

Directions for Requesting Mitigation Pool Funding for CDOT Advertised Projects (As of 2/9/16)

This appendix provides guidance for CDOT advertised projects that are requesting Mitigation Pool funding, including Priority Plus, Non-Priority Plus (with PWQ), and Watershed Projects. See [NDRD Interim Program Guidance Section 2 - Organizational Structure](#) for more information on PWQ project and funding categories. Additional resources, which are described in the guidance below (and in green text), are available on the CDOT Permanent Water Quality (PWQ) Mitigation Pool website at: <https://www.codot.gov/programs/environmental/water-quality/permanent-water-quality>

How to request Mitigation Pool funding for projects with a construction budget more than \$100 million

Priority Projects with a total construction budget under \$100 million automatically receive funding. However, Priority Projects more than \$100 million need to apply for funding. Both kinds of projects must complete the required [NDRD Evaluation and Tracking Form](#) and [PWQ Cost Estimate and Design Expenditure Spreadsheet](#) and submit them to Amber Williams, the PWQ Program Manager (dot_pwg@state.co.us or 303-757-9814). These forms are available on the [CDOT PWQ Program website](#). CDOT staff leading Priority Projects over \$100 million must request Mitigation Pool funding by sending an e-mail with these documents to Amber Williams with the subject line: "Request for Priority Project Funding - over \$100,000 million." It is recommended that staff also include a brief description of the Priority Project treatment; one page should be sufficient. They must also comply with additional steps, as outlined in [NDRD Interim Program Guidance Section 4.2.1 - Procedures for CDOT Advertised Priority Projects](#). If the project is only a Priority Project (there is no Plus component) the application process outlined in the remainder of this document does not apply. The Mitigation Pool Committee will review funding requests on a quarterly basis. If a quicker response is needed, they will do their best to accommodate it.

All Priority Projects requesting Priority Plus funding for treatment in addition to what is required must submit an application as described in the remainder of this document.

Please note: If your project involves coordination with local agencies, additional requirements may apply, as outlined in the [Local Agency Advertised Project Application Guidance](#). For example, if your project involves a local agency maintaining Control Measures (CMs) or a partner providing funding or in-kind assistance, an Intergovernmental Agreement (IGA) or Memorandum of Understanding (MOU) will be required before funding is provided.

CDOT resources include:

- Application Form (Appendix A)
- CDOT Mitigation Pool Evaluation Matrix (Appendix B)
- Excel spreadsheets for the treatment area and cost estimate tables

Part 1: Available Funding and Selection Process

Amount of Funding Available

The amount of funding available is based on how much funding remains after CDOT allocates funding for CDOT Priority Projects that require treatment of stormwater runoff from within the project's limits. There is no maximum funding request. However, applicants should take into consideration the amount available, the value to receiving water, and the value of both

maintenance and matching resources from cooperating partners. Over time, CDOT's goal is for funding to be distributed across regions according to the amount of CDOT roadway lane miles in MS4 areas.

Please note: In order to comply with its MS4 Permit, CDOT must spend Mitigation Pool funding on PWQ Control Measures. **If a proposed project is not constructed according to the project schedule, the funds set aside for that project, or spent on design and ROW, may have to be reimbursed to the Mitigation Pool** (see [Supercircular](#) Sections 200.309, 200.338, 200.343 (d), 200.77).

Selection Process and Schedule

The Mitigation Pool Committee will review CDOT applications on a quarterly basis, after each fiscal year quarter. Applications can be submitted to dot_pwg@state.co.us on an ongoing basis. The last date applications can be received for each quarterly review is September 30, December 31, March 31 and June 30. The e-mail subject line should read "CDOT application for PWQ Mitigation Pool funding." CDOT staff can contact Amber Williams, the PWQ Program Manager, with any questions at dot_pwg@state.co.us or 303-757-9814. If a quicker response is needed, CDOT staff need to contact Amber Williams.

Part 2: Project Selection

CDOT uses a three-step evaluation method to award projects as described in [Appendix B: CDOT Mitigation Pool Evaluation Matrix](#). Applications must first meet all of the threshold criteria. Applicants who meet the threshold criteria will then be scored and ranked according to the evaluation criteria. Final ranking will be based on project readiness and geographic diversity.

In order to demonstrate that a project meets criteria, CDOT staff must provide the following. They should provide this information in [Appendix A: Application Form](#).

- Brief description of the project including a response to the components outlined below
- *NDRD Evaluation and Tracking Form*
- Map and/or location and aerial photos
- Area treatment table
- Cost estimate

Brief Description of the Project

1. Brief description of the scope for the Control Measures, including:

- ***Acknowledgement that scope meets Design Standards:***
 - Control Measures must provide treatment of CDOT MS4 area. In other words, a substantial portion of treated water must be runoff from CDOT ROW.
 - All PWQ Control Measures must treat runoff prior to that runoff entering Waters of the State, and must meet CDOT's required Design Standards. It is critical to review [NDRD Interim Program Guidance, Section 5 - Design Standards and Other Criteria](#).
- ***Additional impervious area*** - Describe if and how additional impervious area beyond what is recommended with the proposed Control Measure(s) will be treated or could be treated in the future.

- **Consistency with a long-term plan for water quality treatment and land use**, either through the **CDOT PWQ Long Range Master Plan** or equivalent, such as the CDOT Long Range Plan or an EA or EIS. Applicants must list the agency plan(s) they are following and the applicable years of the plan(s).
 - **Additional benefits to CDOT** - For example, the project may treat a challenging area in CDOT MS4 area, long-term maintenance may be provided by another entity, and the project may treat future CDOT Priority Projects. The PWQ Long Range Plan may assist with identifying additional benefits.
 - **Project readiness** - Describe any additional information beyond the expected ad date, assuming the project is selected, to demonstrate project readiness.
2. **Sustainable maintenance plan** - Applicants must describe what maintenance activities will be required, how frequently, and who will do the maintenance. The description should include information on:
- Who will maintain the Control Measures - **Projects that do not require CDOT to maintain regional Control Measures are strongly preferred.** If a local agency is responsible for maintenance, an IGA is required after project selection and before funding can be confirmed.
 - Description of available equipment, staff, and activities
3. **Matching resources and Partnerships** - Please provide a description of any matching resources and/or partnerships specific to water quality.
- **Matching Resources:** Are there matching funds or in-kind services? For example, a partner could provide in-kind services by donating ROW or providing design services, or could provide funding. Applicants should describe who is providing matching resources, for what activities, and whether resources are identified or committed.
 - **Partnerships** - Are there additional partners beyond those providing matching resources? Is there cooperation of more than one entity (e.g., on design, construction, maintenance, or overall costs)? Applicants should describe information on who is doing what and whether the partnership is related to treatment of CDOT MS4 area and associated requirements or other components of the project. Applicants should also describe partners that are identified but not yet committed.
4. **Additional Environmental or Community Benefits:** Applicants should describe any additional benefits the project provides, such as:
- **Water quality benefit** - Does the project benefit the larger watershed system/ larger tributary area? For example, is it upstream of impaired waters, will the design reduce other pollutants (beyond TSS), or does it provide stormwater volume reduction?
 - **Local watershed priority** - Is it an impaired watershed? Are there segments that have a high priority on the 303d list? Does it rank as a high priority to address water quality needs of the watershed? Are there special classifications considerations?
 - **Holistic design/ innovation/ additional benefits to the environment or community** - Does the project enhance significant natural resources, including wetlands, riparian area, and/or wildlife habitat? Is it an innovative project? Does it provide additional benefits such as providing flood control or treating a portion of CDOT MS4 area that is particularly challenging to treat? Does it provide additional benefits to the community?

Map and/or Location and Aerial Photos

The following must be shown on the map and/or location and aerial photos. Priority Projects will have already submitted an inventory map with the *NDRD Evaluation and Tracking Form*. This inventory map can be modified to show the Priority Plus components.

- Components listed in the treatment area table below, except for percentages
- CDOT's MS4 boundary and all other MS4 boundaries
- Approximate location, type, size, and shape of Control Measures
- Drainage basin delineation including a North arrow and scale
- Any narrative clarification that may be needed

Area Treatment Table

Fill in the treatment table available on the [CDOT PWQ Program website](#). The spreadsheet includes a blank form and example project. Include any relevant assumptions so that CDOT can verify that the information is accurate.

Cost Estimate

Fill in the cost estimate available on the [CDOT PWQ Program website](#) to outline costs associated with specific activities, by funding source. The spreadsheet includes a blank form and example project. **Note that this cost estimate should NOT include Priority Project expenses.**

Example types of CDOT allowable expenses include ROW acquisition, grading associated with WQ, WQCV orifice plate and outlet structure, and pipes required for the Control Measure.

Example types of expenses that are not CDOT allowable include flood control that does not meet Design Standards and enhancements such as benches, additional landscaping beyond site stabilization, recreational paths, etc. These expenses need to be funded with other resources.

PWQ expenses are not exempt from the Construction Engineering (CE) and Indirect rate. When you budget the Construction phase, you need to include the associated CE rates.

After projects are selected, refined cost estimates are required as described in the [NDRD Interim Program Guidance](#).

APPENDIX A: CDOT Application Form CDOT Permanent Water Quality Mitigation Pool

This form can be sent electronically in Word or PDF format to dot_pwg@state.co.us. Upon receipt, a confirmation email will be sent to the sender. If you do not receive a confirmation, call Amber Williams (303-757-9814) to confirm that she received it.

Applications must be in original format and typewritten; no handwritten applications will be accepted.

The application package must include the following. Please review the [Directions for Requesting Mitigation Pool Funding for CDOT Advertised Projects](#) for more detailed information.

- Completed application form
- Brief description of the project including information outlined in the application guidance
- Attached *NDRD Evaluation and Tracking Form*
- Attached map and/or location and aerial photos describing the project
- Attached treatment area table
- Attached cost estimate

Applicant Information

Project Name			
Amount Requested		Expected Ad Date	

Project Manager/ Technical Contact	
Name of Project Manager	
Title	
Address	
E-mail	
Phone Number	
Alternative Contacts Information (in absence of Project Manager- add additional contacts, as needed)	
Name	
Title or Position	
E-mail	
Phone Number	

Project Information (if different than information in *NDRD Evaluation and Tracking Form*)

Project Location/ Ownership	
CDOT Region	
Drainage Basin (name and description, and if known, HUC number)	
Parcel Address or Number (if known)	
Description of Location - e.g., street address, intersection, and/or latitude	

and longitude (show detail on required map)	
Description of Property Ownership	

Brief Description of the Project

Provide a brief description that responds to all information outlined in the [Directions for Requesting Mitigation Pool Funding for CDOT Advertised Projects](#). This includes, but is not limited to, information on the scope for the Control Measures, maintenance plan, matching resources and benefits, and additional environmental or community benefits.

Resident Engineer Signature

All information in this application is true and correct to the best of my knowledge. I understand this application will be rated on the basis of information submitted and that incorrect data can result in this application being withdrawn from consideration for funding.

Signature, Title/Organization Date

APPENDIX B: CDOT Mitigation Pool Evaluation Matrix

This is an example of the ranking matrix the Mitigation Pool Committee will use to evaluate and compare applications for CDOT and local agency Priority Plus, Non-Priority Plus (with PWQ), and Watershed Projects. This is included for informational purposes only and is subject to change. Applicants should NOT fill in this information. It correlates with the narrative guidance and includes:

- **Threshold (minimum) criteria** that must be met with yes/no questions. Any “NO” answers will disqualify the project.
- **Evaluation Criteria for Proposals** that are ranked based on outlined maximum points for each component.

Note that final ranking will also be based on project readiness. This may include projects that are further along in the design process, have an aggressive schedule, have completed ROW acquisition, or other components that demonstrate project readiness. Geographic diversity will also be considered. “CM” refers to Control Measure.

Threshold (Minimum) Criteria - Step 1

Criterion to be Met	Yes	No	Comments
1a. Requested funds are for design, ROW, and/or construction of CM. <i>(Assumed for CDOT applicants)</i>			
1b. A portion of CDOT MS4 area is treated.			
1c. Treatment occurs prior to entering Waters of the State and CM(s) meet CDOT PWQ Design Standards.			
1d. Applicant acknowledges that CM(s) will be surveyed and certified. <i>(Assumed for CDOT applicants)</i>			
2. Project is consistent with long-term plan for water quality treatment and land use.			
3a. An anticipated project schedule is included.			
3b. List provided on which environmental clearances and surveys have been completed and which are likely to be required. <i>(Not required for CDOT applicants)</i>			
4. There is a sustainable maintenance plan for the CMs.			
5. Local agency applicant or local agency partner on CDOT projects can and will accept IGA with CDOT. <i>(Does not apply to CDOT applicants if no Local Agencies are involved)</i>			
6. A person with fiduciary authority signed the application form to certify that funds will be available <i>(Does not apply to CDOT applicants)</i> .			

ONLY applications that meet the above criteria may continue to the evaluation criteria on the next page.

Evaluation Criteria for Proposals - Step 2

Projects with an average Mitigation Pool Committee score of less than 60 points are unlikely to be considered for funding.

Criteria	Max.	Rating	Comments
1. Quality of proposed project	10		
Complete, clear, and well-designed scope			
Clear description of how CM meets CDOT Design Standards			
2. Maintenance responsibility	25		
Points based on percentage of project that CDOT maintains (e.g., 25 pts if CDOT does not maintain anything; 18.75 pts if CDOT maintains 25%; 12.5 pts for 50%; 6.5 pts for 75%; 0 pts for 100%)			
3. Quality of maintenance plan	10		
Safe and accessible			
Agency equipment, staff, and budget to maintain			
4. Significant area treated	15		
Total area treated			
CDOT MS4 area treated			
Ability to treat future MS4 impervious area			
5. CDOT's cost effectiveness relative to CDOT MS4 area	10		
Consider total cost per impervious tributary acre in CDOT's MS4 area (see cost estimate I), whether it is a realistic cost for the density of the area, whether there are additional benefits such as treating in a constrained area, etc.			
6. Water quality benefit	8		
Benefits regional watershed			
Upstream of impaired waters			
Design reduces other pollutants (beyond TSS)			
Provides stormwater volume reduction			
7. Matching resources (funding and in-kind)	10		
8. Partnerships	8		
Cooperation with other entities on project			
9. Local watershed priority	4		
Impaired watershed, segments that are a high priority on the 303d list, special classifications considerations, etc.			
TOTAL POINTS	100		
10. Other Considerations	6		
Holistic design			
Innovative project			
Additional environmental or community benefits			
TOTAL POINTS	106		

Readiness and Geographic Diversity - Step 3

Projects that are further along in the design process, have an aggressive schedule, have completed ROW acquisition, or have other components that demonstrate project readiness will rank higher than other proposals.

Over time, CDOT's goal is for funding to be distributed across regions according to the amount of lane miles in MS4 areas, as described in [Part 1 - Amount of Funding Available](#). This will be considered during selection.