



LOCAL STORMWATER BMP IMPLEMENTATION PROGRAM PROJECT APPLICATION INSTRUCTIONS

The Department of Environmental Protection (DEP) is offering funding for implementation of urban stormwater best management practices (BMPs) to reduce the load of nutrients and sediment delivered to the Chesapeake Bay. The **due date for applications is March 3, 2017**. DEP will announce award of the grants around September 1. The **maximum funding amount per applicant is \$200,000**. There is no minimum funding amount. **All costs must be incurred by March 31, 2019**.

All applicants that are eligible are invited to apply. DEP may contact the applicant following receipt of an application for additional information. **Two copies of the complete application and attachments must be submitted.**

A single application may include funding for more than one Best Management Practice (BMP).

Applicant Eligibility

This funding is intended for use by local entities. The term local entities include counties, cities, boroughs, townships, incorporated towns and municipal authorities. Other parties that wish to promote funding for a project are encouraged to approach the eligible local entity where the project would be located and offer to assist with the project application and project management.

Project Eligibility

Projects are eligible for funding if they satisfy the following criteria:

1. Stormwater Best Management Practices (BMPs) projects within urbanized areas (UAs) according to the latest Decennial Census in which National Pollutant Discharge Elimination System (NPDES) permit coverage is required for the discharge of stormwater from municipal separate storm sewer systems (MS4s).
2. Projects located within the Chesapeake Bay watershed and within the following counties: Blair, Cumberland, Dauphin, Franklin, Lackawanna, Lancaster, Lebanon, Luzerne, Lycoming, and York.
3. Projects that result in structural, on the ground BMP(s) that meet the requirements of Pennsylvania's Stormwater Best Management Practices Manual (363-0300-002), as applicable, and have been demonstrated to reduce the discharge of nutrient and/or sediment loads to surface waters.

Examples of eligible projects include (but are not limited to):

- Bioretention/raingardens
 - Bioswales
 - Permeable pavement
 - Urban nutrient management
 - Urban stream restoration
 - Urban tree planting
 - Vegetated open channels
 - Vegetated roofs
 - Wet ponds and wetlands
4. Projects can be located on either public or private property.
 5. The following projects are not eligible for funding:
 - The purchase of vehicles or equipment.
 - Operation and maintenance (O&M) activities.
 - Projects required as a condition of an NPDES permit for Stormwater Discharges Associated with a Construction Activity (Chapter 102 permit).
 - New detention basins.
 - BMPs that do not mitigate the flow of stormwater into MS4s.

Competitive Funding

This funding opportunity is competitive. DEP will apply a scoring system. An applicant may improve rating of a project by selecting BMP(s) meeting one or more of the following criteria:

- The proposed BMP(s) is/are identified in a Chesapeake Bay Pollutant Reduction Plan (CBPRP).
- The CBPRP has been submitted to DEP.
- The CBPRP has been approved by DEP.
- The BMP(s) achieve all of the following: removal of nutrient and sediment, and reduce flow and rate.
- The BMP(s) is/are listed in the BMP Effectiveness Values Table (3800-PM-BCW0100m) or in any other Chesapeake Bay Program documents, as a practice with a known efficiency to reduce pollutant loads for sediment and nutrients.
- The project has a “high” return on investment (i.e., lbs of pollutants reduced per dollar).
- The project has a matching fund commitment.
- Preference will be given to applicants that are approved distressed municipalities under Act 47, Financially Distressed Municipalities Act of 1987.
- Prior experience in managing state and/or federal grant or loan projects.
- Partners who fulfill a non-financial, principal role in at least one of the following: planning, design, construction, or O&M.

Application Requirements

1. Applicant must complete all content of the Program Project Application Form. This includes the completed application as well as any necessary attachments required for submittal.
2. A preliminary design prepared by a PA-registered Professional Engineer or other professional appropriate to the type of BMP must be submitted with the application. The preliminary design should include:
 - a. Design sketch and a plot plan.
 - b. Draft design/construction estimate (material and labor).
 - c. Pollutant load reduction calculations for each BMP, prepared in accordance with the Pollutant Reduction Plan Instructions (DEP document #3800-PM-BCW0100k).
3. Applicants must attach the “Local Stormwater BMP Implementation Program Application Checklist” to the application.

Project Deliverables and Commitments

1. Awardees will be required to submit a summary of work done with each reimbursement request as well as a Final Payment Request package within 90 days of construction completion.
2. Awardees must commit to holding a public event at the location of the project to educate the public and neighboring municipalities of the environmental benefits of the project. The timing of the event can be during or after construction, whichever is most appropriate to best showcase the project.
3. As part of the award agreement, the applicant must agree to complete the following (to be done prior to final payment) to assure long-term operation and maintenance (O&M) of each BMP:
 - a. An O&M Plan for each BMP which identifies the O&M that will be needed to maintain performance of the BMP. This application includes a question that asks the applicant to provide a preliminary assessment of O&M needs that may ultimately be used to develop the O&M Plan.
 - b. The O&M Plan must be recorded as a restrictive deed covenant that runs with the land.
 - c. The facilities, areas or structures used as a BMP must be recorded as permanent real estate appurtenances and as a deed restriction or easement that runs with the land.
 - d. A BMP located on publicly-owned land must be maintained by the ownership entity. A BMP located on privately-owned land must be supported by a signed Maintenance Agreement. The format provided as Appendix A to the model MS4 Stormwater Management Ordinance in the DEP PAG-13 General Stormwater Permit, DEP document 3800-PM-BCW0100j, is recommended.

Completing the Application Form

Applicant / Permittee Information

1. Enter the legal name of the applicant entity.
2. Enter the applicant's DUNS number.
3. List the applicant's full mailing address.
4. Entity Type (City, Borough, Township, etc.).
5. Report the name of the contact individual for the applicant who is expected to be the project coordinator.
6. Enter the applicant's Tax Identification Number.
7. Identify the applicant's email address.
8. List the applicant's phone number.
9. Identify the name of the Municipal Separate Storm Sewer System (MS4) permittee where the project will be located.
10. Report the permit number of the MS4 NPDES permit issued to the permittee.
11. Identify the name of the contact individual for the permittee.
12. List the permittee contact individual's email address.
13. Enter the permittee contact individual's phone number.

General Project Information

1. Provide a name for the project (e.g., "Municipal Park Rain garden").
2. Provide a brief description of the project. Attach additional sheets as necessary.
3. List the latitude and longitude coordinates of the project. Use the proposed center of the project area. Attach a USGS 7.5' topographic map or copy thereof to the application with the project area identified. Either degrees/minutes/seconds or the decimal equivalent may be used.
4. Report the name of the county where the project is proposed.
5. Check the appropriate box to indicate whether the BMP(s) is/are located within an urbanized area (UA) (Yes or No). Eligible BMP(s) must be located in an urban area.

An electronic map of UAs can be accessed on the DEP website at Water/Bureau of Clean Water/Stormwater Management/Municipal Stormwater/MS4 Resources. Select the type of UA map you would like under the "Maps" section.
6. Identify the name(s) of the nearest receiving waters from the proposed BMP.

Project Details

1. Check the appropriate box to indicate whether the project BMP is identified in a CBPRP that has been submitted to DEP. If Yes, indicate the actual date of submission.
2. If the answer to question 1 is Yes, indicate whether the PRP has been approved by DEP and provide the approval date.
3. Check the appropriate box to indicate whether the proposed BMP(s) is/are in the BMP Effectiveness Values Table (3800-PM-BCW0100m) or in any other Chesapeake Bay Program documents as a practice with a known efficiency to reduce pollutant loads for sediment and nutrients. BMPs are not required to be listed in either of these sources. Information on BMPs approved for the Bay Model is available from several sources; including, but not limited to, the Chesapeake Stormwater Network (<http://chesapeakestormwater.net>) and the Chesapeake Assessment Scenario Tool (<http://www.casttool.org>) .
4. Describe the specific water quality problem(s) that the BMP(s) is/are intended to address. For example, "The BMP is intended to reduce the flow of urban stormwater to an impaired stream with streambank erosion concerns."

- Estimate the total pounds (lbs) per year of nutrient and sediment load reduction that will be achieved upon implementation of the project for each BMP. Provide the derivation of the numbers. Attach additional sheets as necessary.

Project Milestones

Identify all project milestones and the projected start and completion dates for the milestones. Include comments if desired. The following describes the minimum elements applicable to most projects (dates and comments provided are examples. Please provide actual dates and comments relevant to your project):

| Milestone Description | Projected Start Date | Projected Completion Date | Comments |
|---|----------------------|---------------------------|---|
| Complete design and secure access (e.g., easements) | 9/1/17 | 10/1/17 | |
| Submit design to DEP for review | 11/1/17 | 12/15/17 | |
| Solicit Bids for Work | 1/1/18 | 2/1/18 | Will follow standard municipal procurement practices. |
| Select Contractor(s) | 2/15/18 | 11/3/18 | Will follow standard municipal procurement practices. |
| BMP Construction | 4/1/18 | 10/1/18 | Schedule allows for bad weather. |
| Request DEP final inspection | 11/1/18 | 12/1/18 | |
| Submit Final Payment Package | 1/15/19 | 2/1/19 | Will send in before 1/1/19 if possible. |

Other Information

- If the applicant and permittee are not the same, the applicant must attach a letter from the permittee indicating its support for the project.
- Describe the applicant’s experience in managing state or federal grant or loan projects. Give examples of grants or loans secured in the past five years and the outcome of the project(s).
- Identify project partners (e.g., watershed groups, civic organizations, etc.) and their proposed involvement with the project. Partners can be any group or organization that will play a non-financial role in either design, planning, construction or O&M.
- Indicate whether the proposed project will take place on public or private property. **If private property, attach written consent from the property owner(s).**
- The list of communities on the DCED website is at www.newpa.com/local-government. Scroll down and hold your mouse over the section called “Financial Recovery Program”, located in the center of the page, and select “Act 47 Program”. Scroll down to the section called “FAQs” and select the link “Act 47 municipalities and available recovery plans”.
- Specify the O&M activities upon completion of the project and the frequency such activities should occur to assure continued pollutant reductions throughout the life of the BMP. Note that a detailed O&M Plan is required upon completion of the project.
- Identify the party that, at the time the application is submitted, is projected to be responsible for ongoing O&M and the mechanism to assure O&M activities will occur.
- Identify any environmental permits (e.g., Chapter 102 NPDES, Chapter 105, etc.) that are required for construction of the project and the agency(ies) responsible for permit approval. If permits are necessary, the preparation or submission of such applications should be identified in the Project Milestones section of the application.

Project Budget

The Project Budget table lists four categories that generally apply to projects; complete the requested information for each category by describing in more detail the tasks involved, the funds requested, and any matching funds. If a category does not apply, enter "Not Applicable" or "N/A".

Administrative costs may be included as long as the funds requested for this category do not exceed 2% of the total funds requested. A contingency category may be included, with requested funds not exceeding 5% of the total funds requested.

Matching funds are not required. **If matching funds are indicated on the application, attach a letter of commitment from the applicant or other project sponsor.**

Certification

A responsible official from the applicant must sign the application and each grant payment request. In general, the signatory for a city is the mayor and the borough president for a borough. A letter or other document signed by the municipal solicitor or other appropriate person must identify the responsible official and provide the signature of the responsible official.

DBE Compliance

This project is being federally funded by EPA financial assistance dollars and therefore requires all contractors to demonstrate compliance with federal Executive Orders 11625, 12138, and 12432 and EPA Regulations at 40 CFR Part 30, et al., through detailed documentation of solicitation of Disadvantaged Business Enterprises (DBEs). Contractors must demonstrate the Six Good Faith Efforts to identify and solicit DBE firms that are potential sources for any procurement action in the areas of project construction, equipment, services, and supplies by including state qualified small businesses, and minority and woman owned business enterprises in the bidding process.

Where to Submit the Application

Applications should be submitted to DEP's Central Office at the following address:

Mr. Dave Edinger
Department of Environmental Protection
Bureau of Clean Water
400 Market Street, 11th Floor
PO Box 8774
Harrisburg, PA 17105-8774

Questions concerning this application can be directed to Dave Edinger, Bureau of Clean Water (BCW) at (717) 772-4060, email dedinger@pa.gov.

Interim Grant Payments

Interim payments (up to 90% of the total funding) can be made as frequently as monthly on a reimbursement basis. Requests for reimbursement must be submitted on DEP form, 3800-FM-BCW0514c, and include:

1. A report of progress made on the project.
2. Costs incurred that relate to the current reimbursement request.
3. Proof of payment of the invoice(s) from the prior reimbursement request.

Final Grant Payment

The final payment (a minimum of 10% of the award) will be made upon completion of the following:

- A final inspection was conducted by DEP and the BMP(s) were constructed in accordance with the design plans.
- The O&M Plan for each BMP.
- Evidence that the O&M Plan for each BMP has been recorded as a restrictive deed covenant that runs with the land.
- Evidence that the BMP(s) has/have been recorded as a permanent real estate appurtenance with a deed restriction or easement that runs with the land.
- An agreement(s) that BMP(s) located on publicly-owned land will be maintained by the ownership entity.
- A signed Maintenance Agreement for BMP(s) located on privately-owned land.
- A description of the public event that the recipient held to educate the public and neighboring municipalities of the completed work. The event must be advertised and the awardee must notify DEP at least two weeks prior to holding the event.
- A request for reimbursement using DEP form, 3800-FM-BCW0514c, for any remaining costs, including proof of payment. Proof of payment in the form of bank statements or cancelled checks for any previously submitted invoiced costs must also have been submitted.