



Department of
Environmental
Conservation

2023 Non-Agricultural Nonpoint Source Planning and Municipal Separate Storm Sewer System (MS4) Mapping Grant (NPG)

2023 PROGRAM OVERVIEW

FUNDING AVAILABLE: UP TO \$3 MILLION

Kathy Hochul, Governor | Basil Seggos, Commissioner

AMENDED: Attachment A updated May 25, 2023

DESCRIPTION

The New York State Department of Environmental Conservation (DEC) will offer grants to local governments and Soil and Water Conservation Districts to help pay for the initial planning of non-agricultural nonpoint source water quality improvement projects. DEC will also offer grants to regulated MS4s for mapping.

Those seeking planning grants to support projects to upgrade, repair or replace elements of a wastewater treatment and/or collection system, or the construction of such system for an area with failing onsite septic systems, are referred to the New York State DEC/EFC Wastewater Infrastructure Engineering Planning Grant Program.

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FLOOD RESILIENCY REQUIREMENTS

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

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

- Nonpoint Source In-Waterbody Controls for Nutrients
- Nonpoint Source Bathing Beach Restoration

Eligibility requirements:

If the project is within a 0.2% (500 year) or 1% (100 year) annual chance of occurrence floodplain¹, submit with the application a floodplain map with the location of the project indicated.

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

- A site plan with the contours indicating the Special Flood Hazard Area (1% floodplain), Coastal High Hazard Area, or 0.2% floodplain
- Location of and elevation of non-critical and critical equipment
- Certification of floodproofing
- A floodway analysis with a no-rise certificate if the project is within a regulated floodway.

Guidance and information for meeting this requirement is on DEC's WQIP webpage:

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

CLIMATE RESILIENCY CRITERIA

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

To qualify for climate resiliency points, you must be a Climate Smart Community and your application must include details demonstrating how the project will enhance climate adaptation and resilience, and will be responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding), and/or, your application must indicate the project is identified in a Community Asset Management Plan that is consistent with DEC's Asset Management Guide² and is identified as a project that promotes climate resiliency, or the project includes assets identified in an asset management program that was approved by DEC or developed in accordance with DEC's Asset Management Guide³.

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

¹ Federal Emergency Management Agency Flood Maps: <https://www.fema.gov/flood-maps>

² At a minimum, Community Asset Management Plans should include the following elements, consistent with DEC's Asset Management Guide: Asset Inventory; Condition Assessment; Level of Service Profile; Likelihood of Failure, Consequence of Failure, and Risk Assessment; Capital Improvement Plans; Sustainable Ownership Assessment; Maintenance Planning;
<https://www.dec.ny.gov/chemical/101412.html>

³ Asset Management Resources: <https://www.dec.ny.gov/chemical/101412.html>.

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

Projects that will improve water quality within a PEJA or DAC, projects within the HUC 10 watershed of a drinking water source that will improve drinking water quality serving a PEJA or DAC, projects that are within the HUC 10 area and upstream⁴ of a PEJA or DAC, or projects that protect PEJAs or DACs that are within a dam failure inundation area will receive "EJ and DAC Benefits" points in the evaluation of an application where indicated. Applicants that are municipalities with a DAC population will receive "Disadvantaged Communities" points based on the concentration of the DAC population served, in the evaluation of an application where indicated.

Maps of PEJA and DAC areas in New York State are available at:

<http://www.dec.ny.gov/public/911.html> and <https://climate.ny.gov/resources/disadvantaged-communities-criteria>, respectively.

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

NONPOINT SOURCE PLANNING REPORTS (SEE MS4 CATEGORY FOR MS4 MAPPING PROJECT DETAILS)

The program aims to prepare nonpoint source projects for construction and application for implementation funding. An applicant may submit more than one application. If an applicant receives more than one award, DEC may combine the projects into a single contract. Applicants are limited to a maximum of five Nonpoint Source Planning Report applications per round. Each application must fit within a single grant category.

Award Amounts

Grants of up to \$50,000 are available to finance planning services to produce project planning reports, as outlined in each category. Grants of up to \$75,000 are available for comprehensive stream corridor studies. There is no minimum award amount.

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

Eligible Applicants

- Municipalities⁵, including Indian Nations
- Soil and Water Conservation Districts (excluding Decentralized Municipal Wastewater Treatment Facilities for Failing On-Site Treatment Systems)

Nonpoint Source Planning Report Categories

Funding is available for the following fourteen planning report categories:

1. Decentralized Municipal Wastewater Treatment Facilities for Failing On-Site Treatment Systems

Eligible report:

- An engineering feasibility study report for municipally-owned decentralized wastewater treatment facilities in areas with failing on-site treatment systems, including the necessary collection and conveyance system. The decentralized wastewater treatment facility must consist of a subsurface treatment and disposal system designed in accordance with DEC standards. Collection may take the form of either a septic tank effluent pump (STEP), septic tank effluent gravity (STEG) system, grinder pump or gravity sewer system. An engineering feasibility study report may include conceptual designs and any necessary percolation tests.

Report requirements:

- Engineering reports must follow the NYS Environmental Facilities Corporation/DEC Engineering Report Outline for New York State Wastewater Infrastructure Projects⁶.

Technical Contact:

- Sara Latessa – (518) 402-8279

2. Green Infrastructure

Eligible reports:

- An engineering feasibility study report for projects that: construct green infrastructure to address combined sewer overflows, reduce a pollutant impacting a receiving waterbody, or address a regional water quality issue; or install green infrastructure retrofits designed to capture and remove the pollutant contributing to a water quality impairment or reduce localized flooding. Green Infrastructure practices are limited to bioretention, rain gardens, constructed wetlands, porous pavement, green roofs, downspout disconnection, stormwater street trees, stormwater harvesting and reuse, and stream daylighting. All Green Infrastructure projects must be designed in accordance with the current *New York State Stormwater Design Manual* and must go above and beyond the water quality volume treatment and/or reduction requirements

⁵ 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.

⁶ Engineering Report Outline: <https://efc.ny.gov/epg>

listed in the SPDES Construction General Permit. An engineering feasibility study report must include conceptual designs and infiltration tests, if applicable.

Report requirements:

- Feasibility studies must include all Required Elements listed in the Green Infrastructure or Stormwater Retrofits Feasibility Study Outline⁷.

Technical Contact:

- Ryan Waldron - (518) 402-8177

3. Stormwater Retrofits

Eligible reports:

- An engineering feasibility study report for projects that: construct stormwater retrofits to reduce a pollutant impacting a receiving waterbody or address a regional water quality issue or reduce localized flooding. Eligible practices are limited to those identified in Chapters 5 and 6 of the *NYS Stormwater Design Manual*. All projects must be designed in accordance with the current *NYS Stormwater Design Manual*. An engineering feasibility study report must include conceptual designs and infiltration tests (if applicable) and must include load reduction information.

Report requirements:

- Feasibility studies must include all Required Elements listed in the Green Infrastructure or Stormwater Retrofits Feasibility Study Outline⁸.

Technical Contact:

- Ethan Sullivan – (518) 402-1382

4. Streambank/Shoreline Stabilization

Eligible report:

An engineering or conceptual design report for qualifying nature-based or “soft engineering” streambank or shoreline stabilization projects to reduce erosion, enhance flood resilience, and improve water quality and riparian/coastal habitats. Streambank or shoreline projects must incorporate natural features and materials alone or in combination with a minimal use of structural components to manage erosion. Streambank/shoreline stabilization projects may include, but are not limited to, natural buffer zones, “living” sills or breakwaters, beach and dune restoration and/or nourishment, nature-based stabilization techniques such as tree/rootwad revetments, staking, live crib walls, and vegetated geogrids.

⁷Green Infrastructure and Stormwater Retrofits Feasibility Study Outlines:
<https://www.dec.ny.gov/pubs/116725.html>

⁸ Green Infrastructure and Stormwater Retrofits Feasibility Study Outlines:
<https://www.dec.ny.gov/pubs/116725.html>

Report Requirements:

- Engineering reports include all Required Elements listed in the Streambank/Shoreline Stabilization Engineering Design Report Outline⁹.
- For projects requiring a permit, engineering designs must meet the minimum Protection of Waters permit requirements¹⁰, NY's Coastal Consistency requirements¹¹, or other State or Federal permit requirements, as applicable.
- All design criteria listed in the Streambank/Shoreline Stabilization Engineering Design Report Outline must be followed.
- Projects within a regulatory floodway may require a hydrological & hydraulic (H&H) analysis conducted by a professional engineer to demonstrate no-rise (0.00 feet) in the base flood elevation, as required under the National Flood Insurance Program¹².

Technical Contact:

- Sara Latessa - (518) 402-8279

5. Comprehensive Stream Corridor Assessment

Eligible report:

- A comprehensive stream corridor assessment study to identify areas of erosion across a watershed area. The comprehensive stream corridor study must be completed for a minimum of a HUC 12 size watershed area and must identify and/or prioritize opportunities for streambank stabilization, riparian buffer restoration, floodplain reconnection and/or culvert replacement and repair. Flood risk assessment and modeling may be included as part of the comprehensive study.

Report Requirements:

- Comprehensive stream assessment studies must include all Required Elements listed in the Comprehensive Streambank Corridor Study Outline¹³.

Technical Contact:

- Sara Latessa - (518) 402-8279

6. Stream Sediment and Debris Management Plans

Eligible report:

- A management plan report to identify areas within a stream basin where sediment and debris build-up contribute to flooding risk and collect information necessary to develop recommendations to reduce those risks. As part of the management plan, practical flood risk reduction projects and strategies must be identified, where possible.

⁹ Streambank/Shoreline Stabilization Engineering Design Report Outline: <https://www.dec.ny.gov/pubs/116725.html>

¹⁰ Protection of Waters Program: <https://www.dec.ny.gov/permits/6042.html>

¹¹ NYS State Coastal Policies: <https://dos.ny.gov/coastal-consistency-review>

¹² Floodplain Development And Floodway Guidance: <https://www.dec.ny.gov/lands/24281.html>

¹³ Comprehensive Streambank Corridor Study Outline: <https://www.dec.ny.gov/pubs/116725.html>

Report Requirements:

- Management plans must include all Required Elements listed in the Stream Sediment and Debris Management Plan Outline¹⁴.

Technical Contact:

- Sara Latessa - (518) 402-8279

7. In-Waterbody Controls for Nutrients

Eligible reports:

- A feasibility study or engineering report for projects that reduce internal loading of nutrients (mainly phosphorus) within waterbodies. Eligible practices to address these issues include: hypolimnetic aeration, aeration destratification systems for polymictic lakes, hypolimnetic withdrawal, and dredging.
and/or
- A professional study report that provides justification for use of the best management practice (BMP) recommended by the above feasibility study or engineering report. For destratification systems, the professional study must identify the waterbody as a polymictic lake.
and/or
- A written plan report for the long-term operation and maintenance of the BMP recommended by the above professional study or engineering report.

Report Requirements:

- Feasibility study/engineering reports must include all Required Elements listed in the In-Waterbody for Control of Nutrients Feasibility Study/Engineering Report Outline¹⁵.

Technical Contact:

- Matthew Kraft – (518) 402-8260

8. Bathing Beach Restoration

Eligible reports:

- Beach sanitary survey
and/or
- A feasibility study for projects recommended in beach restoration green infrastructure reports or sanitary survey reports. Projects may include porous pavement, bio-infiltration/bioretention, rain gardens, stormwater tree trenches, beach sand enrichment/nourishment, beach sloping/grading, constructed wetlands.

Report Requirements:

- Beach sanitary surveys must include all Required Elements listed in the Beach Sanitary Survey Study Outline¹⁶.

¹⁴ Stream Sediment and Debris Management Plan Outline: <https://www.dec.ny.gov/pubs/116725.html>

¹⁵ In-Waterbody for Control of Nutrients Feasibility Study/Engineering Report Outline: <https://www.dec.ny.gov/pubs/116725.html>

¹⁶ Beach Sanitary Survey Study Outline: <https://www.dec.ny.gov/pubs/116725.html>

- Feasibility studies must include all Required Elements listed in the Green Infrastructure or Stormwater Retrofit Feasibility Study Outline¹⁷.

Technical Contact:

- Lauren Townley - (518) 402-8283

9. Stream Culvert Repair and Replacement

Eligible reports:

- Stream culvert site assessment report for projects to address erosion caused by inadequately sized or failing culverts.
and/or
- An engineering feasibility study or engineering design report for stream culvert repair or replacement projects to address erosion.

Report Requirements:

- Stream culvert assessments must utilize the North Atlantic Aquatic Connectivity Collaborative (NAACC) framework¹⁸ to identify aquatic barriers, in addition to identifying erosion issues.
- Feasibility study/engineering reports must include all Required Elements listed in the Stream Culvert Repair and Replacement Feasibility Study/Engineering Report Outline¹⁹.
- Culvert replacement projects should be designed, at a minimum, to meet New York State Department of Transportation's Highway Design Manual Chapter 8²⁰ for culverts, and incorporate elements required by the National Flood Insurance Program's floodway analysis²¹. Projects within a regulatory floodway may require a hydrological & hydraulic (H&H) analysis conducted by a professional engineer to demonstrate no-rise (0.00 feet) in the base flood elevation, as required under the National Flood Insurance Program²¹.

Technical Contact:

- Sara Latessa – (518) 402-8279
- Corbin Gosier – (518) 402-8872

10. Berm Removal

Eligible report:

- An engineering feasibility study or engineering design report for removal of berms located along streams, which prevent flood flows (i.e., bankfull and greater flood flow events) from accessing the floodplain projects to increase flood resiliency. Berms are

¹⁷ Green Infrastructure or Stormwater Retrofit Feasibility Study Outline:

<https://www.dec.ny.gov/pubs/116725.html>

¹⁸ North Atlantic Aquatic Connectivity Project (NAACC): <https://streamcontinuity.org/naacc>

¹⁹ Stream Culvert Repair and Replacement Feasibility Study/Engineering Report Outline:

<https://www.dec.ny.gov/pubs/116725.html>

²⁰ Department of Transportation's Highway Design Manual Chapter 8:

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

²¹ Floodplain Development And Floodway Guidance: <https://www.dec.ny.gov/lands/24281.html>

defined as side-cast streambed material, soil or other type(s) of fill material that are placed on, adjacent or in proximity to the streambank, thereby preventing floodwaters from accessing its floodplain. Berm removal projects include the following: (1) removal of side-cast streambed material that was placed at the top of the streambank; (2) removal of soil, stone, or other fill material placed at the top of the streambank, adjacent to the streambank or within the stream's floodplain, which limits or precludes flood waters from accessing it floodplain, or (3) removal of other types of physical structure(s) that impede floodwater flows into floodplain.

Report Requirements:

- Feasibility study/engineering reports must include all Required Elements listed in the Berm Removal Engineering Design Report Outline²².
- The engineering design report must include a detailed description of the existing site conditions and the proposed work that will be completed under this project.
- Engineering designs must meet the minimum Protection of Waters permit requirements²³.
- Projects within a regulatory floodway may require a hydrological & hydraulic (H&H) analysis conducted by a professional engineer to demonstrate no-rise (0.00 feet) in the base flood elevation, as required under the National Flood Insurance Program²⁴.

Technical Contact:

- Thomas Snow - (518) 402-9395
- Kelli Higgins-Roche - (518) 408-0340

11. Floodplain Creation/Restoration/Reconnection

Eligible report:

- An engineering design report to increase flood resiliency through the creation, restoration and/or reconnection of stream to its floodplain. Floodplain creation/restoration/reconnection projects include but are not limited to the following: (1) the creation of a new natural floodplain where one does not currently exist; (2) the restoration, enhancement, or expansion of an existing floodplain; or (3) the reconnection of a stream to its natural floodplain as a result of stream channel entrenchment.

Report Requirements:

- Engineering design reports must include all Required Elements listed in the Floodplain Creation/Restoration/Reconnection Engineering Design Report Outline²⁵.
- The engineering design report must include a detailed and accurate description of the existing conditions and the proposed work that will be completed under the project.

²² Berm Removal Engineering Design Report Outline: <https://www.dec.ny.gov/pubs/116725.html>

²³ Protection of Waters Permit Requirements: <https://www.dec.ny.gov/permits/6554.html>

²⁴ Floodplain Development And Floodway Guidance: <https://www.dec.ny.gov/lands/24281.html>

²⁵ Floodplain Creation/Restoration/Reconnection Engineering Design Report Outline: <https://www.dec.ny.gov/pubs/116725.html>

- Engineering designs must meet the minimum Protection of Waters permit requirements²⁶.
- Projects within a regulatory floodway may require a hydrological & hydraulic (H&H) analysis conducted by a professional engineer to demonstrate no-rise (0.00 feet) in the base flood elevation, as required under the National Flood Insurance Program²⁷.

Technical Contact:

- Thomas Snow - (518) 402-9395
- Kelli Higgins-Roche - (518) 408-0340

12. Wetland Creation/Restoration

Eligible report:

- An engineering design report for creation/restoration projects. Wetland creation/restoration projects include but are not limited to the following: (1) creation of a wetland where one does not currently exist; (2) restoration or re-establishment of a former naturally occurring wetland through various ecological restoration techniques (e.g., re-establishment of hydrology through removal of under-ground drain tiles, plugging open ditches or excavation of hydric soils to create depressions, re-establishment of native wetland vegetation, etc.); and (3) rehabilitation of a degraded wetland.

Report Requirements:

- Engineering design reports must include all Required Elements listed in the Wetland Creation/Restoration Engineering Report Outline²⁸.
- The engineering design report must include a detailed and accurate description of the existing conditions and the proposed work, which may include a combination of ecological restoration techniques.
- Projects within a regulatory floodway may require a hydrological & hydraulic (H&H) analysis conducted by a professional engineer to demonstrate no-rise (0.00 feet) in the base flood elevation, as required under the National Flood Insurance Program²⁹.

Technical Contact:

- Thomas Snow - (518) 402-9395
- Kelli Higgins-Roche - (518) 408-0340

13. Coastal Storm and Erosion Risk Management

Eligible report:

- An engineering or conceptual design report for qualifying projects for coastal storm risk management or coastal erosion management projects. Non-structural and nature-based measures are preferred to hard structural measures and will be given priority over hard structural measures. Hard structure measures should only be proposed in situations where an alternatives analysis demonstrates that non-

²⁶ Protection of Waters Permit Requirements: <https://www.dec.ny.gov/permits/6554.html>

²⁷ Floodplain Development And Floodway Guidance: <https://www.dec.ny.gov/lands/24281.html>

²⁸ Wetland Creation/Restoration Engineering Report Outline: <https://www.dec.ny.gov/pubs/116725.html>

²⁹ Floodplain Development And Floodway Guidance: <https://www.dec.ny.gov/lands/24281.html>

structural or nature-based features will not provide adequate risk reduction for a given location.

Report Requirements:

- Engineering design reports must include all Required Elements listed in the Coastal Storm and Erosion Risk Management Engineering Design Report Outline³⁰. Each report must include an evaluation of the level of risk reduction that is necessary for the project area, and an alternatives analysis to identify a plan that will provide the necessary risk reduction while preventing or minimizing negative impacts to natural systems and the environment. At a minimum, the alternatives below should be considered and evaluated:
 - No-action alternative: Describe the outcomes if the proposed project is not undertaken
 - Non-structural measures: Evaluate at least one alternative that adjusts the land use, footprint, and/or site design to avoid or minimize risks to public or private property and conserves natural features and processes that reduce risk over the project lifespan Applicants should consider options such as moving structures away from the shoreline to reduce their risk from flooding and erosion, reducing or adjusting the structure footprint, elevating structures, and incorporating a vegetated buffer between land use and natural features
 - Nature-based features: If a non-structural solution is not feasible, evaluate at least one alternative that restores natural features or processes to the project site or uses nature-based features that mimic natural features and processes Applicants should consider options such as living shorelines, beach/dune nourishment, and bluff/bank re-grading with vegetative plantings.
 - Hard structural measures: If none of the above alternatives are feasible, evaluate at least one hard structural alternative. These alternatives include things like groins, breakwaters, and revetments.
- Guidance on evaluating alternatives can be found in DEC's REDI Coastal Homeowner Handbook³¹.
- Projects proposing offshore structures such as groins, breakwaters or jetties must not adversely affect littoral drift and downdrift areas. Modeling must be conducted for offshore structures and demonstrate that sediment movement will still be maintained in and around the offshore structure(s)
- For projects requiring a permit, engineering designs must meet the minimum Coastal Erosion Management (CEHA) permit requirements³², Tidal³³/Freshwater³⁴ Wetlands requirements, Protection of Waters permit requirements³⁵, NY's Coastal Consistency requirements³⁶, or other State or Federal permit requirements, as applicable.

³⁰ Coastal Storm and Erosion Risk Management Outline: <https://www.dec.ny.gov/pubs/116725.html>

³¹ REDI Coastal Homeowner Handbook: https://www.dec.ny.gov/docs/water_pdf/redicoastalv11.pdf

³² Coastal Erosion Management Permit Program: <https://www.dec.ny.gov/permits/6064.html>

³³ Tidal Wetlands Permit Program: <https://www.dec.ny.gov/permits/6039.html>

³⁴ Freshwater Wetland Permit Program: <https://www.dec.ny.gov/permits/6277.html>

³⁵ Protection of Waters Permit Requirements: <https://www.dec.ny.gov/permits/6554.html>

³⁶ NYS State Coastal Policies: <https://dos.ny.gov/coastal-consistency-review>

- Projects within a regulatory floodway may require a hydrological & hydraulic (H&H) analysis conducted by a professional engineer to demonstrate no-rise (0.00 feet) in the base flood elevation, as required under the National Flood Insurance Program³⁷.
- Long term project maintenance should be considered during planning and design, and a maintenance plan for the project developed.
- Any proposed hard structural measures, such as seawalls, revetments, and breakwaters, must include a cost benefit analysis that demonstrates the public benefits clearly outweigh the long-term adverse effects to the natural systems and environment.
- Any proposed hard structural measures must still incorporate nature-based features to the greatest extent possible.

Technical Contact:

- Matt Chlebus - (518) 402-8139
- Beth Geldard - (585) 226-5452

14. Dam Safety

Eligible report:

- An engineering design report for a Class C (high) or Class B (Intermediate) hazard dam, owned by a municipality. The engineering design report will include the proposed repair alternative that will bring the dam into conformance with NYSDEC Guidelines for Design of Dams³⁸.

Report Requirements:

- Engineering design reports must include all Required Elements listed in the Dam Safety Engineering Design Report Outline³⁹
- Each report must be stamped by a NYS Professional Engineer experienced in dam safety work. The engineer shall have prepared at least 3 other dam safety engineering reports, submitted to the DEC Division of Water Dam Safety section, performed under their supervision for a Class B or C dam in NYS.
- Each engineering report will be developed in accordance with the DOW TOGS 3.1.4 - Guidance for Dam Engineering Assessment Reports⁴⁰
- Each engineering report will include all model assumptions, model input and output data, and executable files.
- Each report must include a project schedule
- Dam Safety applicants must submit a current Annual Certification, in conformance with 6 NYCRR Part 673.8 on file with the Department (due by January 31st every year)
- Dam Safety applicants must submit an Emergency Action Plan

³⁷ Floodplain Development And Floodway Guidance: <https://www.dec.ny.gov/lands/24281.html>

³⁸Guidelines for Design of Dams, Revised January 1989:
https://www.dec.ny.gov/docs/water_pdf/damguideli.pdf

³⁹ Dam Safety Engineering Design Report Outline: <https://www.dec.ny.gov/pubs/116725.html>

⁴⁰ Guidance for Dam Engineering Assessment Reports:
https://www.dec.ny.gov/docs/water_pdf/damfengarpt.pdf

Technical Contact:

- Donald Canestrari - (518) 402-8138
- Joshua Johnson - (518) 402-8249

REQUIREMENTS FOR ALL PLANNING REPORTS

- All reports and studies must be prepared by a qualified professional. See table below.
- For reports and studies prepared by someone other than a professional engineer, applicants must demonstrate in the application that the preparer is a qualified professional through work experience and/or education.
- Reports and studies must be prepared and stamped by a professional engineer when required by New York State Education Law.

FUNDING CATEGORY	REPORT TYPE	PROFESSIONAL REQUIREMENT
Decentralized Municipal Wastewater Treatment Facilities for Failing On-Site Treatment Systems	Engineering feasibility study	Professional engineer
Green Infrastructure	Engineering feasibility study	Professional engineer
Stormwater Retrofits	Engineering feasibility study	Professional engineer
Streambank/Shoreline Stabilization	Engineering or conceptual design report	Professional engineer
Comprehensive Stream Corridor Assessment	Comprehensive stream corridor assessment study	Professional engineer with 2 years of relevant experience; OR professional hydrologist or professional geologist with 2 years of relevant experience; OR bachelor's degree in hydrology or a related field with 2 years of relevant experience; OR associate degree in hydrology or a related field with 5 years of relevant experience
Stream Debris Management Plan	Management Plan	Completed Post-Flood Emergency Stream Intervention Training ⁴¹
In-waterbody Controls for Nutrients	Feasibility study or engineering report	Professional Engineer
	Professional study report	Professional engineer; OR certified lake manager ⁴² ; OR master's degree in limnology or related field; OR bachelor's degree in limnology or related field with 2 years of relevant experience
	Long-term operation and maintenance plan	Professional engineer
Bathing Beach Restoration	Beach sanitary survey	Professional engineer with 2 years of relevant experience OR environmental

⁴¹ As provided by Soil and Water Conservation Districts: <https://www.dec.ny.gov/lands/89755.html>

⁴² Certified by the North American Lake Management Society: <https://www.nalms.org/product/certified-lake-manager-clm-or-professional-clp/>

FUNDING CATEGORY	REPORT TYPE	PROFESSIONAL REQUIREMENT
		health professional (sanitarian or environmental health technician) with 2 years of relevant experience OR bachelor's degree in environmental health or a related field with 2 years of relevant experience OR associate degree in environmental health or a related field with 5 years of relevant experience.
	Engineering feasibility study	Professional engineer
Stream Culvert Repair and Replacement	Feasibility study	Professional engineer
	Culvert site assessment report	Trained and certified by North Aquatic Connectivity Collaborative (NAACC)
Berm Removal	Engineering Feasibility study	Professional engineer
Floodplain Creation/Restoration/Reconnection	Engineering Feasibility study	Professional engineer
Wetland Creation/Restoration	Engineering Feasibility study	Professional engineer
Coastal Storm and Erosion Risk Management	Engineering Feasibility Study	Professional Engineer
Dam Safety	Engineering Report	Professional Engineer that has prepared at least 3 other dam safety engineering reports, submitted to the DEC Division of Water Dam Safety section, performed under their supervision for a Class B or C dam in NYS.

Required Attachments

- Completed budget worksheet⁴³
- Map(s) with the project area clearly identified. Map must be a 1:24,000 scale USGS or DOT planimetric map, or equivalent to such maps.
- Completed and signed Sexual Harassment Prevention Certification Form⁴⁴
- Completed and signed Executive Order No. 16 Certification Form⁴⁵
- Dam Safety applicants must submit a current Annual Certification, in conformance with 6 NYCRR Part 673.8 on file with the Department (due by January 31st every year).
- Dam Safety applicants must submit an Emergency Action Plan.

Eligible Costs

- Funding can be used for the preparation of planning reports, feasibility studies, and supplemental costs as listed by grant category.

⁴³ Budget Worksheet: <https://www.dec.ny.gov/pubs/116725.html>

⁴⁴ Sexual Harassment Prevention Certification Form: <https://www.dec.ny.gov/pubs/116725.html>

⁴⁵ Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

- Activities to determine the scope of water quality issues, evaluation of alternatives, and the recommendation of an improvement project, including sampling and monitoring associated with the planning studies/reports
- Salary and fringe
- Contractual costs
- Travel
- On-site evaluations
- Any necessary environmental review (e.g., SEQR, SHPO, Coastal Consistency) for the recommended project
- Administrative costs

Ineligible costs/reports:

- Reports for projects that have already received Water Quality Improvement Project (WQIP) grant funding
- Reports for projects specially identified within a Resilient NY Flood Mitigation Study Report, Local Flood Analysis Report, Stream Management Plan, New York Rising Plan, County All Hazard Mitigation Plan, Army Corps of Engineers flood study, or other comparable flood study AND has been evaluated using hydraulic modeling
- Coastal storm and erosion risk management reports that propose hardened vertical structures such as seawalls and bulkheads.
- Costs incurred outside the start and end date of the contract
- Post installation / follow-up monitoring
- Feasibility reports for algaecide use
- Construction costs
- Reports for projects that have already received funding for planning from another State source
- Equipment
- Indirect costs (e.g., space/property rent, utilities and other office supplies)
- Legal fees

Resources

- Nonpoint Source Planning Grant Report Outlines:
<https://www.dec.ny.gov/pubs/116725.html>
- Nonpoint Source Program Guidance and Technical Assistance:
<https://www.dec.ny.gov/chemical/96777.html>
- New York State Stormwater Design Manual:
<https://www.dec.ny.gov/chemical/29072.html>
- DECinfo Locator⁴⁶ (most up to date source of WI/PWL segment assessments):
<http://www.dec.ny.gov/pubs/109457.html>

⁴⁶ 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.

- NYS Environmental Facilities Corporation/DEC Engineering Report Outline for New York State Wastewater Infrastructure Projects: <https://efc.ny.gov/forms-tools>
- NYS Department of Transportation's Highway Design Manual Chapter 8: <https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/chapter-8>
- North Atlantic Aquatic Connectivity Project (NAACC): <https://streamcontinuity.org/naacc>
- EPA Guidance for Sanitary Surveys: <https://www.epa.gov/dwreginfo/sanitary-survey-guidance-manuals>
- Maps of New York State Environmental Justice Areas: <https://www.dec.ny.gov/public/911.html>
- Maps of Disadvantaged Communities: <https://climate.ny.gov/resources/disadvantaged-communities-criteria>
- Resilient New York Flood Mitigation Reports: <https://www.dec.ny.gov/lands/121102.html>
- Floodplain Development And Floodway Guidance: <https://www.dec.ny.gov/lands/24281.html>
- Drinking Water Source Protection Program Plans (DWSP2): <https://www.dec.ny.gov/chemical/115250.html>; contact source.water@dec.ny.gov for information about any completed DWSP2s in your project area.
- Homeowner Program Guidance for Shoreline Management: https://www.dec.ny.gov/docs/water_pdf/redicoastalv11.pdf
- Using Natural Measures to Reduce the Risk of Flooding and Erosion: https://www.dec.ny.gov/docs/administration_pdf/crranaturalmeasuresgndc.pdf
- REDI Coastal Homeowner Handbook: https://www.dec.ny.gov/docs/water_pdf/redicoastalv11.pdf
- Coastal Erosion Management Permit Program: <https://www.dec.ny.gov/permits/6064.html>
- Tidal Wetlands Permit Program: <https://www.dec.ny.gov/permits/6039.html>
- Freshwater Wetland Permit Program: <https://www.dec.ny.gov/permits/6277.html>
- Dam Safety Program: <https://www.dec.ny.gov/lands/4991.html>
- Guidelines for Design of Dams - <https://www.dec.ny.gov/lands/4991.html>
- DOW TOGS 3.1.3 - Emergency Action Plans for Dams: https://www.dec.ny.gov/docs/water_pdf/dow313eaps.pdf
- DOW TOGS 3.1.4 Guidance for Dam Engineering Assessments: https://www.dec.ny.gov/docs/water_pdf/damfengarpt.pdf
- Protection of Waters Program: <https://www.dec.ny.gov/permits/6042.html>
- Protection of Waters Permit Requirements: <https://www.dec.ny.gov/permits/6554.html>
- NYS State Coastal Policies: <https://dos.ny.gov/coastal-consistency-review>

EVALUATION CRITERIA – PLANNING REPORTS

Agency Points	<i>Up to 115 agency points are available, as defined below. Applications must receive a minimum of 30 agency points to be eligible for funding. Applications that receive 0 points for Experience and Ability will not be funded.</i>			
<p>Performance Measures</p> <p><i>40 to 5 points available</i></p>	<p>40 POINTS:</p> <p>Reports for projects that address a water quality impairment 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.</p> <p>OR</p> <p>Green infrastructure feasibility studies for projects that reduce stormwater flow to a combined sewer system.</p> <p>OR</p> <p>Reports for projects that address documented water quality exceedances with known sources for regulated bathing beaches identified in a beach sanitary survey.</p> <p>OR</p> <p>Reports for projects identified in a DEC-approved plan or report (i.e., Resilient New York Flood Mitigation Report, Drinking Water Source Protection Program Plan (DWSP2)) that address nonpoint source pollution or mitigate flooding AND that benefit an active public drinking water supply.</p> <p>OR</p> <p>Comprehensive studies that address nonpoint source pollution in a TMDL watershed.</p> <p>OR</p> <p>Reports for projects that are needed to meet MS4 permit retrofit requirements.</p> <p>OR</p> <p>Reports for projects that recommend non-structural or nature-based features that provide storm or erosion risk management while also providing ecological benefits.</p>	<p>20 POINTS:</p> <p>Reports for projects that address a water quality impairment 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>Reports for projects or comprehensive studies 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>Reports for projects that support multiple actions in a DEC Watershed Action Agenda.</p> <p>OR</p> <p>Reports for projects that address documented water quality standard exceedances for regulated bathing beaches.</p> <p>OR</p> <p>Reports for projects identified in a DEC-approved plan or report (i.e., Resilient New York Flood Mitigation Report) that address nonpoint source pollution or mitigate flooding.</p> <p>OR</p> <p>Reports for projects that recommend a combination of both nature-based and structural coastal risk or erosion management measures for the protection of at-risk public infrastructure,</p>	<p>10 POINTS:</p> <p>Reports for 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>Reports for projects that support an action in a DEC Watershed Action Agenda.</p> <p>OR</p> <p>Reports for projects that recommend structural coastal risk or erosion management measures for the protection of at-risk public infrastructure, and where relocation is not feasible.</p>	<p>5 POINTS:</p> <p>Reports for projects located in the HUC 12 watershed of a WI/PWL segment where best uses are unassessed.</p> <p>OR</p> <p>waterbody is not included on the WI/PWL</p>

	<p>OR</p> <p>Reports for projects that propose repairs to a Class B or Class C dam, with spillway capacity or structural stability inadequacies that will lead to project that will bring the dam into conformance with dam safety criteria for said deficiencies</p>	<p>and where relocation is not feasible.,</p> <p>OR</p> <p>Reports for projects that propose repairs to a Class B or C dam that does not conform to dam safety criteria</p>		
<p>Vision</p> <p><i>10 to 2 points available</i></p>	<p>10 POINTS:</p> <p>Reports for projects that are part of a comprehensive program.</p> <p>OR</p> <p>Reports for projects to protect a specific public drinking water supply.</p> <p>OR</p> <p>Reports for projects to improve the water quality of a specific regulated bathing beach.</p>	<p>5 POINTS:</p> <p>Reports for projects that cover multiple project locations.</p> <p>OR</p> <p>Reports for projects that address aquatic habitat connectivity and/or flood resiliency.</p>	<p>2 POINTS:</p> <p>Reports for a single project at one location or not part of a comprehensive program.</p>	
<p>Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits</p> <p><i>10 to 0 points possible</i></p>	<p>10 POINTS:</p> <p>Project improves water quality and is within a PEJA or DAC area</p> <p>OR</p> <p>Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.</p>	<p>5 POINTS:</p> <p>Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area</p>	<p>0 POINTS:</p> <p>Project does not improve water quality within a PEJA or DAC area</p> <p>OR</p> <p>Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area</p> <p>OR</p> <p>Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area</p>	
<p>Reasonableness of Cost</p> <p><i>25 to 0 points available</i></p>	<p>25 POINTS:</p> <p>Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project.</p>	<p>15 POINTS:</p> <p>Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project.</p>	<p>0 POINTS:</p> <p>Cost is not reasonable for this type of project.</p> <p><i>Applications that receive 0 points for Reasonableness of Cost will not be funded.</i></p>	
<p>Experience & Ability</p> <p><i>10 to 0 points available</i></p>	<p>10 POINTS:</p> <p>Applicant has shown the ability to complete state funded non-agricultural nonpoint source projects in the past 10 years in a timely manner.</p> <p>OR</p> <p>Applicant has sufficiently shown its ability to complete this non-agricultural nonpoint source</p>	<p>5 POINTS:</p> <p>Applicant has shown the ability to complete a state funded project that was not related to non-agricultural nonpoint source treatment in the past 10 years in a timely manner.</p> <p>OR</p> <p>Applicant has not been awarded a state grant in the past 10</p>	<p>0 POINTS:</p> <p>Applicant does not possess the knowledge, skills and ability to complete the program and does not have prior experience with DEC Division of Water grants in the last 10 years.</p> <p>OR</p> <p>Applicant has prior experience with DEC grants in the last 10 years and</p>	

	project based upon experience with similar non-agricultural nonpoint source projects.	years but appears to have the experience and ability to carry out the project.	did not complete all tasks in a timely manner. Applications that receive 0 points for experience and ability will not be funded.			
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% ⁴⁷ . 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 ⁶⁶ .
Climate Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is identified in a Community Asset Management Plan as a project that will promote climate resiliency AND is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)		2 POINTS: Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding) OR is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)		0 POINTS: Project does not address climate resiliency	
Flood Resilience <i>5 to 0 points possible</i>	5 POINTS: Project is outside a 0.2% or 1% annual chance of occurrence floodplain OR Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.				0 POINTS: Project is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience	
Total Maximum Points	115 points					

⁴⁷ 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>

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) MAPPING

Funding can be used to complete comprehensive stormwater system maps. This program category encourages and supports cooperation among regulated MS4s⁴⁸ to complete mapping of their stormwater system. Applicants are limited to one application per round.

Award Amounts

For MS4 Operators applying as a collaborative, grants of up to \$60,000 per municipality with a maximum grant award of up to \$400,000 per MS4 collaborative are available. For MS4 Operators that must apply alone (see Requirements for All MS4 Mapping section for justification required to apply as single municipality), there is a maximum grant award of \$75,000. There is no minimum award amount.

Eligible Applicants

- Municipality⁴⁹ Regulated by the MS4 General Permit
- Soil and Water Conservation Districts on behalf of regulated MS4 Operators

Requirements for All MS4 Mapping

- Mapping must meet the minimum MS4 general permit requirements.
- Applicants must participate in an area-wide MS4 collaborative if one exists. If one does not exist, the application must document steps being taken to develop a group, which must be formed prior to receiving a grant award. In the rare case where a coalition does not exist nor will be established, the application must justify why in the application.
- For proposals submitted on behalf of multiple regulated MS4 Operators, only the lead applicant must register in the NYS Grants Gateway. A list of the cooperating MS4 Operators must be provided in the application.
- Applications must include the creation of an electronic or GIS system of mapping or specify the use of an already established electronic or GIS system to be expanded upon.
- Basic mapping elements (red in table below) are either required by the NYSDEC SPDES MS4 GP-0-15-003 or considered by the NYSDEC to be necessary for effective system management. Therefore, all Basic elements must be completed before grant or match funds can be used for items in the Intermediate or Advanced elements map categories.
- Simultaneous mapping of Basic, Intermediate, and Advanced elements is permitted but any unmapped Basic elements must be included in the application scope of work.
- Information from the WI/PWL must be included in the maps/deliverables created.
- Final deliverables must include final map product and final summary report. Required elements for the final deliverables are at <http://www.dec.ny.gov/pubs/116725.html>.

⁴⁸ 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.

⁴⁹ 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.

Applications are Ineligible:

- That do not include creation of electronic or GIS system of mapping or specify use of already established electronic or GIS system to be expanded upon
- For mapping only Intermediate Elements or Advanced Elements where the applicant and participating MS4 Operators have not completed all requirements in the Basic Elements map category
- That do not attach the Mapping Status table Worksheet identifying the status of mapping for **each** of the parties in the cooperative agreement for this project (i.e., if an application is being submitted on behalf of multiple regulated MS4 Operators, each MS4 Operator participating must complete the Mapping Status table)

Comprehensive System Mapping Table for All MS4 Applications

The table below lists the elements of a comprehensive system map and is duplicated as a worksheet at <http://www.dec.ny.gov/pubs/116725.html>. For any application to be eligible for this grant, a completed worksheet showing level of mapping **must be attached** for each MS4 Operator participating or benefitting directly or indirectly from the proposed project. The worksheet will help applicants identify their mapping needs.

	Basic Elements Map (Application must include these elements if they are not already included in map)	Intermediate Elements Map (Applications must look to include these elements if they are not already included in map)	Advanced Elements Map (Elements beyond the required permit elements)
Outfalls			
Receiving waterbody name	X		
Type of conveyance (e.g., open drainage, closed pipe, catch basin)	X		
Material	X		
Shape	X		
Prioritization ⁵⁰	X		
Type of outfall (i.e., direct, indirect, interconnected MS4 outfall)	X		
Submerged in water?	X		
Submerged in sediment?	X		
Latitude/longitude	X		
Land use in drainage area			X
Inspection data			X
Owner			X
ID			X
Dimensions			X

⁵⁰ For the purposes of this grant, the following criteria must be used to determine outfall prioritization: high priority outfall criteria are those which discharge to 1) an impaired waterbody and/or 2) a Class AA-S, A-S, AA, A, B, SA, or SB waterbody. All other outfalls are low priority.

Name of municipal facility, if located at a municipal facility			X
Receiving waterbody class			X
Receiving waterbody WI/PWL Segment ID			X
Locations where stormwater is conveyed from the MS4 Operator's municipal facility to the MS4 Operator's own MS4			
ID			X
Latitude/longitude			X
Owner			X
Prioritization ⁵¹			X
Name of municipal facility			X
Receiving waterbody name			X
Receiving waterbody class			X
Receiving waterbody WI/PWL Segment ID			X
Locations where the MS4 Operator's MS4 is receiving stormwater from another MS4 or private storm sewer system (i.e., updrainage connections with adjacent MS4s)			
ID			X
Latitude/longitude			X
Owner			X
Name and contact information for updrainage MS4			X
Receiving waterbody name			X
Receiving waterbody class			X
Receiving waterbody WI/PWL Segment ID			X
Storm Sewer Conveyance System⁵²			
Type (closed pipe or open drainage)	X		
Material	X		
Shape	X		
Dimensions	X		

⁵¹ For the purposes of this grant, the following criteria must be used to determine the prioritization of locations where stormwater is conveyed from the MS4 Operator's municipal facility to the MS4 Operator's own MS4: the criteria for high priority locations where stormwater is conveyed from the MS4 Operator's municipal facility to the MS4 Operator's own MS4 are those which discharge to 1) an impaired waterbody and/or 2) a Class AA-S, A-S, AA, A, B, SA, or SB waterbody. All other locations where stormwater is conveyed from the MS4 Operator's municipal facility to the MS4 Operator's own MS4 are low priority.

⁵² For the purposes of this grant, this also includes stormwater infrastructure located at municipally owned/operated facilities.

Direction of flow ⁵³	X		
Latitude/longitude	X		
Receiving waterbody name		X	
Owner			X
ID			X
Receiving waterbody class			X
Receiving waterbody WI/PWL Segment ID			X
Storm Sewer Structures⁵⁴			
Type (drop inlet, catch basin, or manhole)	X		
Number of connections to and from drop inlets, catch basins, and manholes	X		
Latitude/longitude	X		
Receiving waterbody name		X	
Depth of catch basin/manhole			X
Sump depth of catch basins			X
Owner			X
ID			X
Receiving waterbody class			X
Receiving waterbody WI/PWL Segment ID			X
Post-Construction Stormwater Management Practice (SMP)			
Address	X		
Latitude/longitude	X		
Type ⁵⁵		X	
Receiving waterbody name		X	
Date of installation (if available) or discovered		X	
Owner		X	
Responsible party for maintenance		X	
Location of documentation depicting O&M requirements & legal agreements for SMP			X
Frequency of inspection of SMP			X
Reason for SMP (retrofit, new development, flood control, etc.)			X

⁵³ Can be described in an attribute or indicated as an arrow on the feature.

⁵⁴ For the purposes of this grant, this also includes stormwater infrastructure located at municipally owned/operated facilities.

⁵⁵ Stormwater Practice Type defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017.

Location where SMP discharges (Does SMP drain to MS4?)			X
Contributing drainage area to SMP (if known)			X
Last inspection date (if known)			X
ID			X
Receiving waterbody class			X
Receiving waterbody WI/PWL Segment ID			X
Inspection results			X
Any corrective actions identified and completed			X
Municipal Facilities			
Address	X		
Latitude/longitude	X		
Name		X	
Type (e.g., municipal buildings, DPW, park, etc.)		X	
Prioritization ⁵⁶		X	
Receiving waterbody name		X	
Standard Industrial Classification (SIC) Code (if applicable)			X
SPDES ID or No Exposure ID (if applicable)			X
Responsible Department			X
Contact Information			X
Status of facility specific SWPPP (if high priority)			X
Location of municipal facility specific SWPPP (if high priority)			X
Type of activities present on site			X
Last assessment date			X
Year built			X
Size of facility (acres)			X
Owner			X

⁵⁶ For the purposes of this grant, the following criteria must be used to determine municipal facility prioritization: high priority municipal facilities have one or more of the following on site: 1) storage of chemicals, salt, petroleum, pesticides, fertilizers, anti-freeze, lead-acid batteries, tires, waste/debris; 2) fueling stations; and/or 3) vehicle or equipment maintenance/repair. All other municipal facilities are low priority.

ID			X
Receiving waterbody class			X
BMPs identified			X
Projected date of the next municipal facility assessment			X
Receiving waterbody WI/PWL Segment ID			X
Sewershed Boundary			
Preliminary	X		
Impaired waters (if applicable)	X		
Per MS4 outfall		X	
Priority and Focus Areas			
Areas with onsite wastewater systems subject to Part IX requirements	X		
TMDL watersheds subject to Part IX requirements	X		
Land use within Impaired Watersheds (Commercial, Residential, Industrial, Open Space)		X	
Land use within other Watersheds (Commercial, Residential, Industrial, Open Space)		X	
Description of concern (i.e., sewershed to impaired waters, septic systems, high water table, industrial area, etc.)		X	
Pollutant(s) of concern (phosphorus, silt/sediment, floatables etc.)		X	
Areas contributing to impaired waterbodies		X	
Areas where stormwater flows have significant potential to cause erosion (soil, silt, rock, etc.)		X	
Areas contributing to waterbodies of significant value (drinking water supply, public bathing beaches, shellfishing, high recreation value)		X	
Stormwater hotspot ⁵⁷		X	

⁵⁷ A stormwater hotspot is a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies. For further detail, see Section 4.11 of the New York State, Stormwater Management Design Manual, January 2015.

Areas with construction activities		X	
Areas with illicit discharges		X	
Areas with illicit discharge potential ⁵⁸			X
Areas with high groundwater or seasonal high water table			X
Areas with low infiltrative soils			X
Areas with historic on-site sanitary system failures			X
Sites with a history of major oil or chemical leaks/spills (Include date of event, type of spill, and final resolution)			X
High priority construction sites (Discharges to impaired waters, AA-S, AA, or A classified water sources, or T (trout)/TS (trout spawning) protected bodies)			X
Other areas of concern (wetlands, riparian buffers, flood plains, steep slopes, etc.)			X
Areas with a history of sanitary sewer overflows			X
Proposed Retrofits⁵⁹			
Location	X		
Contributing drainage area to the proposed stormwater retrofit	X		

⁵⁸ Refer to Table 14 of Center for Watershed Protection Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 for identification.

⁵⁹ This category can be applicable to all applicants but is required for an MS4 Operators subject to Part IX requirements.

Eligible Costs

- Salary and fringe benefits
- Contractual costs
- Travel
- Administrative costs

Ineligible costs/reports:

- Equipment (e.g., hardware)
- Software or GIS licenses
- Development of materials already available through the cooperative stormwater group
- Operating Expenses
- Indirect costs (e.g., space/property rent, utilities, and other office supplies)
- Legal fees
- Costs incurred outside the start and end date of the contract

Required Attachments

- Completed budget worksheet⁶⁰
- Letters of support from regulated MS4 entities participating in and/or benefitting from this project
- Map(s) with the project area clearly identified. Map must be a 1:24,000 scale USGS or DOT planimetric map, or equivalent to such maps.
- Completed and signed Sexual Harassment Prevention Certification Form⁶¹
- Completed and signed Executive Order No. 16 Certification Form⁶²
- Completed Mapping Status Table Worksheet for each of the parties in the cooperative agreement for this project demonstrating level of mapping complete at time of application⁶³

Resources

- Additional information on Urbanized Areas: <http://www.dec.ny.gov/chemical/92258.html>.
- DECinfo Locator⁶⁴ (most up to date source of WI/PWL segment fact sheets): <https://www.dec.ny.gov/pubs/109457.html>.
- Maps of New York State Environmental Justice Areas: <https://www.dec.ny.gov/public/911.html>

⁶⁰ Budget Worksheet: <https://www.dec.ny.gov/pubs/116725.html>

⁶¹ Sexual Harassment Prevention Certification Form: <https://www.dec.ny.gov/pubs/116725.html>

⁶² Executive Order No. 16 Certification Form: <http://www.dec.ny.gov/pubs/4774.html>

⁶³ Mapping Status Table Worksheet: <http://www.dec.ny.gov/pubs/116725.html>

⁶⁴ For projects impacting surface water, the applicant must provide the correct WI/PWL segment ID and HUC 12 watershed of the closest waterbody the project will impact. To find the closest WI/PWL segment fact sheet, visit the DECinfo Locator at <https://gisservices.dec.ny.gov/gis/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 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.

- Maps of Disadvantaged Communities: <https://climate.ny.gov/resources/disadvantaged-communities-criteria>

Technical Contact:

Christina Chiappetta - (518) 402-1224

EVALUATION CRITERIA – MS4 MAPPING

Agency Points	Up to 115 agency points are available, as defined below. Applications must receive a minimum of 30 agency points to be eligible for funding. Applications that receive 0 points for Project Readiness or Experience and Ability will not be funded.			
Performance Measures <i>30 to 5 points possible</i>	30 POINTS: Project addresses Basic Elements Map (red column) items AND will impact a Waterbody Inventory/Priority Waterbodies List (WI/PWL) segment where best use(s) in the WI/PWL segment fact sheet are assessed as “precluded” or “impaired” for a pollutant ⁶⁵ that may be present in stormwater; OR has a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan or DEC HABs Action Plan).	20 POINTS: Project addresses Intermediate Elements Map (yellow column) items AND will impact a WI/PWL segment where best use(s) in the WI/PWL segment fact sheet are assessed as “precluded” or “impaired” for a pollutant ¹⁸ that may be present in stormwater; OR has a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan).	15 POINTS: Project addresses Basic or Intermediate Elements Map (red or yellow column) items AND will not impact a WI/PWL segment where best use(s) in the WI/PWL segment fact sheet are assessed as “precluded” or “impaired” for a pollutant ¹⁸ that may be present in stormwater AND does not have a DEC-approved watershed implementation plan (i.e., TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan).	5 POINTS: Project addresses only Advanced Elements Map (green column) items.
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. Applications that receive 0 points for Reasonableness of Cost will not be funded.

⁶⁵ Eligible pollutants for MS4 Mapping include: phosphorus, nitrogen, ammonia, nutrients, silt/sediment, turbidity, pathogens, fecal coliform, , garbage and refuse, oil/grease, or oil & floating substances.

<p>Vision 20 to 0 point(s) possible</p>	<p>20 POINTS: Applicant has demonstrated support from all collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this mapping project.</p> <p>OR</p> <p>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 entities nor are shared services available (must specify this in application).</p>	<p>10 POINTS: Applicant has demonstrated support from 50% or more of collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this mapping project.</p>	<p>5 POINTS: Applicant has demonstrated support from less than 50% of collaborating regulated MS4 entities that will benefit directly or indirectly from the completion of this mapping project.</p>	<p>0 POINT: Applicant has not demonstrated support</p> <p><i>Applications that fall into this category will not be funded.</i></p>
<p>Readiness 5 to 0 points available</p>	<p>5 POINTS: Project has all necessary pieces in place to complete system mapping.</p>	<p>3 POINTS: Project has some of the necessary pieces in place to complete system mapping.</p>	<p>0 POINTS: Project has not secured any of the necessary approvals and is not ready to proceed with project implementation.</p> <p><i>Applications that fall into this category will not be funded.</i></p>	
<p>Experience and Ability 5 to 0 points available</p>	<p>5 POINTS: Applicant has shown the ability to complete state-funded MS4 projects in the past 10 years in a timely manner</p> <p>OR</p> <p>Applicant has sufficiently shown its ability to complete this MS4 project based upon experience with similar MS4 projects.</p>	<p>3 POINTS: Applicant has shown the ability to complete a state funded project that was not related to MS4s in the past 10 years in a timely manner</p> <p>OR</p> <p>Applicant has not been awarded a state grant in the past 10 years but appears to have the experience and ability to carry out the project</p>	<p>0 POINTS: Applicant has demonstrated poor management of DEC Division of Water Grants contract(s) in the past 10 years</p> <p>OR</p> <p>Applicant has not been awarded a DEC Division of Water grant in the past 10 years and does not appear to have the experience and ability to carry out the program</p> <p><i>Applications that fall into this category will not be funded</i></p>	
<p>Environmental Justice (EJ) and Disadvantaged Communities (DAC) Benefits 10 to 0 points possible</p>	<p>10 POINTS: Project improves water quality and is within a PEJA or DAC area</p> <p>OR</p> <p>Project is within the HUC 10 watershed and upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area.</p>	<p>5 POINTS: Project improves water quality and is within the HUC 10 watershed and upstream of a PEJA or DAC area</p>	<p>0 POINTS: Project does not improve water quality within a PEJA or DAC area</p> <p>OR</p> <p>Project is not within the HUC 10 watershed and not upstream of a drinking water source that will protect the drinking water quality serving a PEJA or DAC area</p> <p>OR</p> <p>Project does not improve water quality and is not within the HUC 10 watershed and not upstream of a PEJA or DAC area</p>	

<p>Disadvantaged Communities (DAC) (includes financial hardship) <i>10 to 0 points possible</i></p>	<p>10 POINTS: Applicant is a municipality with a DAC population of 81 – 100%⁶⁶. See Attachment A.</p>	<p>8 POINTS: Applicant is a municipality with a DAC population of 61 - 80%.</p>	<p>6 POINTS: Applicant is a municipality with a DAC population of 41 - 60%.</p>	<p>4 POINTS: Applicant is a municipality with a DAC population of 20 - 40%⁶⁶.</p>	<p>2 POINTS: Applicant is a municipality with a DAC population of 1 - 19%.</p>	<p>0 POINTS: Applicant is not a municipality with a DAC population.</p>
<p>Climate Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Project is identified in a Community Asset Management Plan as a project that will promote climate resiliency AND is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>		<p>2 POINTS: Projects that demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding) OR is a Climate Smart Community AND can demonstrate how the project will enhance climate adaptation and resilience, detail how the project is being responsive to the effects of climate change (such as sea level rise, increased rainfall, increased likelihood of flooding)</p>		<p>0 POINTS: Project does not address climate resiliency</p>	
<p>Flood Resilience <i>5 to 0 points possible</i></p>	<p>5 POINTS: Project is outside a 0.2% or 1% annual chance of occurrence floodplain OR Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.</p>		<p>0 POINTS: Project is within a 0.2% or 1% annual chance of occurrence floodplain and does not demonstrate flood resilience</p>		<p>5 POINTS: Project is outside a 0.2% or 1% annual chance of occurrence floodplain OR Project is within a 0.2% or 1% annual chance of occurrence floodplain AND demonstrates flood resilience that is consistent with the State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act.</p>	
<p>Total Maximum Points</p>	<p>115 points</p>					

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

GRANT OPPORTUNITY GENERAL INFORMATION AND CONDITIONS

Match

All grants require a local match equal to 10 percent of the requested grant amount. The match can include cash and/or in-kind services. Only costs eligible for this grant may be used as match. Match funds cannot come from other New York State funding sources but may come from federal funding sources. The applicant should identify the source of the match at the time that the application is submitted.

Grant Payment

The grant will be disbursed based on the awardee's progress toward completion of an acceptable report or final deliverable.

Soil and Water Conservation Districts are eligible for a one-time advance payment of up to twenty-five percent of the grant amount for project start-up funding. After the advance payment, all additional payments will be made on a reimbursement basis; however, no additional payments will be made until the SWCD provides documentation showing that all the advance payment was spent on the project.

Municipalities are not eligible for advance payments. All payments to municipalities will be made on a reimbursement basis.

All awardees may apply for reimbursement of eligible project expenses on a calendar quarter basis after the contract between the Department and the grant recipient is executed. All reimbursement requests must be accompanied by a narrative progress report covering the same period as the reimbursement request.

The final reimbursement will be made to the awardee when the report and/or final deliverable is completed and accepted by DEC.

Project Selection

Projects will receive a final score and be selected for grant funding from the highest down to the lowest ranked scores. Applications must receive a minimum of 30 agency points to be eligible for funding.

DEC will consider regional distribution in the determination of awards, to the extent practicable.

Multiple Application Submissions

If an applicant chooses to submit multiple applications, please prioritize and rank the applications in terms of importance.

Contract Term

For Nonpoint Source Planning Reports: DEC expects the term of each contract to be consistent with the project timeline proposed in the grant application. The initial term of each contract will need to be between May 15, 2023 and May 14, 2026. Applicants should not apply if they do not expect their project to be complete by May 14, 2026.

For MS4 Mapping: DEC expects the term of each contract to be consistent with the project timeline proposed in the grant application. The initial term of each contract will need to be between May 15, 2023 and May 15, 2026. Applicants should not apply if they do not expect their project to be complete by May 15, 2026.

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.

Report Submittal

All reports and findings funded by this grant must be submitted to DEC and acceptable to DEC.

Definitions

In-Kind Services - means services performed by capable and qualified employees of the grant recipient for technical and administrative work that are directly related to and in support of the development of the report and are deemed reasonable by DEC.

Planning - means the orderly development of a project concept from the original statement of need or purpose through the evaluation of alternatives to a final recommendation on a course of action and measures to implement the selected alternative, including completion of the environmental review process and Historic Preservation Review requirements, if applicable.

The Department of Environmental Conservation reserves the right to:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Reduce a grant award from the requested amount if the indicated match is insufficient for the requested amount, or if the requested amount is greater than the defined maximum award amount.
- Award an agreement for any or all parts of the Program Overview in accordance with the method of award or withdraw the Program Overview at any time at the Department's sole discretion.
- Award only one application for funding in the event there are multiple application submissions for a single project or for pieces of a single project.
- Award to the next highest scoring application in the event a grantee fails to negotiate a grant contract with the Department within 90 days of a grant award.
- 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.
- Not fund projects that are determined not to be consistent with NYS's Smart Growth Public Infrastructure Policy Act.
- Not fund projects that are determined not to be consistent with the Climate Leadership and Community Protection Act or its implementing regulations.⁶⁷
- Reject any or all applications at the agency's sole discretion.
- Accept Regional Economic Development Council feedback and, if possible/practicable, use this feedback in the review of projects.

⁶⁷ The Climate Leadership and Community Protection Act is in Chapter 106 of the laws of 2019

Pre-Application Requirements

All applicants must register in the NYS Grants Gateway to be considered eligible to accept this grant opportunity <https://grantsmanagement.ny.gov/>. The applicant name must exactly match the name of the eligible entity registered in the NYS Grants Gateway. It may not be the name of an individual.

NYS Grants Gateway Registration Instructions:

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

- 1.) On the Grants Management Website at <https://grantsmanagement.ny.gov/grantee-documents> download a copy of the Registration Form for Administrator.
- 2.) Complete the form according to the instructions provided. The completed form must be signed and notarized.
- 3.) After the form is received and reviewed, you will be provided with a Username and Password allowing you to access the Grants Gateway.
- 4.) Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. You will be prompted to change your password at the bottom of your Profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.

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

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

Debriefing Request

In accordance with section 163 of the NY State Finance Law, the Department 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. Requests for debriefings after fifteen calendar days may be denied.

Protest Procedure

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

Formal protests concerning a pending contract award must be received within five (5) business days after the protesting party knows or should have known of the facts that constitute the basis of the formal protest.

The protest must be filed with:

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

Sexual Harassment Prevention Certification

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

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

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

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

Executive Order 16

Executive Order No. 16 provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” The complete text of Executive Order No. 16 can be found at <https://www.governor.ny.gov/executive-order/no-16-prohibiting-state-agencies-and-authorities-contracting-businesses-conducting>. The Executive Order remains in effect while sanctions against Russia imposed by the federal government are in effect. Accordingly, applicants who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations. As defined in Executive Order No. 16, an “entity conducting business operations in

Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership. Applicants responding to this solicitation are required to complete and submit the form entitled “Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia”.

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

State Environmental Quality Review Act (SEQR) and Permits

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

Letters of Permission/Municipal Endorsement

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

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

Quality Assurance

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

1. Performed in accordance with an effective quality system for planning and assessing environmental measurements and tests, and for conducting required quality assurance and quality control procedures to promote and maintain the accuracy and reliability of environmental measurements and test results. An effective Quality System includes a Quality Assurance Project Plan (QAPP) based on guidance provided by the USEPA Guidance for Quality Assurance Project Plans (QA/G-5 May 2006), or American National Standard ASQ/ANSI E4:2014: Quality management systems for environmental information and technology programs—Requirements with guidance for use, approved February 4, 2014.

2. The fulfillment of the data verification, validation, and usability component of QAPP is to be documented in a Data Usability Assessment Report (DUAR).
3. Performed by a laboratory certified by the New York State Department of Health (NYSDOH) under the Environmental Laboratory Approval Program (ELAP) pursuant to Section 502 of the Public Health Law. This requirement shall not apply to specific parameters where NYS DOH ELAP has not issued a certificate for the specific parameter.
4. Performed in a manner that ensures all requisite quality control and calibration requirements are met, including field testing, sample collection, preservation, and record-keeping. Basic quality assurance and quality control requirements defined in 40 CFR Part 136.7 shall be followed as well as any specific method requirements.
5. Required to submit environmental monitoring data electronically to US EPA Water Quality Exchange (WQX) following the guidance as set by US EPA's WQX Submission Instructions.
6. Covered under the Publicity clause (article IV.G.) of the Master Contract for Grants – Standard Terms and Conditions. Specifically, the Contractor agrees that any work products, including but not limited to, water quality data or environmental information; measured, generated, or developed under this contract shall not be released, published, cited, or shared in draft or final form without prior written authorization from the Department.
7. At a minimum, performed in accordance with water quality standards in 6 NYCRR Part 703 and/or guidance values in Technical and Operational Guidance Series (TOGS) 1.1.1. Projects designed to assess water quality or inform regulatory decisions must measure parameters with applicable water quality standards and/or guidance values.

Historic Preservation Review Requirements

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

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

Coastal Consistency Requirements

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

Grant Program Reporting

Quarterly Narrative Reports must be submitted in narrative form, no later than 30 days from the end of the calendar quarter. The reports will summarize how the project progressed toward meeting project objectives and deliverables during the respective quarter. Quarterly reports shall be submitted in the NYS Grants Gateway.

Quarterly Expenditure Reports, detailed by object of expense as defined in the Master Contract for Grants (MCG) Attachment B-1 Expenditure Based Budget, must accompany the quarterly Narrative Reports, no later than 30 days from the end of the calendar quarter. These reports must correlate to subsequent vouchers submitted for payment.

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.

Final Report must be submitted and approved by the DEC 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 use of 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 DEC.

Any project involving volunteer time will be required to report the number of volunteers and the number of volunteer hours in their project quarterly status reports. The total number of volunteers and volunteer hours for the entire project must be reported in the Final Report.

Projects already receiving funds from another NYS or Federal assistance grant program are not eligible to receive funding for the same project activities identified in this Program Overview.

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) terms and conditions. Any changes to the terms and conditions will not be accepted and may affect applicant's award.

State of New York Master Contract for Grants (MCG)

Applicants selected to receive a grant award will be required to execute a MCG within 90 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 can be reviewed and/or downloaded in the Grants Gateway HRE application under the screen named 'Contract Document Properties.' The MCG and attachments include:

- MCG Grants Face Page
- Standard Terms and Conditions (NYS standard terms and conditions)

- Attachment A-1 Program Specific Terms and Conditions (Agency and Program specific terms and conditions)
- Attachment 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, which will be determined at the time of an official award.

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

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

Vendor Responsibility Questionnaire

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

Iran Divestment Act

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

Minority/Women Business Enterprises (M/WBE) and Equal Employment Opportunities (EEO) Requirements

The Department is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (“MWBE Regulations”) for all State contracts with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

Applicants subject to executing a future NYS Master Contract for Grants agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to the Department, to fully comply and cooperate with the Department in the implementation of New York State Executive Law Article 15-A. These requirements include equal employment opportunities for minority group members and women (“EEO”) and contracting opportunities for certified minority and women-owned business enterprises (“M/WBEs”). Contractor’s demonstration of “good faith efforts” pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the “Human Rights Law”) or other applicable federal, state or local laws.

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

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

- The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.
- A list of certified M/WBE enterprises can be obtained via the internet from the NYS Department of Economic Development at <https://ny.newnycontracts.com/FrontEnd/searchcertifieddirectory.asp>
- .
- MWBE reporting for Department of Environmental Conservation contracts must now be completed using the New York State Contract System (NYSCS). <https://ny.newnycontracts.com/>.
- For purposes of this procurement, the Department hereby establishes an overall goal of up to **30%** for Minority and Women-Owned Business Enterprises (“MWBE”) participation, (based on the current availability of qualified MBEs and WBEs).
- All contracts of \$25,000 or more will be assessed for MWBE goals. Contracts which meet the established MWBE-EEO thresholds require the Contractor to submit the Utilization

Plan prior to the execution of the contract and Monthly Compliance Audits in the NYSCS after the contract is executed. To submit the required MWBE Utilization Plan, log-in to NYSCS and access the Utilization Plans section displayed on the user dashboard. Plans requiring action will be displayed in red.

- All contractors shall complete an Equal Employment Opportunity (EEO) Policy Statement and Staffing Plan form and submit it prior to the execution of the contract. These EEO forms are to be uploaded to the Grants Gateway in the grantee document folder.
- For more information regarding MWBE compliance and reporting guidelines, and to download required forms, please visit <https://www.dec.ny.gov/about/61016.html#MWBE>.
 - The following MWBE “Fair Share” goals are established as follows:
 - Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:
 - Construction/Engineering – up to 30%
 - Commodities – up to 30%
 - Services/Technologies –up to 30%

DEC M/WBE Compliance
NYS Department of Environmental Conservation
Bureau of Contract and Grant Development/MWBE Program
625 Broadway, 10th Floor
Albany, New York 12233-5028
Mwbe@dec.ny.gov
Phone: (518) 402-9240
Fax: (518) 402-9023

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

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

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

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

Procurement of Contractors/Subcontractors

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

Americans With Disabilities Act

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

Diesel Emissions Reduction Act 2006

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

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

Attachment A: List of Municipalities that Contain Disadvantaged Community Populations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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