§ 17-1409. State assistance for non-agricultural nonpoint source abatement and control projects.

1. Subject to the availability of funds appropriated therefor, a matching grant program is established to fund the costs of implementing nonpoint source abatement and control projects that meet the following criteria:

a. the project must consist of activities and projects which will significantly reduce, abate or control nonpoint source pollution originating from non-agricultural activities;

b. the project must be proposed for implementation by a municipal corporation, or by a district at the formal request of such corporation;

c. the project must be located within a water body identified by the commissioner, pursuant to section 17-1407 of this title;

d. the project must propose to implement best management practices which meet the criteria promulgated pursuant to section 17-1411 of this title; and

e. the municipal corporation must have funds available to pay for its share of the eligible project costs.

1-a. Subject to the availability of funds appropriated therefore, a matching grant program is established to fund the cost of comprehensive watershed based water quality management designed to address the reduction and control of nonpoint source pollution and the improvement of water quality in a water body or water bodies identified on the prioritized list developed pursuant to section 17-1407 of this title.

2. Applications for matching grants shall contain the following information:

a. the name and location of the water body and the nonpoint source problem to be addressed;

b. for projects described in subdivision one of this section, an identification of the best management practice to be implemented;

c. a cost estimate for the proposed project;

d. the source of funds available to pay for the non-state share of the eligible costs;

e. information sufficient to demonstrate that the criteria set forth in subdivision one of this section have been met; and

f. such other information as may be required by the commissioner through regulations.

3. In awarding grants pursuant to this section, the commissioner shall give preference to those projects located or designed to address water quality concerns for in the highest priority water bodies identified pursuant to section 17-1407 of this title.

4. Eligible costs that may be funded pursuant to this section are architectural and engineering services, plans and specifications, consultant and legal services and other direct expenses related to comprehensive watershed based water quality management and project implementation.

5. Matching grants awarded pursuant to this section shall be up to seventy-five percent of the eligible costs for any specified project.

6. Notwithstanding any other provision of law to the contrary, storm water discharges of a municipality permitted pursuant to title seven or eight of this article shall be treated as a non-agricultural nonpoint source for the purpose of qualifying for funding pursuant to this section.