

## INTERGOVERNMENTAL REVIEW INSTRUCTIONS

### NEW YORK APPLICANTS

[EXECUTIVE ORDER 12372](#) The Environmental Protection Agency's (EPA's) regulation, [40 CFR Part 29](#), sets forth the Agency's obligations and procedures for consulting with and responding to views expressed by State and local elected officials on proposed EPA direct development activities, and applications submitted for EPA financial assistance.

EPA's Office of Grants and Debarment has published [RAIN-2021-G02](#) EPA Intergovernmental Review. This RAIN informs recipients and applicants about how to determine which EPA financial assistance programs and activities are subject to Intergovernmental Review (IR) requirements. Please visit [EPA grant programs and activities by Assistance Listing Number that are subject to intergovernmental review \(full list\)](#).

Please note that programs which are subject to intergovernmental review for policy reasons rather than the requirements of Section 204 of the Demonstration Cities and Metropolitan Development Act and Section 401 of the Intergovernmental Cooperation Act are identified with an asterisk (\*).

On November 24, 2020, EPA issued a [Federal Register Notice](#) providing the list of EPA financial assistance programs and activities subject to intergovernmental review. The list reflects EPA's determination that state applicants for State Revolving Fund (SRF) capitalization grants meet their 40 CFR Part 29 IR responsibilities when the state complies with the public notice requirements for Intended Use Plans (IUP) in 40 CFR 35.3150 or 40 CFR 35.3555 as applicable. The IUP regulations implement the statutory requirements at CWA 1386(c) and SDWA 1452(b) for IUPs.

State applicants for SRF funding need not follow the IR procedures in 40 CFR Part 29. Please check box "c" on Standard Form 424 Question 19, indicating that the application is not subject to the E.O. 12372 IR procedures per EPA's determination. See Figure 1.

<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>	
<input type="checkbox"/>	a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/> .
<input type="checkbox"/>	b. Program is subject to E.O. 12372 but has not been selected by the State for review.
<input type="checkbox"/>	c. Program is not covered by E.O. 12372.

Figure 1: Standard Form 424 Question 19

Due to the elimination of the State Clearinghouse function in the State of New York, it is now necessary for each applicant for EPA Region 2 funding that impacts New York to submit their application to the relevant State, County, and Area wide reviewing agencies.

A list of these agencies, along with their addresses, are found below. At a minimum, your application should be submitted to the listed agency in your county and other counties impacted. Please note that New York State Department of Environmental Conservation has waived its right to review. Please refer to the list of counties participating in the review process.

After submitting your application to Grants.gov, you should send the reviewing agencies a letter or email transmitting your application review package. Also include the first page of the application (SF-424) and a project summary describing the activities proposed to be funded.

Please provide proof of your Intergovernmental Review by forwarding a copy of the email or letter submitted to each reviewing agency to [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov). Reviewing agencies should submit comments to this email as well. Please be sure to give the agencies a deadline for comments at least 30 days from the day they receive the application.

Please note that EPA cannot complete processing of the application until the intergovernmental review process has been completed. If you need additional information about this process, please email [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov).

## **CONTACT INFORMATION:**

### **NY STATE REVIEWING AGENCIES PER ENTITY AND COUNTY**

<b>COUNTY: ALBANY, RENSSELAER, SCHENECTADY, SARATOGA</b>  Waive right to review all proposed projects	<b>COUNTY: BROOME, CHENANGO, CORTLAND, DELAWARE, OTSEGO, SCHOHARIE, TIOGA, TOMPKINS</b>  Waive right to review all proposed projects
<b>COUNTY: CHAUTAUQUA, CATTARAUGUS, ALLEGANY</b>  Ms. Sarah Phearsdorf Southern Tier West RPB 4039 Route 219, Suite 200 Salamanca, NY 14779-9625 Tel. (716) 945-5301 x2200 Fax (716) 945-5550 Email: <a href="mailto:sphearsdorf@southerntierwest.org">sphearsdorf@southerntierwest.org</a> *Will accept electronic project proposals	<b>COUNTY: CHEMUNG, SCHUYLER, STEUBEN</b>  Ms. Chelsea Robertson Executive Director Southern Tier Central Regional Planning & Development Board 8 Denison Parkway East, Suite 310 Corning, NY 14830 Tel. (607)962-5092 x208 Fax (607)962-3400 Email: <a href="mailto:crobertson@stcplanning.org">crobertson@stcplanning.org</a> *Will accept electronic project proposals
<b>COUNTY: COLUMBIA</b>  Waive right to review all proposed projects	<b>COUNTY: DUTCHESS</b>  Waive right to review all proposed projects
<b>COUNTY: ERIE, NIAGARA</b>  Waive right to review all proposed projects	<b>COUNTY: FRANKLIN</b>  Waive right to review all proposed projects

<p><b>COUNTY: FULTON</b></p> <p>Waive right to review all proposed projects</p>	<p><b>COUNTY: GENESSE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SENECA, WAYNE, YATES, WYOMING</b></p> <p>Richard Sutherland Executive Director Genesee Finger Lakes Regional Planning Council 50 West Main Street Rochester, NY 14614 Office: 585-454-9628 (voice only) Twitter: @GFLRPC Email: <a href="mailto:rsutherland@gflrpc.org">rsutherland@gflrpc.org</a> <a href="http://www.gflrpc.org">www.gflrpc.org</a> *Will accept electronic project proposals</p>
<p><b>COUNTY: GREENE</b></p> <p>Waive right to review all proposed projects</p>	<p><b>COUNTY: JEFFERSON</b></p> <p>Mr. Michael J. Bourcy Director Jefferson County Department of Planning 175 Arsenal St. Watertown, NY 13601 Tel. (315)785-3144 Fax (315)785-5092 Email: <a href="mailto:mbourcy@co.jefferson.ny.us">mbourcy@co.jefferson.ny.us</a> *Will accept electronic project proposals</p>
<p><b>COUNTY: LEWIS</b></p> <p>Waive right to review all proposed projects</p>	<p><b>COUNTY: MONTGOMERY</b></p> <p>Waive right to review all proposed projects</p>
<p><b>COUNTY: NASSAU</b></p> <p>Waive right to review all proposed projects</p>	<p><b>COUNTY: NEW YORK CITY and NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION</b></p> <p>Waive right to review all proposed projects</p>

<p><b>COUNTY: ORANGE</b></p> <p>Mr. Alan Sorensen Orange County Planning Dept. 124 Main St. Goshen, NY 10924 Tel. (845) 615-3840 Fax (845) 291-2533 Email: <a href="mailto:asorensen@orangecountygov.com">asorensen@orangecountygov.com</a> *Will accept electronic project proposals</p>	<p><b>COUNTY: OSWEGO, ONONDAGA, MADISON, CAYUGA AND CORTLAND</b></p> <p>David V. Bottar, Executive Director Central New York Regional Planning and Development Board 126 N. Salina Street, Suite 200 Syracuse, NY 13202 Tel. (315)422-8276 x1207 Fax (315)422-9051 Email: <a href="mailto:dbottar@cnyrpdb.org">dbottar@cnyrpdb.org</a> *Will accept electronic project proposals</p>
<p><b>COUNTY: PUTNAM</b></p> <p>Waive right to review all proposed projects</p>	<p><b>COUNTY: ROCKLAND</b></p> <p>Mr. Adam Carsen Principal Planner Rockland County Department of Planning 50 Sanatorium Road, Bldg T Pomona, NY 10970 Tel. (845) 364-3474 Fax (845) 364-3435 Email: <a href="mailto:Carsena@co.rockland.ny.us">Carsena@co.rockland.ny.us</a> *Will accept electronic project proposals</p>
<p><b>COUNTY: ST. LAWRENCE</b></p> <p>Waive right to review all proposed projects</p>	<p><b>COUNTY: SUFFOLK</b></p> <p>Waive right to review all proposed projects</p>
<p><b>COUNTY: SULLIVAN</b></p> <p>Waive right to review all proposed projects</p>	<p><b>COUNTY: ULSTER</b></p> <p>Mr. Dennis Doyle, Director Ulster County Planning Department Ulster County Transportation Council 244 Fair St., 3<sup>rd</sup> Floor Kingston, NY 12401 Tel. (845) 340-3340 Fax (845) 340-3429 Email: <a href="mailto:planning@co.ulster.ny.us">planning@co.ulster.ny.us</a> <a href="http://www.ulstercountyny.gov/planning">http://www.ulstercountyny.gov/planning</a> *Will accept electronic project proposals</p>

<p><b>COUNTY: WESTCHESTER</b></p> <p>Ms. Blanca P. Lopez, M.S.  Commissioner of Planning  Westchester County Department of Planning  148 Martine Avenue, Room 432  White Plains, NY 10601-4704  Tel. (914) 995-4007</p> <p>Email: <a href="mailto:BLopez@westchestercountyny.gov">BLopez@westchestercountyny.gov</a></p> <p>*Will accept electronic project proposals  *Only reviewing proposals with a threshold of \$1,000,000 or more.</p>	<p><b>ADDITIONAL COUNTY: HERKIMER, ONEIDA, CLINTON, ESSEX, HAMILTON, WARREN, WASHINGTON</b></p> <p>Waive right to review all proposed projects</p>
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Revised January 2025