

Criteria for Awarding Environmental Management System (EMS) Funding

Approved by EPC on August 15, 2017

Background – Iowa Code 455J is the basis for the EMS program. The department is required to adopt and use a set of reasonable criteria regarding allocation of money as noted below.

(1) LEGISLATIVE CHARGE: 455J.7 (3) ALLOCATION OF FUNDS

- a. The department shall recommend to the commission a reasonable allocation of the moneys provided in section 455E.11, subsection 2, paragraph "a", subparagraph (1), subparagraph subdivision (d), to eligible systems. In making its recommendation as to the allocation of moneys, the department *shall adopt and use a set of reasonable criteria*. The criteria shall conform to the goals and purposes of this chapter (455J) as described in section 455J.1 and shall be approved by the commission.
- b. Notwithstanding any other provisions of law to the contrary, the commission shall make a final allocation of the funds described in 455E.11, subsection 2, paragraph "a", subparagraph (1), subparagraph division (d), to systems meeting the requirements of this chapter.
- c. Moneys allocated in pursuant of this subsection shall be used by systems to further compliance with any of the requirements of the chapter.

(2) EMS FUND ALLOCATION

- The department (DNR) will estimate the total program budget near the beginning of each fiscal year.
- DNR will set the EMS budget including but not limited to: mileage, professional services, training and events, administration, and funds allocated to participant grants and special projects.
- DNR will specify the total dollar amount program participants are eligible to apply for each year. Any special instructions or funding pools for the fiscal year will be set at that time.
- A funding application and review process will be employed.
- Funding assistance will be directly tied to one or more EMS Component Areas as noted in 455J.3.

(3) INELIGIBLE COSTS: Financial assistance shall not be provided or used for costs including, but not limited to, the following:

1. Taxes.
2. Vehicle registration.
3. Legal costs.
4. Contingency funds.
5. Proposal preparation.
6. Contractual project administration.
7. Land acquisition.
8. Office furniture, office computers, fax machines and other office furnishings and equipment.
9. Costs for which payment has been or will be received under another federal, state or private financial assistance program.
10. Costs incurred before a written agreement between the applicant and the department has been executed.