidated Funding Application.

⁶⁶ 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.

⁶⁷ 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

⁶⁸ WQIP Budget Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁶⁹ Comprehensive Mapping Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁷⁰ Catch Basin Clean-Out Plan Minimum Requirements Template: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁷¹ Sexual Harassment Prevention Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁷² Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program> ⁷³
Comprehensive Mapping Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

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 (Completed Comprehensive Mapping Worksheet⁷³) by the date of application submittal.</p> <p>Applicants must specify their participation in an MS4 collaborative if one exists. If an MS4 collaborative does not exist, the application must 1) document steps being taken to develop a collaborative, or 2) justify why a collaborative does not exist or will not be established 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 Statewide Financial System Grants Management System⁷⁴. 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> <p>1) Completed Comprehensive Mapping Worksheet(s) for each cooperating MS4 Operator.</p> <p>2) Catch basin clean-out plan and procedures</p>

ELIGIBLE COSTS

- Equipment
- Contractual services
- Salary and fringe benefits

⁷³ Comprehensive Mapping Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

- Planning, design, administrative, monitoring, and construction oversight costs (total may not exceed 20% of award amount). Administrative costs must be directly related to implementing the project.⁷⁵
- 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 13, 2024)
- 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 all participating MS4 Operators have not completed all Basic Elements mapping
- Applications that do not attach a completed Comprehensive Mapping Worksheet identifying the status of mapping for each cooperating MS4 Operator.
- Administrative costs not directly related to implementing the project⁷⁶
- Projects with planning, design, administrative, and construction oversight costs in excess of 20% of the award amount may be deemed ineligible.

RESOURCES

- DECinfo Locator⁷⁷ (most up to date source of WI/PWL segment fact sheets)
- Maps of PEJA areas in New York State: <https://dec.ny.gov/maps/interactive-maps/decinfo-locator>
- Maps of DAC areas in New York State: <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

⁷⁵ 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.

⁷⁶ 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.

⁷⁷ 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.

- HUC 12 watershed map:
<https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>

CONTACT

New York State Department of Environmental Conservation, Division of Water

- Christina Chiappetta, (518) 402-1224

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 40 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 2 points 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 points possible (as part of Vision score)</i>	10 POINTS: Project addresses a pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan) AND benefits an active public drinking water supply.	8 POINTS: Project addresses a pollutant of concern identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or HABs Action Plan). OR Project is 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".	6 POINTS: Project is 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".	2 POINTS: Project is located in the HUC 12 watershed of a WI/PWL segment that is "unassessed" or use(s) are "fully supported".

Impact Factor <i>4 to 1 point(s) possible (as part of Vision score)</i>	4 POINTS: Applicant has completed Basic and Intermediate Elements Map items. AND Applicant has letters of support from all participating MS4 Operators OR Project is on behalf of a single municipality with needs specific to the scope of this project AND is neither located in an area with other cooperating regulated MS4 Operators nor are shared services available (must specify this in application).	3 POINTS: Applicant has completed Basic Elements Map items. AND Applicant has demonstrated letters of support from 50% or more of the participating MS4 Operators.	2 POINTS: Applicant has completed Basic Elements Map items. AND Applicant has demonstrated letters of support from less than 50% of participating MS4 Operators.	1 POINT: Applicant has completed Basic Elements Map items. AND Applicant has no letters of support from participating MS4 Operators. <i>Applications that fall into this category will not be funded.</i>
Waterbody Assessment <i>5 to 0 points possible</i>	Waterbody Classification	2 POINTS: AA, A special, SA, GA (primary supply aquifer), AA special, AA(T), 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
	Pollutant Confirmation	3 POINTS: Confirmed	2 POINTS: Unconfirmed	0 POINTS: Unassessed, Fully Supported or Waterbody not included in the WI/PWL
Potential Environmental Justice Area (PEJA) 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.

Disadvantaged Communities (DAC) <i>(includes financial hardship)</i> <i>10 to 0 points possible</i>	10 POINTS: Applicant is a municipality with a DAC population of 81 - 100%. ⁷⁸	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%	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: Budget clearly details and justifies only eligible costs related to purchasing a vacuum truck. 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/OR Project costs provide a reasonable 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. <i>Applications that fall into this category will not be funded.</i>		
Project Readiness <i>10 to 0 points possible</i>	10 POINTS: Vacuum truck will be purchased before December 2025. AND Catch basin clean out plan meets all requirements.	5 POINTS: Vacuum truck will be purchased before December 2025. AND Catch basin clean out plan meets most requirements.	2 POINTS: Vacuum truck will be purchased after December 2025. OR Catch basin clean out plan meets few requirements.	0 POINTS: Project is not expected to be completed within 5 years. <i>Applications that fall into this category will not be funded.</i>		

⁷⁸ 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>

Experience and Ability <i>5 to 0 points possible</i>	5 POINTS: Applicant has shown the ability to complete state-funded WQIP projects in the past 10 years in a timely manner. OR Applicant has sufficiently shown its ability to complete this project based upon experience with similar projects.	3 POINTS: 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 in the past 10 years and does not appear to have the experience and ability to carry out the project. <i>Applications that fall into this category will not be funded.</i>
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in or serving a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE2: Government Operations Greenhouse Gas Inventory; PE3: Fleet Efficiency Policy; PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ⁷⁹	0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.
Flood Resilience <i>5 to 0 points possible</i>	5 POINTS: Vacuum truck will be stored outside of the 0.2% or 1% annual chance floodplain.		0 POINTS: Vacuum truck will be stored within the 0.2% or 1% annual chance floodplain.
Total Maximum Points	115 points		

⁷⁹ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

LAND ACQUISITION FOR SOURCE WATER PROTECTION

ELIGIBLE APPLICANTS

- Municipalities,⁸⁰ including Indian Nations
- Soil and Water Conservation Districts
- Not-for-profit corporations⁸¹

DESCRIPTION

Funding is available to purchase land and/or conservation easements, including associated transactional, riparian buffer, or groundwater 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 supplies⁸² as defined by the New York State Department of Health (NYSDOH) are eligible.⁸³
- **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 § 15-3303,⁸⁴ monitoring and enforcement protocol and the associated property is subject to inspection.
- Agricultural Environmental Management (AEM)⁸⁵ Tier 2 assessment or Tier 3 plan 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.

⁸⁰ 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”.

⁸¹ For this grant opportunity, a not-for-profit is subject to New York State’s Not-For-Profit Corporation Law, is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has an IRS 501(c)(3) determination letter to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

⁸² 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”.

⁸³ 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/

⁸⁴ Public purpose as set forth in ECL § 15-3303. See <https://www.nysenate.gov/legislation/laws/ENV/15-3303>.

⁸⁵ For information regarding the Agricultural Environmental Management program, visit <https://agriculture.ny.gov/soil-and-water/agricultural-environmental-management>.

- 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 feet;⁸⁶
 - At least 100 feet but less than 300 feet;
 - At least 35 feet but less than 100 feet,⁸⁷
 - 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.
- Groundwater Restoration Requirements (Projects or Programs):

⁸⁶ 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.

⁸⁷ Parcels are only eligible to have at least 35 feet but less than 100-foot riparian buffer if they do not fall within the 25- or 15-point performance measure category for both projects and programs.

- The area of a parcel, acquired to protect a wellhead **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 area, or remove, mitigate, or warn against unreasonable harm to people, property or health of native species on or around the defined groundwater area.
- For newly created or restored groundwater areas, the applicant **must** develop and implement a maintenance plan during the 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.⁸⁸
 - 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://dec.ny.gov/get-involved/grant-applications/wqip-program/land-acquisition-projects-source-water-protection-toolkit>.
 - If the property is used for activities which interfere with the accomplishment of approved purposes, the violating activities⁸⁹ **must** cease, and any resulting adverse effects **must** be remedied.
 - Disturbances that compromise the ecological condition of the riparian buffer or wetland areas, including, but not limited to, livestock access, wood or timber harvesting, excessive mowing and recreational vehicular use **must** be prohibited.
 - Per Environmental Conservation Law §15-3303, DEC **cannot** provide

⁸⁸ 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.

⁸⁹ 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.

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) :⁹⁰
 - 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

⁹⁰ 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://dec.ny.gov/get-involved/grant-applications/wqip-program/land-acquisition-projects-source-water-protection-toolkit>

(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 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 Guidance.⁹¹
- 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 program, restoration costs, contractual costs and travel costs
- Map(s) depicting the active public drinking water supply(s), location of wells,

⁹¹ WQIP Land Acquisition for Source Water Protection Documentation Guidance: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

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 Guidance.⁹²

- Completed and signed Sexual Harassment Prevention Certification Form⁹³
- Completed and signed Executive Order No. 16 Certification Form⁹⁴
- If the project is wholly or partially in a floodplain, attach the applicable floodplain map with the location of the project indicated. Floodplain maps cannot be imbedded within another required attachment. Refer to the [Flood Resiliency Requirements](#) of this RFA.
- 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.

⁹² WQIP Land Acquisition for Source Water Protection Documentation Guidance: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁹³ Sexual Harassment Prevention Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁹⁴ Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

⁹⁴ Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

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 ⁹⁵ of one or more active public groundwater drinking water supplies.	\$5,000,000	25% of award amount	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. Parcels are not required to be specifically identified at the time of application to be considered for funding under the Program category.

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 itemized 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

⁹⁵ Areal extent of the zone of contribution as defined by USGS. See <https://water.usgs.gov/water-resources/memos/memo.php?id=1425>

reimbursement as incurred throughout the contract term, but payments may need to be returned to the State should the land transaction not successfully close. Transactional costs are limited to:

- Title reports 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 Department-approved 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 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/APPLICATIONS⁹⁶

- 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.

⁹⁶ This list is not all encompassing. There may be other costs/activities/applications that the DEC may deem ineligible.

- Costs associated with DEC accepted public access and passive recreational trails.
- 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

- WQIP Land Acquisition for Source Water Protection Toolkit: <https://dec.ny.gov/get-involved/grant-applications/wqip-program/land-acquisition-projects-source-water-protection-toolkit>
- HUC 12 watershed map: <https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>
- Guidance on designing and maintaining riparian buffers: <https://dec.ny.gov/environmental-protection/water/water-quality/nps-program/riparian-buffers>
- “Soft” streambank stabilization guidance: <https://dec.ny.gov/regulatory/waterways-coastlines-wetlands-permits/protection-of-waters-program/shoreline-stabilization-techniques>.
- Examples of maps meeting all required elements: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>
- Example detailed expenditure-based summary budget meeting all required elements: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>
- Maps of Environmental Justice areas in New York State: <https://dec.ny.gov/get-involved/environmental-justice/gis-tools>.
- 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	Up to 115 points are available, as defined below. Applications must receive a minimum of 40 points to be eligible for funding. Applications that receive 0 points for Performance Measures, Riparian Buffer, Reasonableness of Cost, Project Readiness, or Experience and Ability will not be funded.			
Performance Measures ⁹⁷ 25 to 0 points possible	25 POINTS: Project is identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or DEC HABs Action Plan). OR Project is included in the critical area ⁹⁸ of a DEC/DOH reviewed and accepted Drinking Water Source Protection Program (DWSP2) Plan. ⁹⁹ OR Parcels protect a lake or reservoir used as an active public drinking water supply that are within 1,000 feet of shoreline ¹⁰⁰ and within 10 miles of public water supply intake. OR Parcels protect a lake or reservoir used as an active public drinking water supply that are adjacent to shoreline and within 10 miles of public water supply intakes. OR	15 POINTS: Project is included in the extended and/or source water protection area ¹⁰² of a DEC/DOH reviewed and accepted DWSP2 Plan. OR Parcels protect a lake or reservoir used as an active public drinking water supply and are within area 1,001 feet to ½ mile of shoreline ¹⁰³ and within 10 miles of public water supply intake. OR Parcels 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 shoreline. OR Parcels are within 1,001 – 1,500 feet from water supply wellhead permitted as an active public drinking water source. OR Parcels protect a river or stream used as an active	5 POINTS: Parcels are within the HUC 12 watershed of a surface waterbody used as an active public drinking water supply. OR Parcels are adjacent to an upstream tributary and within the HUC 12 inlet ¹⁰⁴ of the lake or reservoir used as an active public drinking water supply. ¹⁰⁵	0 POINTS: Project targets protection of land parcel(s) outside the HUC 12 watershed of a surface waterbody used as an active public drinking water supply. OR Project targets 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. OR 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. Applications that fall into this category will not be funded.

⁹⁷ 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.

⁹⁸ This is the area of land that is directly surrounding the drinking water source.

⁹⁹ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

¹⁰⁰ Lateral distance from the shoreline.

¹⁰² 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.

¹⁰³ Lateral distance from the shoreline.

¹⁰⁴ Inlet is defined as the HUC 12 that drains to, or enters, the lake or reservoir used as a public water supply.

¹⁰⁵ Tributaries should be identified using the National Hydrography Dataset from USGS: <https://www.usgs.gov/core-science-systems/ngp/national-hydrography>

	<p>Parcels protect a lake or reservoir used as an active public drinking water supply that are within 1,000 feet of tributary shoreline and are no more than 1 mile upstream of reservoir.</p> <p>OR</p> <p>Parcels protect a lake or reservoir used as an active public drinking water supply that are adjacent to tributary shoreline¹⁰¹ and are no more than 1 mile upstream of reservoir.</p> <p>OR</p> <p>Parcels 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 shoreline.</p> <p>OR</p> <p>Parcels 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 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>Parcels are within 1,000 feet of a water supply wellhead permitted as an active public drinking water source.</p> <p>OR</p> <p>Parcels are identified within a Long Island</p>	<p>public drinking water supply that are within 1 to 3 miles upstream of intake and within 1,000 feet of shoreline.</p>		
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¹⁰¹ Lateral distance from the shoreline.

	<p>Special Groundwater Protection Area.</p> <p>OR</p> <p>Parcels are specifically identified for drinking water protection in the New York State Open Space Plan and within 10 miles of public water supply intake.</p>			
<p>Riparian Buffer¹⁰⁶</p> <p><i>10 to 0 points possible</i></p>	<p>10 POINTS:</p> <p>Surface Water:</p> <p>Parcels 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>OR</p> <p>Parcels are 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>Groundwater:</p> <p>Parcels protect a groundwater source used as an active public drinking water supply and 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>5 POINTS:</p> <p>Surface Water:</p> <p>Parcels 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.</p> <p>OR</p> <p>Groundwater:</p> <p>Parcels protect a groundwater source used as an active public drinking water supply where at least 50% of the parcel is designated as agriculture or low/medium intensity developed area by the 2019 National Land Cover Dataset.</p> <p>OR</p> <p>Parcels protect a groundwater source used as an active public drinking water supply and 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>2 POINTS:</p> <p>Surface Water:</p> <p>Parcels 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.</p> <p>OR</p> <p>Parcels 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.</p> <p>Groundwater:</p> <p>Parcels protect a groundwater source used as an active drinking water supply and at least 50% of the parcel is designated as high density developed area by the 2019 National Land Cover Dataset.</p> <p>OR</p> <p>Parcels protect a groundwater source used as an active public drinking water supply and 35% - 49% of the parcel is designated as</p>	<p>0 POINTS:</p> <p>Parcels are adjacent to a lake or reservoir used as an active public drinking water supply and riparian buffer width is less than 300 feet.</p> <p>OR</p> <p>Parcels protect a lake, reservoir, river, or tributary and riparian buffer is less than 35 feet for eligible parcels.</p> <p><i>Applications that fall into this category will not be funded.</i></p>

¹⁰⁶ 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.

			agriculture or low/medium intensity developed area by the 2019 National Land Cover Dataset.	
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. Applications that fall into this category will not be funded.	
Source Water Protection Prioritization <i>10 to 2 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., TMDL, Nine Element Watershed Plan or DEC HABs Action Plan), or DEC-accepted Drinking Water Source Protection Program (DWSP2) Plan, ⁹⁹ or other plan produced by a licensed geologist, Rural Water authority or Regional Planning authority. OR At least 50% of the parcel is designated as wetlands, forested land, open space, or grasslands by the 2021 National Land Cover Dataset.	5 POINTS: At least 50% of the parcel is designated as agriculture or low/medium intensity developed area by the 2021 National Land Cover Dataset. OR 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 2021 National Land Cover Dataset.	2 POINTS: At least 50% of the parcel is designated as high density developed area by the 2021 National Land Cover Dataset. OR 35% - 49% of the parcel is designated as agriculture or low/medium intensity developed area by the 2021 National Land Cover Dataset.	

Potential Environmental Justice Area (PEJA) 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%. ¹⁰⁷	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%. ^{Error!} <small>Bookmark not defined.</small>	2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.	0 POINTS: Applicant is not a municipality with a DAC population.
Project Readiness <i>10 to 0 points possible</i>	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.		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.		0 POINTS: Specific parcels have not been clearly identified. OR Applicant has not provided protocols for monitoring and enforcement of properties. <i>Applications that fall into this category will not be funded.</i>	

¹⁰⁷ 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>

Experience and Ability <i>5 to 0 points available</i>	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.	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.	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. <i>Applications that fall into this category will not be funded.</i>
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in or serving a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ¹⁰⁸	0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.
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		

¹⁰⁸ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>.

LAND ACQUISITION FOR SOURCE WATER PROTECTION PROGRAM SCORING CRITERIA

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 40 points to be eligible for funding. Applications that receive 0 points for Performance Measures, Riparian Buffer, Reasonableness of Cost, Program Readiness or Experience and Ability will not be funded.			
Performance Measures 25 to 0 points possible	25 POINTS: Program is identified in a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or DEC HABs Action Plan). OR Program is included in the critical area ¹⁰⁹ of a DEC/DOH reviewed and accepted Drinking Water Source Protection Program (DWSP2) Plan. ¹¹⁰	15 POINTS: Program is in a watershed specifically identified for drinking water protection in the New York State Open Space Plan. OR Program is included in the extended and/or source water protection area ¹¹¹ of a DEC/DOH reviewed and accepted DWSP2Plan.	5 POINTS: Program demonstrates that some level of planning has taken place using tools or methods to prioritize acquiring lands to protect public water supplies. OR Inclusion of source water protection in comprehensive plans, municipal resolutions, etc. of the majority of municipalities in the HUC 12 watersheds being proposed.	0 POINTS: <i>Applications that do not meet any of the previous performance measures will not be funded.</i>

¹⁰⁹ This is the area of land that is directly surrounding the drinking water source.

¹¹⁰ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

¹¹¹ 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.

Riparian Buffer ¹¹² <i>10 to 0 points possible</i>	10 POINTS: Surface Water: Program protects 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 Program is adjacent to 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. Groundwater: Program protects a groundwater source used as an active public drinking water supply and at least 50% of the parcel is, or will be, designated as wetlands, forested land, open space, or grasslands by the 2019 National Land Cover Dataset.	5 POINTS: Surface Water: Program protects 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. Groundwater: Program protects a groundwater source used as an active public drinking water supply and at least 50% of the parcel is, or will be, designated as agriculture or low/medium intensity developed area by the 2019 National Land Cover Dataset. OR Program protects a groundwater source used as an active public drinking water supply and 35% - 49% of the parcel is, or will be, 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.	2 POINTS: Surface Water: Program protects 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. Groundwater: Programs to protect a groundwater source used as an active public drinking water supply and at least 50% of the parcel is, is, or will be, designated as high density developed area by the 2019 National Land Cover Dataset. OR Program protects a groundwater source used as an active public drinking water supply and 35% - 49% of the parcel is, or will be, designated as agriculture or low/medium intensity developed area by the 2019 National Land Cover Dataset.	0 POINTS: Surface Water: Program is 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 Program protects 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>
Reasonableness of Cost <i>25 to 0 points possible</i>	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.	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.	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>	

¹¹² 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 riparian buffer width or land cover identified if awarded.

Source Water Protection Prioritization <i>10 to 0 points possible</i>	10 POINTS: 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). OR 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". ¹¹³		5 POINTS: Program prioritizes parcels based on proximity to the drinking water source. OR 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."		2 POINTS: Program prioritizes parcels based on vacancy or availability for acquisition.	
Potential Environmental Justice Area (PEJA) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i>	10 POINTS: Program improves water quality and is within a PEJA or DAC area. OR Program 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: Program improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area.		0 POINTS: Program does not improve water quality within a PEJA or DAC area. OR Program 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 Program does not improve water quality and is not within the HUC 10 watershed. and not upstream	
Disadvantaged Communities (DAC) includes financial hardship) <i>10 to 0 points possible</i> See Attachment A.	10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%. ¹¹⁴	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%.	2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.	0 POINTS: Applicant is not a municipality with a DAC population.

¹¹³ "A Framework for Creating a Drinking Water Source Protection Program Plan" can be found on DEC's website.

See <https://dec.ny.gov/environmental-protection/water/water-quality/dwsp2>.

¹¹⁴ 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>

Program Readiness <i>10 to 0 points available</i>	10 POINTS: 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.	8 POINTS: 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.	5 POINTS: 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.	0 POINTS: Drinking water supply watershed targeted for protection has not been clearly identified. OR Applicant has not provided protocols for monitoring and enforcement of properties. OR For projects involving personal service costs, applicant has not demonstrated the ability to maintain the level of effort funded by this grant. <i>Applications that fall into this category will not be funded.</i>
Experience and Ability <i>5 to 0 points available</i>	5 POINTS: 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.	3 POINTS: 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.	0 POINTS: 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. OR Has previous experience with WQIP Land Acquisition for Source Water Protection grants and did not complete all tasks in a timely manner. <i>Applications that fall into this category will not be funded.</i>	

Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in or serving a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ¹¹⁵	0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.
Flood Resilience <i>5 to 0 points possible</i>	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.		0 POINTS: Program is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience.
Total Maximum Points	115 points		

¹¹⁵ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

SALT STORAGE AND ROAD SALT REDUCTION

ELIGIBLE APPLICANTS

- Municipalities,¹¹⁶ 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
- Purchase brine making equipment and storage
- Retrofit snowplows with live edge or segmented flow blades, plow guards, truck mounted brine spreading equipment, and GPS sensors to implement road salt reduction practices

REQUIREMENTS FOR ALL SALT STORAGE AND ROAD SALT REDUCTION 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
- Brine storage tanks are required to have secondary containment, regardless of tank size, and follow the design specifications outlined in the “DER-17: Guidelines for Inspecting and Certifying Secondary Containment Systems of Aboveground Petroleum Storage Tanks at Major Oil Storage Facilities”.
- Proof of road salt reduction trainings, such as NYSDOT Snow University, AdkAction Sustainable Winter Road Maintenance Training, or equivalent are required to be completed prior to contracting.

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. For the Road Salt Reduction Practices category, a map or maps showing labeled public highway lanes that equipment will be used on in relation to the following water resources: surface

¹¹⁶ 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).

water resources, groundwater resources, public or private groundwater drinking water sources, surface water used for a public system. Applications without this map attachment will be deemed ineligible for Road Salt Reduction funding.

- If a salt storage structure, brining equipment and storage, or plow implements are to be built or stored wholly or partially in a floodplain, attach the applicable floodplain map with the location of the project indicated. Floodplain maps cannot be imbedded within another required attachment. Refer to the [Flood Resiliency Requirements](#) of this RFA.
- 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 conditions¹¹⁷
- Completed WQIP budget worksheet¹¹⁸
- Completed and signed Sexual Harassment Prevention Certification Form¹¹⁹
- Completed and signed Executive Order No. 16 Certification Form¹²⁰
- All required attachments are due at the time of application through the Consolidated Funding Application.

PROJECT SUBTYPES AND REQUIREMENTS

Project subtype	Description	Maximum Award	Required Match	Additional Information
Primary Priority				
Road Salt Reduction Equipment	Equipment to implement municipal road salt reduction strategies, to the extent practicable, while ensuring public safety on public highways ¹²¹	\$250,000	25% of award amount	<p>Projects that minimize or replace traditional road salt (rock salt) application to reduce chloride pollution in surface waterbodies or groundwater. Applicants may apply to retrofit one or more plows.¹²²</p> <p>Eligible practices are limited to:</p> <ul style="list-style-type: none"> • Brine making equipment • Brine storage tanks¹²³ • Live edge or segmented plow blades

¹¹⁷ Floodplain Management: <https://dec.ny.gov/environmental-protection/water/water-quantity/dam-safety-coastal-flood-protection/floodplain-management>

¹¹⁸ WQIP Budget Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹¹⁹ Sexual Harassment Prevention Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹²⁰ Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹²¹ Defined as any highway, road, street, avenue, alley, public place, public driveway or any other public way.

¹²² Vehicle retrofit BMPs include: live edge or segmented plow blades, plow guards, truck mounted brine spreading equipment, GPS equipment and sensors to track road salt or brine application, pavement temperature to inform road salt or brine application.

¹²³ Brine storage tanks are required to have secondary containment, regardless of tank size, and follow the design specifications outlined in the ["DER-17: Guidelines for Inspecting and Certifying Secondary Containment Systems of Aboveground Petroleum Storage Tanks at Major Oil Storage Facilities"](#)

Project subtype	Description	Maximum Award	Required Match	Additional Information
				<ul style="list-style-type: none"> • Plow guards • Truck mounted brine spreading equipment • GPS equipment and sensors to track road salt or brine application, or pavement temperature to inform road salt or brine application. This equipment may not exceed 20% of total project cost. <p>Required attachment: Map showing labeled public highway lanes that equipment will be used on in relation to the following water resources:</p> <ul style="list-style-type: none"> • surface water resources • groundwater resources • public or private groundwater drinking water sources • surface water used for a public system <p>Applications without this map attachment will be deemed ineligible for Road Salt Reduction funding.</p>
New Salt Storage 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).
Secondary Priority				
Replacement Salt Storage structures	Projects to replace an existing salt or	\$600,000	25% of award amount	Applications will receive lower points for Vision

Project subtype	Description	Maximum Award	Required Match	Additional Information
	salt/sand mixture storage structure			
Capacity expansion for existing salt storage structures	Projects to expand the capacity of an existing salt or salt/sand mixture structure	\$600,000	25% of award amount	Applications will receive lower points for Vision

ELIGIBLE COSTS

- Salary and fringe benefits
- Planning, design, administrative and construction oversight costs (total may not exceed 20% of award amount). Administrative costs must be directly related to implementing the project.¹²⁴
- Contractual services
- Costs related to the construction of the salt, salt/sand mixture, or brine storage structure
- Construction of access road and impervious pad surrounding structure necessary to load and unload salt.
- Equipment (road salt reduction only)
- Secondary containment for brine storage tanks

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Applications that do not include construction of a permanent structure to cover a salt or salt/sand mixture storage pile, brine storage, or snowplow retrofits 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 13, 2024).
- 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

¹²⁴ 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.

- Administrative costs not directly related to implementing the project¹²⁵
- Vehicles for snow and ice removal
- Road salt reduction strategies that will address areas other than public roadways

RESOURCES

- Office of General Services Specifications for salt storage facilities:
<https://online2.ogs.ny.gov/DNC/MasterSpec04/MasterSpecListing.asp?Div=13>
- Secondary containment design specification guidance for brine storage tanks:
https://extapps.dec.ny.gov/docs/remediation_hudson_pdf/der17.pdf
- DECinfo Locator¹²⁶ (most up to date source of WI/PWL segment fact sheets):
<https://dec.ny.gov/maps/interactive-maps/decinfo-locator>
- HUC 12 watershed map:
<https://nysdec.maps.arcgis.com/apps/webappviewer/index.html?id=a02867dc903f40a2831c904c7eb1b7d8>
- Principal aquifers¹²⁷ map:
<https://dec.ny.gov/nature/waterbodies/groundwater/aquifers>
- Primary aquifers¹²⁸ map:
<https://dec.ny.gov/nature/waterbodies/groundwater/aquifers>
- Sole source aquifers¹²⁹ map:
<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>
- Maps of Environmental Justice areas in New York State: <https://dec.ny.gov/get-involved/environmental-justice/gis-tools>
- Maps of DAC areas in New York State:
<https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

¹²⁵ 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.

¹²⁶ 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.

¹²⁷ **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.

¹²⁸ **Primary aquifers** are defined as highly productive aquifers presently utilized as sources of water supply by major municipal water supply systems.

¹²⁹ **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.

CONTACT

NYS Department of Environmental Conservation, Division of Water

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

ROAD SALT REDUCTION SCORING CRITERIA

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 40 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 2 points 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 Measures <i>10 to 2 points possible (as part of Vision score)</i>	10 POINTS: Project will implement two or more eligible road salt reduction practices. And one of the following: Project has an eligible Winter Road Maintenance Report OR Has areas identified in the Adirondack Road Salt Task Force Report ¹³⁰ within the “Pilot Categories and Location Candidate Recommendations” OR Is within the critical area of a DEC/DOH reviewed and accepted groundwater Drinking Water Source Protection Program (DWSP2) Plan ¹³¹ OR Equipment will be implemented on public highway lanes that are less than 25 feet from a	8 POINTS: Project will implement two or more eligible road salt reduction practices. OR Has areas identified in the Adirondack Road Salt Task Force Report within the “Pilot Categories and Location Candidate Recommendations” OR is within the critical area of a DEC/DOH reviewed and accepted groundwater DWSP2 Plan OR Equipment will be implemented on public highway lanes that are less than 50 feet from a public or private groundwater drinking water source or a surface water used for a public system and is shown in required map attachment.	6 POINTS: Project will implement one or more types of eligible road salt reduction practice. And one of the following: Equipment will be implemented on public highway lanes that are less than 100 feet from a public or private groundwater drinking water source or surface water used for a public system and is shown in required map attachment. OR Equipment will be implemented on public highway miles that are less than 100 feet from waterbodies classified as trout (T) or trout spawning (TS) and is shown in required map attachment.	2 POINTS: Project will implement only one type of eligible road salt reduction practice. OR Equipment will be implemented on public highway lanes that are over 100 feet from a public or private groundwater drinking water source or surface water used for a public system.

¹³⁰ Adirondack Road Salt Task Force Report:

https://extapps.dec.ny.gov/docs/administration_pdf/adirondackroadsaltreport.pdf

¹³¹ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 plan.

	public or private groundwater drinking water source or surface water used for a public system and is shown in required map attachment.					
Impact Factor <i>4 to 1 point(s) possible (as part of Vision score)</i>	4 POINTS: Project will implement road salt reduction practices on more than 100 lane miles.	3 POINTS: Project will implement road salt reduction practices on 51-100 lane miles.	2 POINTS: Project will implement road salt reduction practices on 25 – 50 miles.	1 POINT: Project will implement road salt reduction practices on less than 25 lane miles.		
Reasonableness of Cost <i>25 to 0 points possible</i>	25 POINTS: Budget clearly details and justifies only eligible costs related to implementation of road salt reduction equipment.	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.		
Program Scale <i>8 to 1 point(s) possible</i>	8 POINTS: Project will implement road salt reduction practices at a county scale.		5 POINTS: Project will implement road salt reduction practices in more than one municipality.	1 POINT: Project will implement road salt reduction practices in a single municipality.		
Potential Environmental Justice Area (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%. ¹³² 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%	2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.	0 POINTS: Applicant is not a municipality with a DAC population.
Project Readiness <i>7 to 0 points possible</i>	7 POINTS: Applicant has a clearly defined plan for implementation of proposed road salt reduction		3 POINTS: Applicant has a plan for implementation of proposed road salt reduction practices but has not		0 POINTS: Proposal is unclear and is not ready to proceed to implementation.	

¹³² 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>

	practices and has already completed training requirement for road salt reduction practices.	yet completed training requirement for road salt reduction practices.	<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 all WQIP contracts in the past 10 years in a timely manner. OR Applicant has sufficiently shown its ability to complete this salt reduction project.	3 POINTS: Applicant has shown the ability to complete most WQIP contracts in the past 10 years in a timely manner. OR 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.	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. <i>Applications that fall into this category will not be funded.</i>
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in or serving a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ¹³³	0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.
Flood Resilience <i>5 to 0 points possible</i>	5 POINTS: Equipment will be stored outside of the 0.2% or 1% annual chance of occurrence floodplain. OR Equipment will be stored 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: Equipment will be stored within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience.
Total Maximum Points	115 points		

¹³³ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

SALT STORAGE SCORING CRITERIA

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 40 points to be eligible for funding. Applications that receive 0 points for 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 score, only the combined Vision points.				
Performance Measures ¹³⁴ 10 to 1 point(s) possible (as part of Vision score)	10 POINTS: Project is to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located: Less than 300 feet from 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 OR within the critical area of a DEC/DOH reviewed and accepted groundwater Drinking Water Source Protection Program (DWSP2) Plan. ¹³⁵	7 POINTS: Project is to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located: 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 OR less than 500 feet from a private well OR within the extended and/or source water protection area of a DEC/DOH reviewed and accepted groundwater DWSP2 Plan.	5 POINTS: Project is to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located: 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 OR 500 feet or more but less than 1,000 feet from a private well OR 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: 300 feet of a groundwater drinking water source or surface water used for a public water system OR within a principal aquifer OR	3 POINTS: Project is to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located: 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 OR 1,000 feet or more but less than 1,500 feet from a private well OR 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: 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.	1 POINT: Project is 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: 2,000 feet or more from a groundwater drinking water source or surface water used for a public water system OR 1,000 feet or more from a private well. OR Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located: 4,000 feet or more from a groundwater drinking water source or surface water used for a public system OR 1,500 feet or more from a private well.

¹³⁴ Points are based on the location of the current uncovered salt or salt/sand pile.

¹³⁵ Applicants can contact DEC at source.water@dec.ny.gov for information about which municipalities have a complete DWSP2 Plan.

			within a primary aquifer OR within a sole source aquifer.		
Impact Factor <i>4 to 1 point(s) possible (as part of Vision score)</i>	4 POINTS: Project is 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: Project is 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: Project is 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: Project is 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) ¹³⁶ , C(TS)		1 POINT: B, SB, C, SC, I, D, SD, SA, GSB, GSA	
Potential Environmental Justice Area (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.	

¹³⁶ (T) and (TS) indicate the application of standards to protect trout and trout spawning respectively.

Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i> See Attachment A.	10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%. ¹³⁷	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%	2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.	0 POINTS: Applicant is not a municipality with a DAC population.
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 with construction. <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 all WQIP contracts in the past 10 years in a timely manner. OR Applicant has sufficiently shown its ability to complete this salt facility project.		3 POINTS: Applicant has shown the ability to complete most WQIP contracts in the past 10 years in a timely manner. OR 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.		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. <i>Applications that fall into this category will not be funded.</i>	
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in or serving a certified bronze or silver Climate Smart Community.		2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE2: Government Operations Greenhouse Gas Inventory; PE3: Fleet Efficiency Policy; PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ¹³⁸		0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.	

¹³⁷ 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>

¹³⁸ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

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	

DAM SAFETY REPAIR/REHABILITATION AND DAM REMOVAL

ELIGIBLE APPLICANTS

- Municipalities,¹³⁹ including Indian Nations
- Not-for-profit corporations¹⁴⁰

DESCRIPTION

Funding¹⁴¹ is available to improve dam safety through the repair and rehabilitation or removal of dams with a downstream hazard classification of Class C (High) and Class B (Intermediate) to promote climate change resilience.

REQUIREMENTS FOR ALL DAM SAFETY REPAIR/REHABILITATION AND DAM REMOVAL 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 or if a not-for-profit and not the dam owner, a letter authorizing the application to do the work.
- Projects must reduce a hazard condition and result in a safe impoundment structure that meets Dam Safety criteria as identified in NYS DEC's [Guidelines for Design of Dams: \(dec.ny.gov/docs/water_pdf/damguideli.pdf\)](https://dec.ny.gov/docs/water_pdf/damguideli.pdf) and other sound engineering principles.

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.
- If the dam has 1-foot of freeboard during the Spillway Design Flood (SDF) attach an engineering report or technical document prepared, signed, stamped and dated by a NYS-registered Professional Engineer demonstrating that at least 1-

¹³⁹ 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).

¹⁴⁰ For this grant opportunity, a not-for-profit is subject to New York State's Not-For-Profit Corporation Law, is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has an IRS 501(c)(3) determination letter to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

¹⁴¹ Funding for this project type is contingent on Clean Water, Clear Air, and Green Jobs Environmental Bond Act allocations.

foot of freeboard between the SDF surface water elevation and top of dam is achieved

- If the inundation map in the Emergency Action Plan 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 impoundment is a primary water supply, clearly define the structure(s) or water supply on the map and attach the map as a separate attachment.
- Engineering report **prepared, stamped, signed, and dated** by a NYS-registered professional engineer¹⁴²
 - 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 (if applicable)
 - Recommended alternative
- Completed WQIP budget worksheet¹⁴³
- Completed and signed Sexual Harassment Prevention Certification Form¹⁴⁴
- Completed and signed Executive Order No. 16 Certification Form¹⁴⁵
- 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 wholly or partially in a floodplain, attach the applicable floodplain map with the location of the project indicated. Floodplain maps cannot be imbedded within another required attachment. Refer to the [Flood Resiliency Requirements](#) of this RFA.
- 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.

¹⁴² 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)

¹⁴³ WQIP Budget Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁴⁴ Sexual Harassment Prevention Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁴⁵ Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>¹⁴⁶
Guidelines for Design of Dams: https://www.dec.ny.gov/docs/water_pdf/damguideli.pdf

Project subtype	Description	Maximum Award	Required Match	Special Requirements
Primary Priority				
Repair High Hazard Dam Projects or Removal of Class B/C Dams	Projects to remove a Class B/C dam or 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	\$2,500,000	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 condition rating of Unsafe or Unsound	\$2,000,000	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.
General Dam Safety Projects				
Other Dam Repair Projects for High and Intermediate Classified Dams	All other dam repair projects	\$1,000,000	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

Project subtype	Description	Maximum Award	Required Match	Special Requirements
				for Design of Dams, ¹⁴⁶ 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 that 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.
 - For removal projects including structure removal, sediment removal, streambank stabilization, and other dam removal tasks.
- 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 project¹⁴⁷

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 13, 2024).
- Administrative costs not directly related to implementing the project¹⁴⁸
- 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.

¹⁴⁶ Guidelines for Design of Dams: https://www.dec.ny.gov/docs/water_pdf/damguideli.pdf

¹⁴⁷ 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.

¹⁴⁸ 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

- NYS Guidelines for Design of Dams:
https://extapps.dec.ny.gov/docs/water_pdf/damguideli.pdf
- DOW TOGS 3.1.3 -Emergency Action Plans:
https://extapps.dec.ny.gov/docs/water_pdf/dow313eaps.pdf
- DOW TOGS 3.1.4 – Guidelines for Engineering Assessment Reports:
https://extapps.dec.ny.gov/docs/water_pdf/damfengarpt.pdf
- DOW TOGS 3.1.5 – Dam Hazard Classification:
https://extapps.dec.ny.gov/docs/water_pdf/togs315.pdf
- NYS Dam Safety Webpage: <https://dec.ny.gov/environmental-protection/water/water-quantity/dam-safety-coastal-flood-protection/dam-safety>
- Maps of Environmental Justice areas in New York State: <https://dec.ny.gov/get-involved/environmental-justice/gis-tools>.
- 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 AND DAM REMOVAL SCORING CRITERIA

Agency Points	<i>Up to 115 points are available, as defined below. Applications must receive a minimum of 40 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 <i>10 points to 0 points</i>	10 POINTS: Class C – High Hazard Dam	0 POINTS: Class B – Intermediate Hazard Dam	
Population at Risk (PAR) <i>10 points to 0 points</i>	10 POINTS: Greater than 1,001	5 POINTS: 1 – 1,000	0 POINTS: 0
Condition Improvement Rating <i>10 points to 0 points</i>	10 POINTS: Unsafe or Unsound deficiency recognized (DEC assigned) that results in the removal of condition rating or dam removal with any unsound rating.	5 POINTS: Unsound – any other sub-rating (DEC assigned) that results in the removal of condition rating.	0 POINTS: Other rating or no rating.
Compliance Status (6 NYCRR Part 673.- .7 - Emergency Action Plan,	15 POINTS: Applicant is in compliance with all three (3) identified regulations.	0 POINTS: Applicant is NOT in compliance with all three (3) identified regulations.	

.8 - Annual Certification, .13 - Engineering Assessment) <i>15 points to 0 points</i>						
Possible Dam Failure Impact to Structures/ Facilities <i>5 Points to 0 points</i>	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. OR The project is for a dam removal.			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.		
Potential Environmental Justice Area (PEJA) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i>	10 POINTS: PEJA and/or DAC community is within the dam failure inundation area.			0 POINTS: PEJA and/or DAC community is not within the dam failure inundation 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%. ¹⁴⁹ 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%	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.	5 POINTS: Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project.		0 POINTS: Costs are not clearly explained or not reasonable for this type of project. Applications that fall into this category will not be funded.

¹⁴⁹ 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>

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 will be completed in the next 5 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>
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in or serving a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ¹⁵⁰	0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.
Enhanced Flood Resilience <i>5 to 0 points possible</i>	5 POINTS: Dam has at least 1-foot of freeboard under the Spillway Design Flood (SDF).		0 POINTS: Project dam does not maintain at least 1-foot of freeboard under the Spillway Design Flood (SDF) and will not meet this criteria under the proposed project.
Total Maximum Points	115 points		

¹⁵⁰ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

AQUATIC CONNECTIVITY RESTORATION

ELIGIBLE APPLICANTS

- Municipalities,¹⁵¹ including Indian Nations
- Soil and Water Conservation Districts
- Not-for-profit corporations¹⁵²

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 worksheet¹⁵³
- Completed and signed Sexual Harassment Prevention Certification Form¹⁵⁴
- Completed and signed Executive Order No. 16 Certification Form¹⁵⁵
- 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 wholly or partially in a floodplain, attach the applicable floodplain map with the location of the project indicated. Floodplain maps cannot be imbedded within another required attachment. Refer to the [Flood Resiliency Requirements](#) of this RFA.
- 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 conditions¹⁵⁶. 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.

¹⁵¹ 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).

¹⁵² For this grant opportunity, a not-for-profit is subject to New York State's Not-For-Profit Corporation Law, is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has an IRS 501(c)(3) determination letter to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

¹⁵³ WQIP Budget Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁵⁴ Sexual Harassment Prevention Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁵⁵ Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁵⁶ Floodplain Management: <https://dec.ny.gov/environmental-protection/water/water-quantity/dam-safety-coastal-flood-protection/floodplain-management>

- Landowner agreements (if property not owned by applicant)¹⁵⁷
- North Atlantic Aquatic Connectivity Collaborative (NAACC) assessment or picture(s) of proposed site(s) upstream, downstream, inlet and outlet (culverts), structure (dams)
- 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
Projects that improve aquatic habitat connectivity at road/stream crossings or dams and may promote flood risk reduction and enhanced flood and climate resiliency.	\$1,000,000	25% of award amount	<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. Projects that do not meet resource management goals,</p>

¹⁵⁷ If the property owner is a municipality: a resolution by the municipality supporting the project; If the property is not owned by the applicant: a formal written agreement between the applicant and the landowner that allows the applicant access to the property, represent the landowner, and accomplish the proposed project; If the applicant is a not-for-profit proposing a project on municipal property: a signed municipal endorsement that provides authorization for the not-for-profit to conduct the proposed project on municipal property.

Description	Maximum Award	Required Match	Special Requirements
			including those that would have negative impact on native species, may not be funded

ELIGIBLE COSTS

- Salary and fringe benefits
- Contractual costs
- Travel
- Equipment/materials
- Planning, design, administrative and construction oversight costs (total may not exceed 20% of award amount). Administrative costs must be directly related to implementing the project.¹⁵⁸
- Construction inspection
- Monitoring (may not exceed 20% of award amount)
- Maintenance
- Reconstruction, revitalization, and rejuvenation activities¹⁵⁹
- 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.¹⁶⁰

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Costs incurred outside the start and end date of the contract (no earlier than May 13, 2024)
- Planning, design, administrative, and construction oversight costs greater than 20% of the award amount
- Monitoring costs greater than 20% of the award amount
- Indirect costs (e.g., space property rent, utilities, and other office supplies)
- Legal fees
- Administrative costs not directly related to implementing the project¹⁶¹

¹⁵⁸ 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.

¹⁵⁹ 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.

¹⁶⁰ New York State Department of Transportation's Highway Design Manual:
<https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm>.

¹⁶¹ 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.

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 Locator¹⁶² (most up to date source of WI/PWL segment fact sheets): <https://dec.ny.gov/maps/interactive-maps/decinfo-locator>
- Guidance for projects to upgrade and replace road stream crossing structures to a larger size and appropriate design to increase ecological connectivity and hydrologic capacity: <https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/protection-of-waters-program/stream-crossings>.
- Species of Greatest Conservation Need (SGCN): <https://dec.ny.gov/nature/animals-fish-plants/biodiversity-species-conservation/state-wildlife-action-plan>
- North Atlantic Aquatic Connectivity Project (NAACC): <https://streamcontinuity.org/naacc>
- Maps of Environmental Justice areas in New York State: <https://dec.ny.gov/get-involved/environmental-justice/gis-tools>.
- Maps of DAC areas in New York State: <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

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://dec.ny.gov/nature/animals-fish-plants/biodiversity-species-conservation/state-wildlife-action-plan>) 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

¹⁶² 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://giservices.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.

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

CONTACT

NYS Department of Environmental Conservation, Division of Fish and Wildlife

- Corbin Gosier, 518-402-8872

AQUATIC CONNECTIVITY RESTORATION SCORING CRITERIA

Agency Points		<i>Up to 115 points are available, as defined below. Applications must receive a minimum of 40 points to be eligible for funding. Applications that receive 0 points for Barrierity, Project Readiness or Experience and Ability will not be funded.</i>			
Barrierity ¹⁶³ <i>28 to 0 points possible</i>	28 POINTS: Significant or severe	20 POINTS: Moderate		10 POINTS: Minor	0 POINTS: Insignificant or no barrier <i>Applications that fall into this category will not be funded.</i>
Species Miles ¹⁶⁴ <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 with construction. AND/OR Project cost exceeds maximum grant amount and has not secured remaining funding needed. <i>Applications that fall into this category will not be funded.</i>
Potential Environmental Justice Area (PEJA) 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.

¹⁶³ Barrierity: See explanation above of this matrix.

¹⁶⁴ Species Miles: See explanation above of this matrix.

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%. ¹⁶⁵ 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%.	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. <i>Applications that fall into this category will not be funded.</i>	
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in or serving a certified bronze or silver Climate Smart Community.		2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ¹⁶⁶		0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.	
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					

¹⁶⁵ 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>

¹⁶⁶ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

MARINE DISTRICT HABITAT RESTORATION

ELIGIBLE APPLICANTS

- Municipalities,¹⁶⁷ including Indian Nations
- Soil and Water Conservation Districts
- Not-for-profit corporations¹⁶⁸

DESCRIPTION

Projects that improve the ecological condition of waters within the marine district¹⁶⁹ 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 worksheet¹⁷⁰
- Completed Sexual Harassment Prevention Certification Form¹⁷¹
- Completed and signed Executive Order No. 16 Certification Form¹⁷²
- 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 wholly or partially in a floodplain, attach the applicable floodplain map with the location of the project indicated. Floodplain maps cannot be imbedded within another required attachment. Refer to the [Flood Resiliency Requirements](#) of this RFA.
- 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

¹⁶⁷ 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).

¹⁶⁸ For this grant opportunity, a NFP is subject to New York State’s Not-For-Profit Corporation Law, is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has an IRS 501(c)(3) determination letter to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

¹⁶⁹ New York’s Marine District Waters: <https://dec.ny.gov/regulatory/permits-licenses/sporting-and-use/sporting/recreational-marine-fishing-registry>

¹⁷⁰ WQIP Budget Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁷¹ Sexual Harassment Prevention Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁷² Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>¹⁷³
Floodplain Management: <https://dec.ny.gov/environmental-protection/water/water-quantity/dam-safety-coastal-flood-protection/floodplain-management>

¹⁷³ Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>¹⁷³
Floodplain Management: <https://dec.ny.gov/environmental-protection/water/water-quantity/dam-safety-coastal-flood-protection/floodplain-management>

rise in the base flood elevation when comparing pre- and post-project conditions¹⁷³

- Feasibility study for the project that includes Marine District Habitat Restoration Feasibility Study Outline required elements¹⁷⁴
- Landowner agreements¹⁷⁵ (if property not owned by applicant)
- 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.

¹⁷³ Floodplain Management: <https://dec.ny.gov/environmental-protection/water/water-quantity/dam-safety-coastal-flood-protection/floodplain-management>

¹⁷⁴ Marine District Habitat Restoration Feasibility Study Outline: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁷⁵ 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.

PROJECT SUBTYPES

Description	Maximum award	Required match	Special Requirements
Projects for habitat restoration within the marine district ¹⁷⁶	\$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
- Planning, design, administrative, monitoring, and construction oversight costs (total may not exceed 20% of award amount). Administrative costs must be directly related to implementing the project¹⁷⁷
- Construction inspection
- Maintenance
- Reconstruction, Revitalization, and Rejuvenation activities¹⁷⁸

¹⁷⁶ New York's Marine District Waters: <https://dec.ny.gov/regulatory/permits-licenses/sporting-and-use/sporting/recreational-marine-fishing-registry>

¹⁷⁷ 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.

¹⁷⁸ The terms reconstruction, revitalization, and rejuvenation refer to those activities necessary to restore and/or improve the ecosystem processes or functions of the associated marine habitat.

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Costs incurred outside the start and end date of the contract (no earlier than May 13, 2024)
- Indirect costs (e.g., space property rent, utilities, and other office supplies)
- Legal fees
- Projects with planning, design, administrative, and construction oversight costs in excess of 20% of the award amount may be deemed ineligible.
- Administrative costs not directly related to implementing the project¹⁷⁹

RESOURCES

- Species of Greatest Conservation Need (SGCN):
<https://dec.ny.gov/nature/animals-fish-plants/biodiversity-species-conservation/state-wildlife-action-plan>
- Maps of PEJA areas in New York State: <https://dec.ny.gov/get-involved/environmental-justice/gis-tools>.
- 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/NYNJHEPAActionAgenda.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/>
 - Hudson River Estuary Action Agenda:
https://extapps.dec.ny.gov/docs/remediation_hudson_pdf/hreaa2021.pdf
 - New York Ocean Action Plan:
https://extapps.dec.ny.gov/docs/fish_marine_pdf/nyoceanactionplan.pdf
 - New York State Ocean Acidification Task Force Final Report:
<https://dec.ny.gov/sites/default/files/2024-01/ocean-acidification-task-force-report.pdf>

¹⁷⁹ 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.

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 40 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.				
Performance Measures 30 to 0 points possible	30 POINTS: Project addresses three or more habitat restoration actions or objectives identified in a Federal or state natural resources management plan. OR Project provides a direct benefit to three or more Species of Greatest Conservation Need (SGCN) or Federal trust species. Applicant must explain how the project will benefit each species.	24 POINTS: Project addresses two habitat restoration actions or objectives identified in a Federal or State natural resources management plan. OR Project provides a direct benefit to two or more State SGCN or Federal trust species. Applicant must explain how the project will benefit each species.	12 POINTS: Project addresses more than one action or objective identified in a Federal or state natural resources management plan. OR Project provides direct benefit to any species of management concern to DEC. Applicant must explain how the project will benefit the species.	6 POINTS: Project addresses only one action or objective identified in a Federal or State natural resources management plan.	0 POINTS: Applications that do not meet any of the previous performance measures.	
Reasonableness of Cost 25 to 0 points possible	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 exceed 20%. Applications that fall into this category will not be funded.	
Vision 10 to 0 points possible	10 POINTS: 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 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.	

Project Readiness <i>10 to 0 points possible</i>	10 POINTS: Project has all necessary permits (or does not need permits) and approvals. The project is ready to move forward with construction.		5 POINTS: Project is not ready to proceed with construction, but applicant has engaged with regulatory agencies to discuss the project, understands the requirements for approvals, and expects all necessary permits will be issued and construction will proceed within the grant period.		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>	
Potential Environmental Justice Area (PEJA) 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%. ¹⁸⁰ 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%.	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>8 to 0 points possible</i>	10 POINTS: Applicant has shown the ability to complete state-funded marine district habitat restoration projects in the past 10 years in a timely manner. OR Applicant has successfully completed marine district habitat restoration projects in the past 10 years (please attach pictures).		5 POINTS: 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. 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.		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>	

¹⁸⁰ 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>

Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in or serving a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ¹⁸¹	0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.
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		

¹⁸¹ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

FISH AND WILDLIFE HABITAT RESTORATION AND ENHANCEMENT

ELIGIBLE APPLICANTS

- Municipalities,¹⁸² including Indian Nations
- Soil and Water Conservation Districts
- Not-for-profit corporations¹⁸³

DESCRIPTION

Funding¹⁸⁴ is available for projects that will, as their primary goal, restore and/or enhance impaired, degraded, or marginal fish and wildlife habitat by directly addressing one or more factors that are compromising the habitat's value and function to serve as a high-quality spawning, nursery, wintering, migratory, nesting, breeding, or foraging environment for one or more species of fish or wildlife of conservation concern or interest.

For 2024, funding in this category will be directed to two project subtypes: 1) wetland restoration and enhancement and 2) riparian corridor restoration and enhancement. If the primary goal of a project is to filter nutrients and sediment, prevent streambank/shoreline erosion, reduce thermal impacts to waterbodies the project must apply in the non-agricultural nonpoint source abatement and control category.

REQUIRED ATTACHMENTS

- Completed WQIP budget worksheet¹⁸⁵
- Completed and signed Sexual Harassment Prevention Certification Form¹⁸⁶
- Completed and signed Executive Order No. 16 Certification Form¹⁸⁷
- If the project is wholly or partially in a floodplain, attach the applicable floodplain map with the location of the project indicated. Floodplain maps cannot be imbedded within another required attachment. Refer to the [Flood Resiliency Requirements](#) of this RFA.
- Landowner agreements¹⁸⁸ (if property not owned by applicant)

¹⁸² 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).

¹⁸³ For this grant opportunity, a NFP is subject to New York State's Not-For-Profit Corporation Law, is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has an IRS 501(c)(3) determination letter to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

¹⁸⁴ Funding for this project type is contingent on Clean Water, Clear Air, and Green Jobs Environmental Bond Act allocations.

¹⁸⁵ WQIP Budget Worksheet: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁸⁶ Sexual Harassment Prevention Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁸⁷ Executive Order No. 16 Certification Form: <https://dec.ny.gov/get-involved/grant-applications/wqip-program>

¹⁸⁸ 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

- 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.
 - Include relevant Hydrologic Unit layers.
- Aerial imagery, photos, maps, and other visual representation of current project area and conditions
- Project Design, Plan, and/or Schematic
- Environmental Assessment (if applicable)
- Pictures of successful habitat restoration or enhancement project(s) if the applicant has successfully completed habitat restoration or enhancement 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
Wetland Habitat Restoration and Enhancement	\$1,000,000	25% of award amount	<p>Projects must improve the ecological habitat condition of current and/or historic wetlands of the state, including marshes, swamps, bogs, fens, and other wetland types, with the intent to support fish and wildlife, and other biota.</p> <p>Projects may involve activities such as:</p> <ul style="list-style-type: none"> • Removal of historic fill; • Revegetation of degraded wetland habitats and buffers; • Restoration of wetland hydrology through the removal of tiles, ditching, other drainage or diversion structures, or other constrictions or conditions that impact, impair, or influence surface or subsurface water movement; • Control and management of invasive or native plant species and replanting with native species;

applicant access to the property, represent the landowner, and accomplish the proposed project; If the applicant is a not-for-profit proposing a project on municipal property: a signed municipal endorsement that provides authorization for the not-for-profit to conduct the proposed project on municipal property.

Description	Maximum award	Required match	Special Requirements
			<ul style="list-style-type: none"> • Enhancement of wetland habitat functions and values. • Reestablishment or enhancement of benthic/littoral zone topography to create shallow-water vegetated habitats (e.g., SAV beds); or • Other similar management actions.
Riparian Corridor Habitat Restoration and Enhancement	\$1,000,000	25% of award amount	<p>Projects must improve the ecological habitat condition of the riparian corridors of the state including stream and river channels (bed and banks) and the associated riparian buffer (up to 100 feet from the stream banks on both sides) with the intent to support fish and wildlife, and other biota.</p> <p>Projects may involve activities such as:</p> <ul style="list-style-type: none"> • Installation of in-stream/in-channel habitat structures, features, and improvements using natural channel design principles including rock or wooden deflectors, cribbing, lunkers, rock vanes, rock piles, boulders, engineered log jams, gravel bars, step pools, etc.; • Restoration or enhancement of natural channel sinuosity; • Installation of fish passage structures; • Restoration or enhancement of riparian buffers through planting or other means of revegetation to provide shading, thermal protection, overhead cover, terrestrial habitat connectivity, etc.; or

Description	Maximum award	Required match	Special Requirements
			<ul style="list-style-type: none"> Other similar management actions.

ELIGIBLE COSTS

- Salary and fringe benefits
- Contractual costs
- Travel
- Equipment/materials
- Planning, design, administrative and construction oversight costs (total may not exceed 20% of award amount). Administrative costs must be directly related to implementing the project.¹⁸⁹
- Construction inspection (on-site activities typically performed by a licensed professional engineer, e.g., inspection of methods and materials)
- Reconstruction, revitalization, and rejuvenation activities¹⁹⁰
- Restoration¹⁹¹ and enhancement¹⁹² activities

INELIGIBLE COSTS/ACTIVITIES/APPLICATIONS

- Costs incurred outside the start and end date of the contract (no earlier than May 13, 2024)
- Construction oversight (e.g., monitoring the schedule and budget, contract performance, and quality control)
- Non-construction costs incurred during the construction phase of the project.
- Land acquisition
- Indirect costs (e.g., space property rent, utilities, and other office supplies)
- Legal fees
- Projects that:
 - Do not improve aquatic habitat function, increase species abundance for endangered or threatened species, or protect species of greatest conservation need or species of conservation need;
 - Have a negative effect on native fish and wildlife populations;
 - Are only seeking funds for studies, planning, or design;
 - Do not include all required attachments; and

¹⁸⁹ 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.

¹⁹⁰ Activities necessary to reestablish stream channel dimensions, structure, and grade, and to revegetate streambanks in the vicinity of the road/stream crossing or dam, or creating or adding herbaceous, non-forested, vegetated buffers that are not managed via agriculture at stream banks.

¹⁹¹ Activities that transform significantly functionally impaired wetlands or riparian corridors into improved or functioning water bodies that help with WQIP objectives such as flood resilience, water quality, erosion mitigation, and stormwater control, as well as habitats for threatened or at-risk species.

¹⁹² Activities that improve wetland or riparian corridor function, aesthetic value, biodiversity or species richness, habitat value for threatened or at-risk species, stream classification, initial conditions of wetland or streams, or other similar improvements.

- Do not meet the requirements for that project type or subtype.
- Pre- and post-construction monitoring and sampling
- Administrative costs not directly related to implementing the project¹⁹³

RESOURCES

- DECinfo Locator¹⁹⁴ <https://dec.ny.gov/maps/interactive-maps/decinfo-locator>
- Environmental Assessment Form (EAF) Mapper: <https://gisservices.dec.ny.gov/eafmapper/>
- Species of Greatest Conservation Need (SGCN): <https://dec.ny.gov/nature/animals-fish-plants/biodiversity-species-conservation/state-wildlife-action-plan>
- North Atlantic Aquatic Connectivity Project (NAACC): <https://streamcontinuity.org/naacc>
- Maps of Environmental Justice areas in New York State: <https://dec.ny.gov/get-involved/environmental-justice/gis-tools>.
- Maps of DAC areas in New York State: <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>
- EPA – Wetland Restoration, Creation, and Enhancement: Introduction and User’s Guide: [Document Display | NEPIS | US EPA - Wetland Restoration, Creation, and Enhancement: Introduction and User's Guide](#)
- Riparian Corridor: BLM – Riparian Restoration: https://www.blm.gov/sites/default/files/documents/files/Library_BLMTechnicalReference1737-22.pdf

CONTACT

NYS Department of Environmental Conservation, Division of Fish and Wildlife

- Nathan Ermer, (518) 402-3447

¹⁹³ 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.

¹⁹⁴ 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.

FISH AND WILDLIFE HABITAT RESTORATION AND ENHANCEMENT SCORING CRITERIA

Agency Points	Up to 115 points are available, as defined below. Applications must receive a minimum of 40 points to be eligible for funding. Applications that receive 0 points for Project Impact – Probability of New Positive Outcome, Project Impact – Project Benefit Duration, Reasonableness of Cost, Project Readiness, or Experience and Ability will not be funded.			
Incorporation of Conservation Priorities and Concerns <i>5 to 0 points possible</i>	5 POINTS: Project addresses a goal or priority identified in an existing species conservation plan, habitat conservation plan, land management plan, watershed plan, or similar document.		0 POINTS: Project does not address a goal or priority identified in an existing species conservation plan, habitat conservation plan, land management plan, watershed plan, or similar document.	
Relationship to Aquatic Connectivity Restoration Project <i>2 to 0 points possible</i>	2 POINTS: Project is directly associated with a recently completed or approved Aquatic Connectivity Restoration (ACR) project.		0 POINTS: Project has no direct association with an ACR project.	
Number of Sites <i>2 to 0 points possible</i>	2 POINTS: Project involves more than one (1) site within a single HUC 12 basin.		0 POINTS: Project involves only one (1) site within a single HUC 12 basin.	
Project Impact – Habitat Value for At-Risk Species <i>8 to 0 points possible</i>	8 POINTS: Project improves (or could improve) habitat for an endangered or threatened species or high priority Species of Greatest Conservation Need (SGCN). OR Project benefits two or more significant natural communities.	4 POINTS: Project improves (or could improve) habitat for an SGCN or Species of Conservation Need (SCN). OR Project benefits one significant natural community.	2 POINTS: Project improves (or could improve) habitat for a unique or noteworthy assemblage of common native or naturalized species. OR Project benefits species that are essential to outdoor recreation in NY.	0 POINTS: Project does not improve habitat or benefit any species or resources of priority.
Project Impact – Size <i>5 to 0 points possible</i>	5 POINTS: Project affects more than 50 acres of rural landscapes OR over 10 acres of suburban landscapes OR over 5 acres of urban landscapes. OR Project affects more than 2,000 linear feet.	3 POINTS: Project affects 20 to 50 acres of rural landscapes OR 4 to 10 acres of suburban landscapes OR 2 to 5 acres of urban landscapes. OR Project affects 1,500 to 2,000 linear feet.	2 POINTS: Project affects 10 to 20 acres of rural landscapes OR 2 to 4 acres of suburban landscapes OR 1 to 2 acres of urban landscapes. OR Project affects 1,001 to 1,500 linear feet.	0 POINTS: Project affects less than 10 acres of rural landscapes OR less than 4 acres of suburban landscapes OR less than 1 acre of urban landscapes. OR Project affects less than 1,000 linear feet.

Project Impact – Current Condition <i>7 to 0 points possible</i>	7 POINTS: Highly degraded or expected to become highly degraded without immediate management action.	4 POINTS: Moderately degraded - some primary habitat functions are impaired.	2 POINTS: Functional, some stressors or threats are present but do not currently alter habitat functions.	0 POINTS: Pristine, no impairments present.
Project Impact – Probability of Net Positive Outcome <i>8 to 0 points possible</i>	8 POINTS: Project has a high probability of positive outcome (sound, scientifically supported approach and methods AND no foreseeable negative impacts).	4 POINTS: Project has a moderately high probability of positive outcome (previously successful approach and methods AND negative impacts are adequately avoided, minimized, or mitigated).	2 POINTS: Project has a moderate probability of positive outcome (experimental or unproven approach and methods, negative impacts are not adequately addressed or are unavoidable, but do not outweigh positive potential).	0 POINTS: Project is unlikely to achieve positive outcome (negative impacts outweigh any potential benefits). <i>Applications that fall into this category will not be funded.</i>
Project Impact – Project Benefit Duration <i>8 to 0 points possible</i>	8 POINTS: Project benefits are expected to persist for more than 30 years after project completion without additional management inputs. OR There is a long-term maintenance plan with dedicated (non-grant) resources/funding in place that will maximize benefits over the duration of 30 or more years.	4 POINTS: Project benefits are expected to persist for 20 to 30 years without additional management inputs.	0 POINTS: Project benefits are expected to persist for less than 20 years without additional management inputs. <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 the project. AND Project costs provide exceptional value as it applies to wildlife conservation and habitat revitalization and is fiscally sound.	10 POINTS: Budget provides some detail on costs related to implementation of the project. OR Project costs provide reasonable value as it applies to wildlife conservation and habitat revitalization and is fiscally sound.	0 POINTS: Budget does not clearly detail costs associated with the project. OR Project costs do not provide a good value as it applies to wildlife conservation and habitat revitalization. <i>Applications that fall into this category will not be funded.</i>	
Potential Environmental Justice Area (PEJA) and Disadvantaged Communities (DAC) Benefits <i>10 to 0 points possible</i>	10 POINTS: Project improves habitat and is within a PEJA or DAC area.	5 POINTS: Project improves habitat and is within the same HUC 10 watershed as a PEJA or DAC area.	0 POINTS: Project does not improve habitat within a PEJA or DAC area. OR Project does not improve habitat within the same HUC 10 watershed as 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%. ¹⁹⁵ 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%	2 POINTS: Applicant is a municipality with a DAC population of 1 – 19%.	0 POINTS: Applicant is not a municipality with a DAC population.
Project Readiness <i>10 to 0 points possible</i>	10 POINTS: Applicant has all necessary permits (or does not need permits) and approvals. AND is ready to move forward with construction OR the program is ready to move forward with construction by the beginning of the award period.		5 POINTS: Applicant has some of the necessary approvals AND are not ready to move forward with construction but are expected to lead to construction without delay. OR Applicant has received feedback or guidance on the project from regulatory agencies and is expected to receive all necessary permits and proceed to construction within the timeframe of the award period.		0 POINTS: Applicant has not received any of the necessary approvals AND is not ready to proceed to construction. 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 habitat restoration and enhancement projects in the past 10 years in a timely manner. OR Applicant has contracted third-party services from a firm or other organization with experience and/or ability to complete habitat restoration and enhancement projects in the last 10 years.		3 POINTS: Applicant or third-party contractor has shown the ability to complete a state-funded water quality project that was not related to habitat restoration or enhancement in the past 10 years in a timely manner. OR Applicant or third-party contractor has not been awarded a state grant related to habitat restoration or enhancement in the past 10 years but appears to have the experience and ability to carry out the program.		0 POINTS: Applicant or third-party contractor has demonstrated poor management of WQIP contract(s) and habitat restoration contracts in the past 10 years. OR Applicant or third-party contractor has not been awarded a habitat restoration grant or 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.	

¹⁹⁵ 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>

Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is located in or serving a certified bronze or silver Climate Smart Community.	2 POINTS: Project is located in or serving a municipality that has completed one or more of the following Climate Smart Community actions: PE7: Climate Vulnerability Assessment; PE7: Climate-resilient Hazard Mitigation Plan; PE7: Watershed-based Flood Mitigation Plan. ¹⁹⁶	0 POINTS: Project is not located in or serving a bronze or silver certified Climate Smart Community OR the municipality has not completed any of the identified Climate Smart Community actions.
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		

¹⁹⁶ Descriptions for Climate Smart Community actions can be found at <https://climatesmart.ny.gov/actions-certification/actions>

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.¹⁹⁷
- 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 State Financial System (SFS) to be considered eligible to accept this grant opportunity <https://grantsmanagement.ny.gov/>. The

¹⁹⁷ The Climate Leadership and Community Protection Act is in Chapter 106 of the laws of 2019.

applicant name must exactly match the name of the eligible entity registered in SFS. It may not be the name of an individual.

Tie breaker

In case of a scoring tie, DEC will look at individual scoring categories or project subtypes to determine the order of projects on the award list. The tie breaker will be determined in the following order by category:

Wastewater Treatment: disadvantaged communities, EJ/DAC score, performance measures, classification points, project readiness, reasonableness of cost, climate resiliency, flood resilience, and experience and ability.

Nonpoint Source and Vacuum Trucks: disadvantaged communities, EJ/DAC score, performance measures, impact factor, waterbody assessment, project or program readiness, reasonableness of cost, climate resiliency, flood resilience, and experience and ability.

Land Acquisition for Source Water Protection: disadvantaged communities, EJ/DAC score, performance measures, source water prioritization, waterbody assessment, project or program readiness, reasonableness of cost, climate resiliency, flood resilience, and experience and ability.

Salt Storage and Road Salt Reduction: disadvantaged communities, EJ/DAC score, performance measures, impact factor, classification points, project readiness, reasonableness of cost, climate resiliency, flood resilience, and experience and ability.

Dam Safety Repair/Rehabilitation and Dam Removal: disadvantaged communities, EJ/DAC score, hazard class, condition rating, population at risk, possible dam failure impact, compliance status, reasonableness of cost, project readiness, climate resiliency, flood resilience, and experience and ability.

Aquatic Connectivity: disadvantaged communities, EJ/DAC score, barrierity, species miles, project readiness, reasonableness of cost, climate resiliency, flood resilience, and experience and ability.

Marine Habitat Restoration: disadvantaged communities, EJ/DAC score, performance measures, project readiness, reasonableness of cost, climate resiliency, flood resilience, and experience and ability, vision.

Fish and Wildlife Habitat Restoration and Enhancement: disadvantaged communities, EJ/DAC score, project impact, conservation priorities and concerns, reasonableness of cost, project readiness, flood resilience, experience and ability, number of sites, relationship to aquatic connectivity project.

If the individual scoring categories do not break the tie, the time the application was received, as noted in the CFA system, will be used as the final tie breaker.

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.

Applicants must be Prequalified in the Statewide Financial System (SFS) Grants Management System at the time and date that the application is due. Applications from non-prequalified entities will be rejected. The system will not allow you to submit your bid.

The SFS Handbook: SFS Training for Vendors guide is available on SFS Coach and includes guidance for prequalification. Additional training is available on SFS Coach.

If you are not familiar with SFS Grants Management, there are many resources available to help you register and become Prequalified on the NYS Grants Management Website <https://grantsmanagement.ny.gov/transition-sfs> or contact the SFS Help Desk at 518-457-7717, 855-233-8363 or HelpDesk@sfs.ny.gov for more information.

PLEASE DO NOT DELAY IN BEGINNING AND COMPLETING THE PREQUALIFICATION PROCESS. PLEASE VISIT THE GRANTS MANAGEMENT [Prequalification Page](#) TO GET STARTED.

THE STATE RESERVES 5 DAYS TO REVIEW SUBMITTED PREQUALIFICATION APPLICATIONS. PREQUALIFICATION APPLICATIONS SUBMITTED TO THE STATE FOR REVIEW LESS THAN 5 DAYS PRIOR TO APPLICATION DUE DATE MAY NOT BE CONSIDERED.

APPLICANTS SHOULD NOT ASSUME THAT THEIR PREQUALIFICATION INFORMATION WILL BE REVIEWED IF THEY DO NOT ADHERE TO THIS TIMEFRAME.

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 provided.

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 must complete and submit the Executive Order No. 16 Certification form 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.

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 at <https://dec.ny.gov/environmental-protection/water/water-quality/assurance>. 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/system/files/documents/2020/02/coastalpolicies.pdf>. 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 Master Contract for Grants (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 funding.¹⁹⁸ 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.

¹⁹⁸ 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.

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 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 MWBE 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 13, 2024 and May 12, 2029. Applicants should not apply if they do not expect their project to be complete by May 12, 2029.

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 an 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
- MCG Standard Terms and Conditions (NYS standard terms and conditions)
- Appendix A – Statewide Terms and Conditions
- Attachment A-1 Agency Specific Terms and Conditions
- Attachment A-2 Program Specific Terms and Conditions
- Attachment A-3 Federally Funded Grant Terms and Conditions (optional) 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 (Attachment E).

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 \$100,000), Attachment A-1 Agency 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 [log in at https://onlineservices.osc.state.ny.us](https://onlineservices.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 and Women Business Enterprises (MWBE) 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 (GFEs) 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 MWBE 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 MCG - Article IV (J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review MWBE and EEO requirements.

- 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 MWBE 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/>.

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.

For more information regarding MWBE compliance and reporting guidelines, and to download required forms, please visit <https://dec.ny.gov/about/doing-business#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 MWBE 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

Service-Disabled Veteran-Owned Business (SDVOB) Participation Requirements

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. 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 <https://dec.ny.gov/regulatory/regulations/chapter-iii>.

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 (DAC) Populations

This list of municipalities was created specifically for use with the WQIP grant program. 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. Any municipality not listed below was estimated to have no DAC population.

Name	Type of Municipality	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%
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	County	Cortland	24%
Cortland	City	Cortland	62%
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%
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	County	Fulton	19%
Fulton	City	Oswego	75%
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	
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%
Liberty	Town	Sullivan	37%
Liberty	Village	Sullivan	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%
Lyons	Town	Wayne	64%
Machias	Town	Cattaraugus	22%
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%
Murray	Town	Orleans	58%
Nassau	County	Nassau	17%
Nelliston	Village	Montgomery	100%
Newark	Village	Wayne	99%
Newburgh	Town	Orange	85%
Newburgh	City	Orange	100%
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	County	Oneida	24%
Oneonta	City	Otsego	22%
Onondaga	County	Onondaga	31%
Onondaga	Town	Onondaga	10%
Ontario	County	Ontario	13%
Orange	County	Orange	52%
Orangetown	Town	Rockland	8%
Orleans	County	Orleans	62%
Ossining	Village	Westchester	85%
Oswegatchie	Town	St Lawrence	84%
Oswego	County	Oswego	30%
Oswego	City	Oswego	100%
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%
Poughkeepsie	Town	Dutchess	64%
Poughkeepsie	City	Dutchess	89%

Pulaski	Village	Oswego	100%
Red Creek	Village	Wayne	100%
Red Hook	Town	Dutchess	17%
Rensselaer	County	Rensselaer	28%
Rensselaer	City	Rensselaer	100%
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	County	Schenectady	30%
Schenectady	City	Schenectady	67%
Scio	Town	Allegany	13%
Seneca	County	Seneca	26%
Seneca Falls	Town	Seneca	
Shelby	Town	Orleans	51%
Shortsville	Village	Ontario	100%
Sidney	Town	Delaware	32%
Sidney	Village	Delaware	100%
Sleepy Hollow	Village	Westchester	69%
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%
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	Town	Erie	7%
Tonawanda	City	Erie	15%
Torrey	Town	Yates	67%
Troy	City	Rensselaer	70%
Ulster	County	Ulster	47%
Ulster	Town	Ulster	100%
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%
Watertown	City	Jefferson	57%
Watervliet	City	Albany	100%
Waverly	Village	Tioga	95%
Wawarsing	Town	Ulster	55%
Wawayanda	Town	Orange	63%
Wayne	County	Wayne	39%
Wayne	Town	Steuben	0%
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	County	Yates	23%
Yates	Town	Orleans	67%
Yonkers	City	Westchester	79%
Youngstown	Village	Niagara	4%