

# Future Habitat Improvement Projects Fund

## St. Lawrence – FDR Power Project

### Future Habitat Improvement Projects Fund

#### **St. Lawrence – FDR Power Project**

#### **BACKGROUND**

On October 23, 2003, the Federal Energy Regulatory Commission (FERC) issued an order granting the New York Power Authority (Authority) a new 50-year license for the St. Lawrence-FDR Power Project (Project) near Massena New York. The Project license includes a \$3.92 million Future Habitat Improvement Project Fund (FHF) to cover the design, construction, environmental monitoring, and operation and maintenance costs of habitat improvement projects (HIPs) not specifically identified in the new license that will be located on the St. Lawrence River or its tributaries within New York that will benefit the ecology of the St. Lawrence River.

The license establishes a Technical Advisory Council (Council) which will, among other duties, select HIPs for funding from the FHF. With respect to proposed future HIPs, the Council shall:

1. Select HIPs and sponsors for funding from the FHF;
2. Review designs and management plans for the selected HIPs;

3. Review plans for effectiveness monitoring studies of the selected HIPs, and monitor the results of the studies performed;
4. Determine whether any of the selected HIPs should be cancelled in whole or in part, based on biological feasibility, engineering feasibility, operating feasibility, maintenance feasibility, and cost effectiveness, (see below for descriptions of these criteria); and
5. Provide technical advice to sponsors concerning the selected HIPs.

## **PROPOSALS**

Initially, requests for funding HIPs through the FHF involve the submittal of a brief conceptual proposal for consideration by the Council and, if the conceptual proposal is approved by the Council, a more detailed proposal. The conceptual proposal is intended to screen proposed HIPs to minimize the initial efforts of applicants.

The conceptual proposal shall include the information described in Attachment A. If the Council determines that the proposed HIP should be considered for funding, it will request submittal of a more detailed proposal.

Following notification by the Council that a proposed HIP will be considered for funding, the sponsor(s) will need to submit a detailed description of the proposed HIP for review by the Council. The proposal must include the information described in Attachment B as well as any additional information specifically requested by the Council following its review of the conceptual proposal.

In selecting HIPs to be funded through the FHF, the Council shall consider:

- Biological feasibility – likelihood of achieving the intended biological/ecological benefits. The evaluation will be based on the demonstrated ability of similar projects to accomplish their intended function and/or the Council’s informed judgment. Projects or project features with multi-species use or benefits for threatened/endangered species will be favored.
- Engineering feasibility – ability of a project to be constructed and to function in the St. Lawrence River environment.
- Durability – ability of a project to function in a manner that requires little or no human intervention. If human intervention is necessary, it shall be at a reasonable level consistent with the project benefits.

- Maintenance feasibility – ability of a project to be maintained over the long term with reasonable future maintenance expense.
- Cost effectiveness – ability of a project to provide worthwhile ecological benefits when compared to the ecological benefits that could be provided at similar cost by other habitat improvement project(s).

Before selecting any HIP proposed for funding, the Council shall consider the demonstrations of support from the county and the town, city or village in which the HIP would be located (the host community) and the adjoining landowners that the applicant has provided. The Council may in its discretion seek additional comments from the host community prior to reaching a decision. The HIP sponsor should describe in the proposal any discussions about the proposed HIP that have taken place with local officials and/or other interested parties (e.g., adjoining landowners).

In addition to the above criteria, Council selection of HIP proposals shall consider the ability of the HIP sponsor and/or other supporting entity(ies) to successfully design, construct, operate, maintain, and monitor the proposed HIP. Factors for consideration regarding sponsor's abilities shall, as a minimum, include:

- Experience with similar projects;
- History of the organization;
- Financial standing;
- Technical expertise; and
- Availability of personnel.

Any future HIP proposed within the Project boundary will require approval by the Authority and FERC, and the Authority may choose to be the HIP sponsor.

## **REPORTING OBLIGATIONS**

For all HIPs selected by the Council for funding through the FHF, the HIP sponsors shall prepare progress reports to the level of detail and on a frequency as specified by the Council. For example, the Council may require project sponsors to submit detailed designs drawings and plans, construction progress reports, and effectiveness monitoring reports. This information will be identified by the

Council following its review of the conceptual proposal. The reporting requirements for construction and effectiveness monitoring may be supplemented by the Council upon reviewing the detailed proposal.

Article 410 of the Authority's license for the Project provides that for each HIP funded by the FHF that is located within the Project boundary, the Authority shall include such HIP in its annual compliance report filed with FERC. Sponsors of HIPs within Project lands and waters may be required to assist the Authority in the preparation of such reports as it applies to their HIP. Any assistance required will be identified by the Council following its review of the conceptual proposal.

### **SUBMITTAL DATES**

Conceptual proposals may be submitted at any time to the Council. They will be reviewed on an annual cycle beginning June 1<sup>st</sup>. Following review of the conceptual proposal, the Council will inform the HIP sponsors if they should submit a detailed proposal for Council consideration, if the Council has decided not to consider the proposed HIP, or if the Council needs further information to complete its evaluation. Response to conceptual proposals will be provided to sponsors in early July.

Detailed proposals must be submitted by October 1<sup>st</sup>. Unless otherwise stated by the Council, detailed proposals will be reviewed in November or December with notification to sponsors on or about the end of the year. Detailed proposals submitted after October 1<sup>st</sup> will be held over for consideration by the Council during the next annual cycle.

## **ATTACHMENT A**

### **CONCEPTUAL PROPOSAL REQUIREMENTS**

### **FUTURE HABITAT IMPROVEMENT**

# PROJECT FUND

## FUTURE HABITAT IMPROVEMENT FUND INFORMATION FOR CONCEPTUAL PROPOSALS

Persons or organizations requesting funding for a habitat improvement project (HIP) from the Future Habitat Improvement Fund will submit a conceptual proposal for consideration the Technical Advisory Council. The conceptual proposal should be brief and should not exceed two pages of text in addition to a map, any figures, and the cost estimate. Conceptual proposals must contain the following information.

- **SPONSOR** identification, including contact information for the primary contact (affiliation, address, phone number, fax number, and email address). If there is more than one HIP sponsor or other supporting organizations, these entities shall be identified along with the above information.
- **PROJECT LOCATION** including a map showing the area for the proposed HIP and any pertinent adjacent features. The name of the town in which the HIP would be located and the ownership of the land associated with the HIP must be provided. If the HIP sponsor has discussed the HIP with local officials or other local parties (e.g., adjoining landowners), this should be discussed.
- **SUMMARY** will provide a brief description of the proposed HIP including a statement of how the HIP will benefit the ecology of the St. Lawrence River. The description must indicate who will be responsible for the design, construction, operation and maintenance, and monitoring work for the HIP. The description needs to identify the primary objectives (e.g., species that would benefit) and discuss how the HIP will benefit the ecology of the St. Lawrence River ecosystem.
- **FUNDING REQUESTED** will provide the total estimated cost to design, build, and monitor the HIP as well as any co-funding to be provided by the HIP supporters. If funding for operation and maintenance is being requested, the annual cost of these activities must be provided. This information will be provided on the attached conceptual proposal cost sheet.

**Conceptual proposals shall be submitted to:**

**Mark Slade  
New York Power Authority  
123 Main Street**

**White Plains, NY 10601**

**(914) 681-6659 (Voice)**

**(914) 681-6613 (Fax)**

**mark.slade@nypa.gov (email)**

**Future Habitat Improvement Fund**

**Conceptual proposal Estimate of Project Cost and Funding Requested**

**Name of Proposed Project: : \_\_\_\_\_**

	Design/Build	Operate/Maintain
	\$ _____	\$ _____
<b>Co- funding</b>	\$ _____	\$ _____
<b>Funding Requested</b>	\$ _____	\$ _____
(Total cost minus co-funding)		

**ATTACHMENT B**

# **DETAILED PROPOSAL REQUIREMENTS**

## **FUTURE HABITAT IMPROVEMENT PROJECT FUND**

### **FUTURE HABITAT IMPROVEMENT FUND INFORMATION FOR PROPOSAL**

Proposals to the Technical Advisory Council (Council) for funding for habitat improvement projects (HIPs) shall include the a description of the HIP, a statement of its goal(s), a schedule for its construction and operation, a budget, identification of the project sponsor, and any other pertinent material. Applicants shall submit five (5) type written copies of the proposals. Specific information to be included in a proposal is provided below.

**Description of HIP:** Proposals will provide a detailed description of the proposed HIP including its physical features and the annual operational and maintenance requirements. In addition to this information, proposals shall include a description of:

- Preconstruction activities (e.g., baseline monitoring, physical surveys) that need to be completed before the HIP can be designed. The HIP sponsor should demonstrate support for the project from the host community and other interested parties (e.g., letters of support from the host community and adjoining landowners). The HIP sponsor should explain and describe any discussions about the project with local officials or other local parties (e.g., adjoining landowners).
- Arrangements for the design. If the designer is known, the proposal should include the designer's qualifications and experience with similar projects. If the designer is not known, the proposal should identify the qualifications of the person(s) or firm(s) that will be required of the selected designer.

- Arrangements for construction. If the constructor is known, the proposal should include the constructor's qualifications and experience with similar projects. If the constructor is not known, the proposal should identify the qualifications and experience of the person(s) or firm(s) that will be required of the selected constructor.
- Arrangements and requirements for operation and maintenance. The proposal must describe the qualifications and experience of the person(s) or group that will be responsible for the operation and maintenance of the HIP.
- Effectiveness monitoring and reporting. The proposal must describe the proposed monitoring to assess the effectiveness of the HIP as well as the person(s) responsible for the monitoring and reporting. If the HIP's effectiveness will be measured against pre-construction data, the baseline data should be identified.

Proposals will include a map(s) showing sufficient detail on its location and any pertinent adjoining structures or features. The proposal will indicate whether the proposed HIP is within the boundary of the St. Lawrence-FDR Power Project.

The description will identify the primary objectives (e.g., species that would benefit) and will discuss how the HIP will benefit the ecology of the St. Lawrence River ecosystem.

**Funding Requested:** The proposal shall provide a complete itemization of funds requested for each phase of the HIP (e.g., pre-construction monitoring, design, construction, operation, maintenance, and effectiveness monitoring). For each phase for which funding is requested, the proposal shall provide an itemization of material, equipment, labor costs, professional services (e.g., engineering services), and administrative expenses. Sources and amounts of all co-funding shall be clearly identified.

**Proposals should be submitted to:**

**Mark Slade  
New York Power Authority  
123 Main Street  
White Plains, NY 10601**

**(914) 681-6659 (Voice)  
(914) 681-6613 (Fax)  
mark.slade@nypa.gov (email)**



## Future Habitat Improvement Fund

### Estimate of Project Cost and Funding Requested

Name of Project: \_\_\_\_\_

	Pre-construction Studies (A)	Design (B)	Construction (C)	Annual Operation and Maintenance (D)	Monitoring (E)	TOTAL (A+B+C+D+E)
Salaries						
Labor/Contractors						
Equipment						
Overhead						
Subtotal	_____	_____	_____	_____	_____	_____

#### Co-funding

**Funding Requested**  
(Total cost minus co-funding)