



Department of  
Environmental  
Conservation

# **GUIDELINES AND APPLICATION INSTRUCTIONS**

New York State  
Department of Environmental Conservation  
**Environmental Justice**

***COMMUNITY IMPACT GRANT PROGRAM  
For Communities Exposed to Multiple Environmental  
Harms and Risks in New York State***

***NYS Grants Gateway Application ID No.:***

***DEC01-EJCIG-2017***

***<https://www.grantsgateway.ny.gov>***

***Application Due Date: 3:00 pm, July 27, 2018***

***THIS RFA WAS AMENDED JUNE 25<sup>TH</sup> 2018  
TO EXTEND DEADLINE***

## 1. Timetable of Key Events:

Event:	Date:
Application Period Begins	April 17, 2018
Question & Answer Period Ends	July 20, 2018; 3:00 PM EST
Applications Due	July 27, 2018; 3:00 PM EST
Award(s) Announced By	September 28, 2018

## 2. Applicant Eligibility

### Eligible Applicants

1. An eligible applicant must be a not-for-profit corporation (NFP) community-based organization, or a community-based organization may partner with a NFP that will serve as their fiscal sponsor. For this grant opportunity, a NFP is subject to New York State's Not-For-Profit Corporation Law, is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has an IRS 501(c)(3) determination letter to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

**All NFP applicants must be registered and prequalified in the NYS Grants Gateway by the due date of this application to be considered eligible for this grant opportunity.**

A NFP serving as a fiscal sponsor to an eligible community-based organization must provide, at the time of application, a fiscal sponsor agreement between the community group, otherwise the application will be disqualified in the application pass/fail review. The fiscal sponsor must assume the responsibility for submission of the on-line grant application and must sign a contractual agreement with DEC on behalf of the community group should grant funding be awarded. The NFP fiscal sponsor is not required to have members in the affected community.

### Fiscal Sponsor Agreement (as applicable)

A fiscal sponsor letter of agreement must be uploaded with the application by the application due date (if applicable). The letter of agreement must be between the qualifying, eligible community group and the NFP that will serve as the community group's fiscal sponsor. The agreement must state the NFP will serve as the fiscal sponsor and will assume the responsibility for the project application, the performance of work consistent with this RFA and execution of a State of New York Master Contract for Grants or Letter of Agreement. Any application that does not include a required fiscal sponsor agreement will be disqualified in the eligibility pass/fail review. The letter of agreement should be addressed to the NFP applicant serving as the fiscal sponsor.

2. For purposes of this grant application, a "community-based organization" is defined as an organization that satisfies and meets all of the following criteria:
  - a. Serves the residents of an area equal to or smaller than one town, city or New York City

borough; and

- b. Has a total annual revenue that does not exceed \$3,000,000, based on the applicant's IRS Form 990 filing from the previous year; and
- c. Cannot have its charter revoked or otherwise be dissolved through the action of another organization; and
- d. Is able to enter into legal agreements independent of any affiliated not-for-profit organization, government body, university or other entity that would be ineligible to apply for this grant; and
- e. Focuses on addressing the environmental and/or public health problems of the residents of the community that is impacted by the multiple environmental harms and risks that are the focus of the project (the "affected community"); and
- f. Has its primary office location in the affected community; and
- g. Has more than 50 percent of its members residing in the affected community, or more than 50 percent of the people served by the applicant community group residing in the affected community. (A NFP serving as a fiscal sponsor is not required to have members in the affected community.); and
- h. The applicant (and partner NFP fiscal sponsor, if applicable) must declare that it has not caused or contributed to the environmental harms or risks that are to be the subject of the proposed project. (Note: A declaration can be viewed on the last page of this RFA. The declaration must be signed and uploaded in the Grants Gateway.)

### 3. Ineligible Applicants

Entities that are not eligible to apply and receive funding under this grant program are: individuals; universities; government bodies; water districts or similar entities; large non-governmental organizations such as a county (outside New York City), regional, state or national environmental groups and organizations.

An ineligible organization may be involved in a proposed EJ project by partnering as a subcontractor for an eligible organization.

### 3. Grant Information:

#### **Background**

The New York State Department of Environmental Conservation (DEC) Office of Environmental Justice (OEJ) will provide state assistance funding through the Environmental Justice Community Impact Grant program to community-based organizations for projects that address exposure of communities to multiple environmental harms and risks ("projects").

#### **a) Funding**

Approximately \$4,475,929 is available. Funding from this grant opportunity is provided from the state Environmental Protection Fund with dollars designated to Environmental Justice. The new appropriation language allows for applicants to be awarded up to \$100,000 each until \$2.5 million has been exhausted. The remaining \$1,975,929 allows applicants to be awarded up to \$50,000 each. Funding will be utilized to fund as many eligible projects as possible.

**b) Proposed Project Timeframes**

All projects must have defined objectives, tasks, and deliverables accounted for in performance measures that can be completed and invoiced within a 36 month contract period/term. Applicants should not begin their projects or incur costs until a Master Contract for Grants (MCG) has been fully approved by DEC, and if applicable approved by the Attorney General and the State Comptroller. Time extensions beyond the contract term end date will be determined by the Department based upon written justification from the Grantee. Applicants should not submit an application if they do not anticipate their project can be completed within the specified contract term.

**c) Minimum and Maximum Award Amounts**

Minimum grant amount is \$2,500; Maximum grant amount is \$100,000.

**d) Match Funds**

Matching funds are not a requirement under this grant opportunity.

**e) Application Limit**

Applicants may submit up to three applications, however, only one application per applicant may be funded. Multiple applications may not be for the same project or projection location.

**f) Eligible Project Locations**

Projects must serve an EJ community, as defined in DEC *Commissioner Policy 29, Environmental Justice and Permitting* (available on DEC's website at: <http://www.dec.ny.gov/public/36929.html> ). Applicants can identify EJ communities in the following ways:

- Refer to maps on DEC's website showing these areas: <http://www.dec.ny.gov/public/911.html>.
- Refer to census tracts and block numbering areas which, as of the 2000 U.S. Census, had a poverty rate of at least 20 percent and an unemployment rate of at least 125 percent of the New York State unemployment rate.
- Refer to census tracts and block numbering areas which, as of the 2000 U.S. Census, had a poverty rate of at least two times the poverty rate for the county in which the tract is located.
- Refer to the Empire State Development Corporation's (ESDC) designated environmental zones. Maps of *environmental zones* in each county can be found on the ESDC Brownfield Redevelopment website at <http://www.esd.ny.gov/BusinessPrograms/BrownfieldCleanupTracts.html>. Note: The ESDC has designated the Environmental Zones for the purpose of providing tax incentives for brownfield redevelopment. The Environmental Justice Community Impact Grants ARE NOT related in any way to the Brownfield Redevelopment tax incentives. The link to the ESDC Brownfield Redevelopment website is provided here only as a reference to the Environmental Zone maps.

In some cases, the community affected by the project may have a significant minority or low-income population that does not appear on one of the above mentioned maps. If this is the

case, the applicant must provide authoritative documentation to support their community demographics in a single pdf upload in the Grants Gateway. In this context, “**authoritative documentation**” means any map, report or document issued by a local, state or federal government agency.

#### **4. Inquiries & Designated Contact Information:**

Please email all Community Impact Grant questions to the Office of Environmental Justice at: [justice@dec.ny.gov](mailto:justice@dec.ny.gov). Questions regarding this grant opportunity will be accepted by DEC until C.O.B. July 20, 2018. All questions and answers will be uploaded in the Grants Gateway for all applicants to view on a rolling basis.

#### **5. Prequalification:**

All applicants must apply through the NYS Grants Gateway. This includes answering all program questions and uploading completed and required program documents and forms. Paper applications will NOT be accepted for this grant opportunity. Late applications will not be accepted.

All Applicants must be **Registered** with Grants Gateway to submit an application. In addition to registration, **not-for-profits** must also be **Prequalified** at the time and date that the application is due. If you are not Prequalified at that time and date, your application will not be considered. For more information about Grants Gateway and Prequalification, please visit the Grants Reform website (<http://www.grantsreform.ny.gov/Grantees>) or contact the Grants Reform Team at: [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). The Grants Reform help desk/hotline can be reached at (518) 474-5595.

**PLEASE DO NOT DELAY IN BEGINNING AND COMPLETING THE  
PREQUALIFICATION PROCESS.**

**THE STATE RESERVES 5 DAYS TO REVIEW SUBMITTED  
PREQUALIFICATION APPLICATIONS. PREQUALIFICATION  
APPLICATIONS SUBMITTED TO THE STATE FOR REVIEW LESS  
THAN 5 DAYS PRIOR TO **Community Impact Grant Program**  
OR YOUR APPLICATION MAY NOT BE CONSIDERED.**

**APPLICANTS SHOULD NOT ASSUME THAT THEIR  
PREQUALIFICATION INFORMATION WILL BE REVIEWED IF THEY  
DO NOT ADHERE TO THIS TIMEFRAME.**

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## Applicant Eligibility

For the purposes of this grant opportunity the following entities are considered eligible applicants:

1. An eligible applicant must be a not-for-profit corporation (NFP) community-based organization, or a community-based organization may partner with a NFP that will serve as their fiscal sponsor. For this grant opportunity, a NFP is subject to New York State's Not-For-Profit Corporation Law, is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has an IRS 501(c)(3) determination letter to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

**All NFP applicants must be registered and prequalified in the NYS Grants Gateway by the due date of this application to be considered eligible for this grant opportunity.**

A NFP serving as a fiscal sponsor to an eligible community-based organization must provide, at the time of application, a fiscal sponsor agreement between the community group, otherwise the application will be disqualified in the application pass/fail review. The fiscal sponsor must assume the responsibility for submission of the on-line grant application and must sign a contractual agreement with DEC on behalf of the community group should grant funding be awarded. The NFP fiscal sponsor is not required to have members in the affected community.

### **Fiscal Sponsor Agreement (as applicable)**

A fiscal sponsor letter of agreement must be uploaded with the application by the application due date (if applicable). The letter of agreement must be between the qualifying, eligible community group and the NFP that will serve as the community group's fiscal sponsor. The agreement must state the NFP will serve as the fiscal sponsor and will assume the responsibility for the project application, the performance of work consistent with this RFA and execution of a State of New York Master Contract for Grants or Letter of Agreement. Any application that does not include a required fiscal sponsor agreement will be disqualified in the eligibility pass/fail review. The letter of agreement should be addressed to the NFP applicant serving as the fiscal sponsor.

2. For purposes of this grant application, a "community-based organization" is defined as an organization that satisfies and meets all of the following criteria:
  - a. Serves the residents of an area equal to or smaller than one town, city or New York City borough; and
  - b. Has a total annual revenue that does not exceed \$3,000,000, based on the applicant's IRS Form 990 filing from the previous year; and
  - c. Cannot have its charter revoked or otherwise be dissolved through the action of another organization; and
  - d. Is able to enter into legal agreements independent of any affiliated not-for-profit organization, government body, university or other entity that would be ineligible to apply for this grant; and
  - e. Focuses on addressing the environmental and/or public health problems of the residents of the community that is impacted by the multiple environmental harms and risks that are the focus of the project (the "affected community"); and



- f. Has its primary office location in the affected community; and
- g. Has more than 50 percent of its members residing in the affected community, or more than 50 percent of the people served by the applicant community group residing in the affected community. (A NFP serving as a fiscal sponsor is not required to have members in the affected community.); and
- h. The applicant (and partner NFP fiscal sponsor, if applicable) must declare that it has not caused or contributed to the environmental harms or risks that are to be the subject of the proposed project. (Note: A declaration can be viewed on the last page of this RFA. The declaration must be signed and uploaded in the Grants Gateway.)

### 3. Ineligible Applicants

Entities that are not eligible to apply and receive funding under this grant program are: individuals; universities; government bodies; water districts or similar entities; large non-governmental organizations such as a county (outside New York City), regional, state or national environmental groups and organizations.

An ineligible organization may be involved in a proposed EJ project by partnering as a subcontractor for an eligible organization.

### Collaborative Projects (as applicable)

Collaborative projects are encouraged, however, if a proposed project involves a cooperative agreement or partners, only one eligible, designated lead applicant can submit the application for grant funding. The lead applicant must assume the responsibility for the project application, performance of work consistent with this RFA, and the State of New York Master Contract for Grants. Letters substantiating the collaboration from each partner are required including information on the roles and responsibilities of each partner. These letters are to be uploaded to the Grants Gateway in a single PDF under the appropriate Program Question for the application.

### Applicant Prequalification

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant contract process which require nonprofits to register in the Grants Gateway and complete the Vendor Prequalification process in order for applications to be evaluated. Information on these initiatives can be found on the Grants Reform Website.

All Applicants must be Prequalified in the Grants Gateway at the time and date that the application is due. Applications received from non-profit Applicants that have not registered and are not Prequalified in the Grants Gateway by the application due date and time listed at the beginning of this document cannot be evaluated. If you are not Prequalified at that time and date, your application will not be considered. **Such applications will be disqualified from further consideration.**

Below is a summary of the steps that must be completed to meet registration and Prequalification requirements. The Vendor Prequalification Manual on the Grants Reform Website details the requirements and an online tutorial is available to further explain the process.

**PLEASE NOTE: The information included here regarding Prequalification is not intended to be exhaustive, and Applicants should visit the Grants Reform website (<http://www.grantsreform.ny.gov/Grantees>) or contact the Grants Reform Team ([grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov)) for more information about Grants Gateway and Prequalification. The Grants Reform help desk/hotline can be reached at (518) 474-5595.**

## 1. Register for the Grants Gateway

- On the Grants Reform Website, download a copy of the [Registration Form for Administrator](#). A signed, notarized original form must be sent to the NYS Grants Reform Team at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.
- If you have previously registered and do not know your Username please email [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). If you do not know your Password please click the Forgot Password link from the main log in page and follow the prompts.

## 2. Complete your Prequalification Application

- Log in to the Grants Gateway. **If this is your first time logging in**, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.
- Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.
- Answer the questions in the *Required Forms* and upload *Required Documents*. This constitutes your Prequalification application. Optional Documents are not required unless specified in this document.
- Specific questions about the Prequalification process should be referred to your agency representative or to the Grants Reform Team at [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). The Grants Reform help desk/hotline can be reached at (518) 474-5595.

## 3. Submit Your Prequalification Application

- After completing your Prequalification application, click the **Submit Document Vault** link located below the Required Documents Section to submit your Prequalification application for State agency review. Once submitted the status of the Document Vault will change to *In Review*.
- If your Prequalification reviewer has questions or requests changes you will receive email notification from the Gateway system.
- Once your Prequalification application has been approved, you will receive a Gateway notification that you are now Prequalified to do business with New York State.

Once you are Prequalified, please check the status of your document vault on a regular basis to ensure that none of your documents expire prior to the application due date. Refer to Grants Reform Guide entitled [Monitoring and Updating Your Organization's Prequalification Status](#). **Expired documents will lead to the loss of Prequalification status.**

**Applicants are strongly encouraged to begin the prequalification process as soon as possible in order to participate in this grant opportunity. Please do not delay in beginning and completing the prequalification process. The State reserves 5 days to review submitted Prequalification applications. Prequalification applications submitted to the State for review less than 5 days prior to the**

application deadline may not be considered. Applicants should not assume that their Prequalification information will be reviewed if they do not adhere to this timeframe.

If you are not yet registered with Grants Gateway, there are many resources available to help you understand how to register and become Prequalified:

- [The NYS Grants Reform Website](#)
- [Video: Grants Gateway Registration](#)
- [New York State Prequalification System for Grants Contract Vendors: A Resource Manual and Users Guide for Not-for-Profit Vendors](#)
- [Biweekly Document Vault webinars. All information can be found on the Grants Reform website - Training Calendar](#)

The Grants Reform Team offers regular live webinars for anyone who is interested in additional information about Grants Gateway, the Prequalification process, or submitting online applications. Learn more including times and dates for these webinars: <http://grantsreform.ny.gov/training-calendar>. Any additional technical training related to this application will also be posted to the training calendar.

You can also contact the Grants Reform Team for additional assistance:

Phone: (518) 474-5595  
Email: [GrantsReform@its.ny.gov](mailto:GrantsReform@its.ny.gov)

## **Grant Opportunity General Information and Conditions**

The New York State Department of Environmental Conservation (DEC) is pleased to announce funding for projects that will implement Community Impact Grants.

The Community Impact Grants are a continuation of the Environmental Justice (EJ) grants awarded in previous years. Project proposals and work plans MUST address ALL of the following criteria:

- (1) Project proposal must provide a description of communities' exposure to multiple environmental harms and risks. Multiple harms and risks can occur in several ways:
  - (a) a community has multiple sources of environmental harms and risks;
  - (b) a community has multiple sources that contribute to a single environmental harm or risk; or
  - (c) a community experiences health impacts or risks from a single source of environmental harm (air and water contamination from a single source);
- (2) Project proposal must be located within the EJ community served by the eligible applicant organization (see community demographics on page 19); **AND**
- (3) Project proposal must include a research component that will be used to expand the knowledge or understanding of the affected community.

*NOTE: There are many possible examples of multiple harms and risks. If you are unsure whether the situation in your community can be categorized as multiple harms and risks, please call the Office of Environmental Justice at 1-866-229-0497 or 518-402-8556.*

**Successful projects DEC has previously funded through Community Impact Grants have included the following:**

- An inventory of environmental harms and risks in the community such as: inventory of industrial, municipal or commercial facilities in the community; identification of related environmental or

public health harms and risks and development of a community education program to address some or all of the harms and risks.

- Mobile source emission tracking and monitoring (traffic counts, diesel vehicle idling counts) and development of a program to address some or all of the harms and risks.
- Demonstration projects for green infrastructure or energy conservation, i.e., green rooftops, urban tree planting, energy conservation or alternative energy projects. The data from such demonstration projects must be used to expand the community's knowledge and understanding of how such projects may mitigate exposure to environmental impacts.
- Projects to identify and reduce harms and risks to subsistence fishing populations that use waters restricted for fish consumption, i.e. research habits of fishing populations, develop means to educate populations about associated harms and risks and recommend means to provide safe fishing access to such populations.
- Projects to identify industrial, commercial or municipal processes that result in pollution which impacts the community, research these processes and study and develop potential methods to reduce such exposure.
- Projects to identify lead hazards for children and pregnant women, prevent lead related housing risks and/or promote lead safe work practices by homeowners and contractors involved in residential renovation and remodeling.
- Projects to identify sources of household hazardous waste within the affected community, identify local hazardous waste facilities, educate community residents on proper disposal and alternative non-hazardous products such as green cleaning products and encourage use of alternative non-hazardous products.
- An inventory of open space in the affected community and construction of community gardens or other park-like features to demonstrate beneficial use of that open space.
- Projects that encourage a connection to nature and the urban environment for inner-city students, develop hands-on stewardship projects for students to help them understand natural processes, and inventory community environmental harms and risks.

For more information on projects funded by the EJ Grant program in previous years, see the DEC Environmental Justice Community Impact Grant Program website at:

<http://www.dec.ny.gov/public/31226.html>

**For further project guidance, below is a list of additional project suggestions community organizations can focus on.**

*Addressing Water Impacts:*

- Projects can include conducting a community survey to determine the location of waterbodies that have been diverted into a culvert, pipe or drainage system. This research can be used to build public interest in daylighting streams - redirecting them into above-ground channels - to restore them to a more natural state.
- Floatables (litter) and pathogens (animal feces) are problematic in storm water. A potential project can include conducting a campaign to educate community residents on the negative effects and how picking up litter and cleaning up after animals can improve waterbodies close to home.

*Addressing Organic Waste Impacts:*

- Local community composting projects (equipment training, education).
- Local food diversion projects such as food pantry and soup kitchens use and support assistance including equipment, transportation to and from, storage, routing evaluation, and collection logistics.
- Local dispersion of compost, including community education of available materials and storage if needed.

- Backyard composting diversion, including revitalize backyard composting efforts by providing education, bins and workshops.

#### *Addressing Air Impacts:*

- Sampling (mobile source emissions) street-level air quality in an urban neighborhood park.
- Air sampling of neighborhood impacts from local sources using biomass fuel for heat.
- Air sampling in vicinity of frequently used diesel generators.
- Air sampling of neighborhood electric generator (<79.9 MW) used during peak usage periods of electricity.
- Neighborhood air sampling in the vicinity of:
  - multiple auto body shops (volatile organic compounds)
  - waste transfer station (particulate matter and/or volatile organic compounds)
  - sewage treatment facility (hydrogen sulfide)
  - compost facility
  - asphalt facility
  - landfill
  - high traffic density and/or traffic congestion
  - metals recycling facility
  - shipping ports
  - airports
  - major freight corridors
- Assessment of air quality near multiple diesel sources such as bus and train depots.
- Community sampling of volatile organic compounds near natural gas pipeline compressor stations.
- Neighborhood education program on anti-idling and community efforts to find solutions for idling vehicles which transport refrigerated goods.
- Collaborative efforts to resolve odor and/or noise issues between neighborhood residents and local industrial sources. For example, resolution may involve installation of noise wall barrier, tree planting or restriction on times for idling.
- Community project researching best walking or biking areas in terms of air quality for children. Existing air quality data from the NYC Community Air Survey could be used.

#### *Addressing Green Infrastructure Impacts:*

- Tree planting
- Enhanced tree pits for storm water capture
- Analyzing environmental services in the community and identifying opportunities for enhancements
- Green walls
- Green roofs
- Naturalized landscaping
- Swales
- Rain gardens and rain barrels
- Projects that enhance wildlife habitat, e.g., connecting greenspaces
- Riparian restoration
- Permeable pavement
- Community gardens
- Urban wood waste utilization
- Natural coastal protection

#### *Addressing Climate Change Impacts:*

- Programs to improve the energy performance of multi-family dwellings by supporting the efforts of building owners, tenants and community leaders to access technical and financial support. This could include identifying barriers to participation in existing programs or developing effective materials to connect communities to programs and increase access. Areas of focus

could include energy efficiency and weatherization, smart grid, clean (low or no emission) energy such as shared solar, or indoor air quality in the context of apartment buildings.

- Programs to reduce emissions and air pollution from transportation, increase access to low emission transportation or integrate low or no-emission options into planning for community resilience. Some examples are educational and outreach campaigns or organizing community involvement in transit or transit-oriented development plans, multi-modal transportation programs, programs to expand access to electric vehicles and charging infrastructure or plans to integrate electric vehicles into resiliency planning.
- Assessments or educational campaigns focused on the health or social impacts from air pollution or climate change in the affected communities.
- Inventories of energy use or air emissions from sources such as fuel oil and wood boilers, diesel-powered electricity generators or high-volume vehicle traffic areas.

DEC encourages applicants to be creative and to seek assistance from other state agencies like the NYS Energy Research and Development Authority (NYSERDA), local governments, utilities or other outside parties on project ideas, partnerships and other available funding.

## **1. Funding**

DEC will offer a total of \$4,475,929 in state assistance funding for the 2018 grant cycle (round 7). For the first time, applicants can apply for Environmental Justice Community Impact Grants for amounts up to \$100,000. DEC will score and rank applications with the highest scored projects being funded until all funding is exhausted. The new appropriation language allows for applicants to be awarded up to \$100,000 each until \$2.5 million has been exhausted and the remaining \$1,975,929 allows applicants to be awarded up to \$50,000. Funding will be utilized to fund as many eligible projects as possible.

## **2. Proposed Project Timeframes**

All projects must have defined objectives, tasks, and deliverables accounted for in performance measures that can be completed and invoiced within a *36 month* contract period/term. Applicants should not begin their projects or incur costs until a Master Contract for Grants (MCG) has been fully approved by DEC, and if applicable approved by the Attorney General and the State Comptroller. Time extensions beyond the contract term end will be determined by the Department based upon written justification from the Grantee. Applicants should not submit an application if they do not anticipate their project can be completed within the specified contract term.

The activity for the request must fall within the dates of October 30, 2018 to October 29, 2021. Project expenditures prior to MCG start date and after the MCG end date are not eligible for reimbursement.

## **3. Minimum and Maximum Award Amounts**

Minimum grant amount is \$2,500; Maximum grant amount is \$100,000.

## **4. Application Limit**

Applicants may submit up to three applications, however, only one application per applicant may be funded. Multiple applications may not be for the same project or projection location.

## **5. Eligible Project Locations**

Projects must serve an EJ community, as defined in DEC *Commissioner Policy 29, Environmental Justice and Permitting* (available on DEC's website at: <http://www.dec.ny.gov/public/36929.html> ).

Applicants can identify EJ communities in the following ways:

- Refer to maps on DEC's website showing these areas: <http://www.dec.ny.gov/public/911.html>.
- Refer to census tracts and block numbering areas which, as of the 2000 U.S. Census, had a poverty rate of at least 20 percent and an unemployment rate of at least 125 percent of the New York State unemployment rate.
- Refer to census tracts and block numbering areas which, as of the 2000 U.S. Census, had a poverty rate of at least two times the poverty rate for the county in which the tract is located.
- Refer to the Empire State Development Corporation's (ESDC) designated environmental zones. Maps of *environmental zones* in each county can be found on the ESDC Brownfield Redevelopment website at <http://www.esd.ny.gov/BusinessPrograms/BrownfieldCleanupTracts.html>. Note: The ESDC has designated the Environmental Zones for the purpose of providing tax incentives for brownfield redevelopment. The Environmental Justice Community Impact Grants ARE NOT related in any way to the Brownfield Redevelopment tax incentives. The link to the ESDC Brownfield Redevelopment website is provided here only as a reference to the Environmental Zone maps.

In some cases, the community affected by the project may have a significant minority or low-income population that does not appear on one of the above mentioned maps. If this is the case, the applicant must provide authoritative documentation to support their community demographics in a single pdf upload in the Grants Gateway. In this context, “**authoritative documentation**” means any map, report or document issued by a local, state or federal government agency.

## 6. Department of Environmental Conservation Oversight

The Department of Environmental Conservation reserves the right to:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Make an award, in whole or in part, in accordance with the method of award, or withdraw the RFA at any time at the DEC's sole discretion.
- Not award funding to applications that have a final score below 70 points.
- Award a portion of a grant request based on the proposed work plan included in the application and ineligible project-related costs.
- Award only one application for funding in the event there are multiple application submissions for a single project or for pieces of a single project.
- Reject any or all applications in response to the RFA at the agencies sole discretion.
- Award the next highest scoring application in the event a grantee fails to negotiate a grant contract with the Department within 60 - 90 days of a grant award.
- Monitor the progress of all grant awards and withdraw grant funding if the grantee fails to make significant and timely progress on the project or fails to receive the necessary

permissions and permits for the project.

- The Department reserves the right not to fund projects that are determined not to be consistent with NYS's Smart Growth Public Infrastructure Policy Act.

## **Grant Application Requirements and Conditions**

Application reviewers will assess whether your proposed project is in compliance with state policies, including any applicable permit requirements. Please be sure to address the following application requirements and information when developing your application online:

### **1. Project Expenditure Based Budget**

Applicants must complete an itemized expenditure budget in the Grants Gateway, including thorough details of the estimated project-related costs. Budget detail must clearly distinguish between costs to be claimed under the State grant share. A project's reasonableness of costs is at least 20 percent of the evaluation factor in the scoring; therefore, attention to budget accuracy will increase your project score. Applications that do not provide sufficient information to determine whether costs are eligible and reasonable will lose points in the application cost effectiveness evaluation and may receive a reduced grant award if funded. Applicants should review the cost-effectiveness evaluation criteria included in the last section of this RFA.

### **2. Work Plan**

Applicants must complete a work plan in the Grants Gateway application that provides a clear overview of the project. Applications must include proposed project objectives and tasks associated with meeting each objective and the desired project outcome or deliverables accounted for in performance measures. The work plan should include anticipated time frames in meeting the proposed project objectives, tasks and deliverables (i.e., spring, summer, fall, winter). Project time frames must be consistent with the timeline an applicant will be required to upload in the Grants Gateway Program question section of the application.

Note: A Work Plan 'worksheet' is available for applicants in the Grants Gateway (under Pre-submission uploads). The 'worksheet' can be downloaded and used as a tool to help applicants organize their proposed project objectives, tasks and performance measures. A completed 'worksheet' should NOT be uploaded back into the Grants Gateway. The intent of the 'worksheet' is to assist applicants in developing their application work plan in the Grants Gateway.

### **3. Letters of Permission/Municipal Endorsement**

The applicant must own the property, or obtain an applicable access agreement, for the proposed project site. The applicant must provide proof of land ownership and/or applicable landowner permission and/or municipal endorsement. Applicable proofs of land ownership are required to be in place and uploaded (in a single PDF file) in the Grants Gateway at the time of application. Acceptable proofs of land ownership information or permissions include:

- If the property is owned by the applicant – a copy of the current deed.
- If the property owner is a municipality – A resolution by the municipality supporting the project.
- If the property is not owned by the applicant – a formal written agreement between the applicant and landowner which allows the applicant access to the property, and represent the landowner, to accomplish the proposed project.
- If the applicant is a not-for-profit proposing a project on municipal property - a signed



Municipal Endorsement. A municipal endorsement provides authorization for the not-for-profit to conduct the proposed project on municipal property. A sample municipal endorsement can be downloaded and viewed in the Pre-submission Upload section in the Grants Gateway.

#### **4. Local/Community Support**

A letter of support is optional, but encouraged. Applications with a letter of support from an elected official, government body, educational institution or other organization with knowledge or expertise related to the proposed project will receive additional points in the evaluation and score process. Support letters from the government body offering the grant, or institutions or organizations who are fiscal sponsors and/or will provide services under the grant, will not be considered and no points will be awarded. Support letters must be uploaded as a single pdf file in the Grants Gateway by the application due date. *(Each letter will receive one point for a maximum of 5 points).*

#### **5. Priority for Alignment with Regional Economic Development Strategies**

Governor Andrew Cuomo directed the establishment of regional economic development councils, see website: <http://nyworks.ny.gov> to analyze the most significant business clusters in their respective areas. Any grants awarded by the State of New York shall take into consideration the recommendation of the relevant Regional Economic Development Council (REDC) or the Commissioner's determination that the proposed project aligns within the regional strategic priorities of the region where the proposed project is located. This can be accomplished in one of the following two ways:

1. The Applicant may obtain a recommendation from the REDC stating that the proposed project aligns with priorities of the economic develop plan developed by the council. The recommendation must be included with the application to receive five additional points in the application review. **OR**
2. The Applicant can include a supplemental narrative in the application describing the economic benefits of the proposed project and how the project aligns with the strategies of the regional economic plan. The plans are available at the following web site <http://regionalcouncils.ny.gov> The narrative must be included with the application to receive additional points in the application review.

#### **6. Pre-Submission Upload: Smart Growth Infrastructure Policy Act (if applicable to your project)**

New York State's Smart Growth Public Infrastructure Policy Act (ACT), Environmental Conservation Law Article 6, requires the Department and all State infrastructure agencies to assess whether each public infrastructure project that receives state funding is consistent with the State Smart Growth Public Infrastructure criteria specified in the Act, or that compliance is considered to be impracticable, before making any commitment to fund such project(s).

In the Grants Gateway pre-submission upload section of the application, ALL applicants must download, complete and save the Smart Growth Assessment form, prior to uploading the completed form back into the Grants Gateway. Important note: Be sure to check the form after uploading to ensure the correct file is uploaded, and is completed as required.

## 7. Community Demographics

Projects must serve an EJ community, as defined in DEC *Commissioner Policy 29, Environmental Justice and Permitting* (available on DEC's website at: <http://www.dec.ny.gov/public/36929.html> ). Applicants can identify minority and low-income communities in the following ways:

- Refer to maps on DEC's website showing these areas: <http://www.dec.ny.gov/public/911.html>.
- Refer to census tracts and block numbering areas which, as of the 2000 U.S. Census, had a poverty rate of at least 20 percent and an unemployment rate of at least 125 percent of the New York State unemployment rate..
- Refer to census tracts and block numbering areas which, as of the 2000 U.S. Census, had a poverty rate of at least two times the poverty rate for the county in which the tract is located.
- Refer to the Empire State Development Corporation's (ESDC) designated environmental zones. Maps of *environmental zones* in each county can be found on the ESDC Brownfield Redevelopment website at <http://www.esd.ny.gov/BusinessPrograms/BrownfieldCleanupTracts.html>. Note: The ESDC has designated the Environmental Zones for the purpose of providing tax incentives for brownfield redevelopment. The Environmental Justice Community Impact Grants ARE NOT related in any way to the Brownfield Redevelopment tax incentives. The link to the ESDC Brownfield Redevelopment website is provided here only as a reference to the Environmental Zone maps.

In some cases, the community affected by the project may have a significant minority or low-income population that does not appear on one of the above mentioned maps. If this is the case, the applicant must provide authoritative documentation to support their community demographics in a single pdf upload in the Grants Gateway. In this context, “**authoritative documentation**” means any map, report or document issued by a local, state or federal government agency.

## 8. Project Area Map and Photos

Applicants **MUST** upload a map showing the proposed project area as well as photographs to support the project application.

## 9. Historic Preservation Review Requirements (if applicable to your project)

For projects that involve properties listed on the State or National Registers of Historic Places, all work undertaken as part of a grant-assisted project must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

Questions about or proposals for listing on the State or national Register should be directed to the OPRHP National Register Unit at (518) 237-8643. To ensure the public benefits from the investment of state funding, preservation covenants or conservation easements will be conveyed to the State (OPRHP) for all historic property grants.

## 10. Coastal Consistency Requirements, (if applicable to your project)

SEQR Type I and Unlisted actions located within the NYS Department of State's coastal zone boundaries must meet the consistency requirements of the Secretary of State's Coastal

Management Program. This consistency determination will be performed by the Department as part of the grant review process. If the proposed project is located within a municipality that has an approved Local Waterfront Revitalization Plan (LWRP), the policies of that LWRP apply. Projects in other areas will need to be consistent with the State's 44 coastal policies. The coastal policies can be found at <https://www.dos.ny.gov/opd/programs/consistency/index.html>. Applicants are encouraged to determine if their project is located within the coastal zone, and to include in their site plan or sketch map their project's location within the coastal zone boundaries if applicable. Maps of the coastal zone boundaries can be found at <https://www.dos.ny.gov/opd/programs/consistency/index.html>.

## Application Evaluation and Scoring Standards

Applicants who submit applications by the due date will first receive an "eligibility" and "completeness" pass/fail review. If the application receives a single 'fail' response in the eligibility review, the application will be disqualified from further review. If the application meets all eligibility pass/fail criteria, it will receive further evaluation and scoring by at least three members of a review team. Project evaluation criteria is in accordance with the general evaluation criteria described in this RFA. The total maximum score any application may receive is 100 points. The DEC reserves the right to not award funding to applications scoring less than 70 points.

### Step 1: PASS/FAIL EVALUATION CRITERIA:

An eligible application for a Community Impact Grant must satisfy all of the following Pass/Fail criteria. A "Fail" to any of the following criteria will disqualify the application.

- Application Completeness: The applicant must answer all mandatory Grants Gateway program questions and upload all mandatory and applicable documents. All document uploads must be complete and viewable. Did the applicant upload all necessary documents and complete all required information? (pass/fail)
- Applicant Prequalification: Not For Profit 501(c)(3) (NFP) organizations must be prequalified in the Grants Gateway by the EJ grant opportunity due date to be considered eligible, including a NFP who will serve as the eligible community-based organization's fiscal sponsor. Was the NFP applicant prequalified in the Grants Gateway by the application due date? (pass/fail)
- Fiscal Sponsor Agreement: A NFP fiscal sponsor is responsible for submitting the EJ application on behalf of the eligible community-based organization. The NFP sponsor must have their own Grants Gateway registration and document vault prequalification and must have uploaded a signed fiscal sponsor agreement with the eligible community-based organization. Did the applicant provide, if applicable, a fiscal sponsor agreement? (pass/fail)
- Proofs of Land Ownership and/or Access Agreements: The applicant must either own the property, have obtained a formal written agreement from the property owner to access the project site, or have obtained a municipal endorsement to conduct the project on municipal property. Did the applicant provide the necessary land ownership permissions/endorsement? (pass/fail)

The applicant must provide proof of land ownership and/or applicable landowner permission and/or municipal endorsement. Applicable proofs of land ownership are required to be in place and uploaded (in a single PDF file) in the Grants Gateway at the time of application. Acceptable proofs of land ownership information or permissions include:

- If the property is owned by the applicant – a copy of the current deed.

- If the property is not owned by the applicant – a formal written agreement between the applicant and landowner which allows the applicant access to the property, and represent the landowner, to accomplish the proposed project.
- If the applicant is a not-for-profit proposing a project on municipal property - a signed Municipal Endorsement. A municipal endorsement provides authorization for the not-for-profit to conduct the proposed project on municipal property. A sample municipal endorsement can be downloaded and viewed in the Pre-submission Upload section in the Grants Gateway.
- Does the community-based organization meet all of the following eligibility criteria? (pass/fail)
  - a. serve the residents of an area equal to or smaller than a town, city or borough; and
  - b. has a total annual revenue that does not exceed \$3 million based on the applicant's IRS Form 990 (line 12) filing from the previous year; and
  - c. cannot have its charter revoked or otherwise be dissolved through the action of another organization; and
  - d. is able to enter into legal agreements independent of any affiliated NFP organization, government body, university, or other entity that would be ineligible to apply for this grant; and
  - e. addresses exposure to environmental and/or public health problems of the residents of the community impacted by the multiple environmental harms and risks that are the focus of the project ("the affected community"); and
  - f. has its primary office located in the affected community; and
  - g. has more than 50 percent of its members residing in the affected community, or more than 50 percent of the people served by the applicant community group residing in the affected community (A NFP serving as a fiscal sponsor is not required to have members in the affected community.); and
  - h. has the community-based organization declared that it has not caused or contributed to the environmental harms or risks that are to be the subject of the proposed project? (Note: A declaration must be signed and uploaded back into the Grants Gateway.) Please see Appendix C.
- **Research Component:** Does the project include a research component that will expand the community residents' knowledge or understanding of the affected community about the multiple environmental harms and risks? (pass/fail)
- **Community Demographics:** Does the project serve an environmental justice community as defined in DEC Commissioner Policy 29, Environmental Justice and Permitting? (pass/fail)

## Step 2: PROJECT EVALUATION CRITERIA (A maximum of 100 points)

DEC will award projects up to 100 points based on the following criteria:

- a. **Letters of Support (0-5 points):**  
The application includes a letter of support from another organization, official or institution.....5 Points (Each letter will receive one point for a maximum of 5 points)
- b. **Environmental Benefits and Risks/Public Health Benefits and Risks (0 to 15 points):**  
DEC will review and assess how the proposed project examines or addresses the affected

community's environmental and/or public health risks.

- A) The project is likely to result in substantial improvements to the environmental conditions or  
a. public health of the affected community.....8 to 15 points;
- B) The project will provide community members with information about environmental or public  
a. health hazards but is not likely to result in significant improvements to the environmental or health conditions.....1 to 7 points;
- C) The environmental or health information and benefits that the project will provide to the  
a. community only appear to be minor, or the benefits are implied but not described in the application..... 0 points.

**c. Research and Awareness (0 to 15 points):**

DEC will review and assess proposed projects' research component and whether the project will expand the community residents' knowledge or understanding about the environmental harms or public health risks of the affected community.

- A) The project is likely to result in substantial increase in knowledge or understanding of the community residents, the research and awareness component is detailed and well described..... 8 to 15 points;
- B) The project will provide some information about the environmental harms or risks, the applicant provided some details of the research and awareness component...1 to 7 points;
- C) The project will not expand the knowledge or understanding of residents or the research and awareness component is not well described.....0 points.

**Project Effectiveness (0 - 30 points):**

- d. Knowledge and /or Skills:** Does the applicant demonstrate the knowledge and skills and/or track record to successfully undertake a project of this nature?
  - a. Very well qualified and/or proven track record for this type of project.....8 to 15 points;
  - b. Qualified and /or satisfactory track record .....1 to 7 points;
  - c. Project methods are not described in detail to determine their potential effectiveness, not well qualified and/or poor track record .....0 points.
- e. Goals and Objectives:** Does the project have clear goals and objectives that can be achieved within the proposed project time frame?
  - a. The project's goals and objectives are clearly defined and the applicant appears to have the capability and expertise to achieve the project within the proposed time frame and with other sources of funding described in the budget .....8 to 15 points;
  - b. The project's goals and objectives are not clearly defined but seem reasonable, or the applicant appears to be able to achieve most but not all of the goals and objectives from this grant and other sources of funding described in the project budget.....1 to 7 points;
  - c. The project does not have reasonably achievable goals and objectives, or the applicant does not appear to have the capability or expertise to accomplish at least half of the project's goals.....0 points.
- f. Regional Economic Development Benefit (5 points):**  
Has the applicant demonstrated the project implements part of a Regional Economic Development Council (REDC) Plan and has the necessary supporting REDC application information been provided?.....5 Points

**g. Cost Effectiveness (30 points):**

DEC will review and assess proposed projects based upon the cost effective nature of the proposal. Proposed projects with clearly written budgets that are deemed cost effective will receive higher points. How well does the budget demonstrate value for cost? Cost effectiveness will be evaluated from the standpoint of both cost and value. Applicants may compare the project costs to other similar work and explain the balance of expenses across proposed expenditure budget categories. To sufficiently respond to this question, applicants are encouraged to upload documentation to support specific budget items, such as standard government wage rates, current market prices for equipment and cost-estimates from potential contractors. Budgets that are not cost-effective, or confusing, extraneous, excessive or not well aligned with the project purpose will not receive points.

- a. Budget is well-balanced, does not contain any extraneous expenses, and supports objectives, tasks and performance measures identified in the project work plan.....0 to 10 points;
- b. Applicant provided supplemental evidence of cost effectiveness such as providing more than one quote from vendors/contractors, standard government wage rates, current market prices for equipment, comparison to similar work, etc., and did the applicant demonstrate that the lowest cost estimates were used for the application .....0 to 10 points;
- c. The Cost to benefit ratio is appropriate for the complexity and size of the project.....0 to 5 points;
- d. The anticipated benefits are at a scale and cost equivalent to the fair market value of the proposed budget.....0 to 5 points.

## Method of Award

The total maximum score any application may receive is 100 points. The DEC reserves the right to not award funding to applications scoring less than 70 points.

In an effort to distribute available funding across the state, and in the best interest of the state, DEC reserves the right to determine the best selection of applications for project funding in the following way:

Individual reviewer scores will be averaged for each application to determine an average score. Regional Economic Development and cost effectiveness points will be added to the average score to determine the final score of the application. Final scores will be ranked from highest to lowest and applicants having the highest final scores will be selected to receive grant funding.

DEC reserves the right to ensure that no single part of the state receives a disproportionate share of the total amount of available EJ grant funding. If any single DEC region receives at least 60 percent of the total amount of available funding during the scoring and funding decision process, DEC will not fund the remaining applications ranked within the region. Remaining awards will be determined based on the highest to lowest ranked applications from other DEC regions. (See list of regions here: <http://www.dec.ny.gov/about/50230.html>)

Tie Breaker: If there is a numerical tie in the ranking of multiple applications and there are insufficient funds to award grants to all of the tied applications, DEC will select the application having the earliest application electronic submission date and time.

## EJ Grant Program Payment and Reporting Requirements

In accordance with state contracting requirements, DEC will make all payments of grant contract funding by electronic transfer. Grant recipients (Grantee) will be required to set-up an electronic payment authorization with the Office of the State Comptroller at: <http://www.osc.state.ny.us/epay/index.htm>

This is a scheduled payment grant program. Upon DEC's full approval of a Master Contract for Grants (MCG) (awards above \$10,000 and below \$50,000) and OSC's approval (awards above \$50,000) or Letter of Agreement (LOA) (awards \$10,000 and below) funding may be advanced to the Grantee in the following increments:

**1. Advance Payments:** An initial advance payment, followed by subsequent quarterly advance payment requests, shall not at any time exceed a total of 30 percent of the grant award amount. Quarterly advance payment requests shall be made on a calendar quarter and are subject to DEC's review and approval of the work the Grantee expects to implement with the advance payment. After the first advance payment, subsequent advances shall not be made until at least 15 percent of the previous advance is shown as expended and is documented to the DEC. Future payment requests will be reduced until all advance amounts are fully recovered within the contract term.

**2. Final Payment:** The final payment of 10 percent of the grant award amount will be provided on a reimbursement basis.

Project costs eligible for reimbursement and project match must be incurred between the MCG term start and end dates. Costs incurred prior to the MCG term start date or after the MCG term end date will not be considered eligible for grant reimbursement or match. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the DEC for costs to be eligible for grant reimbursement.

## Eligible and Ineligible Expenditures

### 1. Eligible Project Expenditures

Applicants must complete an expenditure budget in the Grants Gateway and provide cost detail that includes only eligible project costs as defined below:

- 1. Contractual:** Costs for the value of services provided by responsible, professional and technical personnel and consultants directly related to the implementation of the project. Contractual staff time, including fringe benefits, paid to any individual person cannot exceed 30 percent of the total grant amount.
- 2. Personal Service and Fringe:** Cost of staff salaries, including fringe, directly devoted to the project. Itemize salaries according to job title and roles/responsibilities on the project. Grantees will be required to document time worked, tasks, pay ratio and payment. Fringe benefits are limited to 15 percent of the staff salary. Paid staff, including fringe benefits, to any individual person cannot exceed 30 percent of the total grant award.
- 3. Equipment:** Costs for equipment (purchase or rental). Note that any equipment purchased with funding provided by this grant program cannot be sold, transferred or used for other purposes without written approval from DEC.
- 4. Communication Costs:** Costs associated with communication directly related to informing the community about the project such as telephone services, postage, messenger, Internet service, printing, etc. Communication costs should be categorized under Other.
- 5. Travel:** Expenses for any necessary travel required to carry out the project. Note that the EJ grant will not pay for travel to conferences or other professional meetings or any travel outside New York State.
- 6. Other:** Other reasonable costs must be directly devoted to implementation of the project such as costs for the purchase, upgrade and maintenance of computer hardware and software required to implement the project, rental of meeting space, printing, postal, supplies and materials, and training costs related to training staff or volunteers that are required for the project.
- 7. Grant Administration Costs:** Administrative costs incurred by a fiscal sponsor for administering the grant or assisting in the project. Costs claimed by the fiscal sponsor to administer the grant that are paid from EJ grant funds are limited to management and

recordkeeping of grant funds, preparation of grant contract documents and preparation and submittal of mandatory reports on funded projects as specified in the grant contract. Administrative costs cannot exceed 10 percent of the total grant award and should be clearly identified as 'Administrative' costs in the personal service budget category.

## **2. Ineligible Project Expenditures**

The following costs are not eligible for grant funding or reimbursement under this program:

1. Costs that are paid from other state or federal funding sources are not eligible for reimbursement.
2. Indirect costs: indirect (overhead) costs such as: utilities, office rent, insurance.
3. Costs of preparing the EJ grant application.
4. Costs relating to the project that were incurred prior to the start date of the grant contract or after the termination date of the grant contract.
5. Legal costs related to the commencement of, or participation in, any action before a municipal, state or federal court or other agency.

## **Grant Program Reporting**

Quarterly Narrative Reports must be submitted in narrative form, no later than 30 days from the end of the calendar quarter. The reports will summarize how the project progressed toward meeting project objectives and deliverables during the respective quarter. Quarterly reports shall be submitted in the NYS Grants Gateway.

Quarterly Expenditure Reports, detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, must accompany the quarterly Narrative Reports, no later than 30 days from the end of the calendar quarter. These reports must correlate to subsequent vouchers submitted for payment.

Final Payment and Report: The final payment will be provided on a reimbursement basis. The Grantee shall submit a final report which shall be approved by the DEC prior to the release of the final ten percent reimbursement payment. The Grantee shall submit a final report no later than 60 days after the end of the contract term or upon completion of the project. The final report shall report on all aspects of the program and detail how the use of grant funds were utilized in achieving the goals set forth in the contract project work plan. If applicable to the project, copies of appropriate documents - i.e. inventory and/or management plan shall approved by the DEC.

A DEC on-site inspection may be required for DEC to confirm that all work was completed in accordance to the approved project work plan.

Any project involving volunteer time will be required to report the number of volunteers and the number of volunteer hours in their project quarterly status reports. The total number of volunteers and volunteer hours for the entire project must be reported in the Final Report.

Projects already receiving funds from another NYS or Federal assistance grant program are not eligible to receive funding for the same project activities identified in this RFA.

## **What to Expect If You Receive an Award**

### **1. Notification of Award**

Applicants selected to receive a grant award will be notified by email and in an official Department award letter. The NYS Grants Gateway will also provide you with an award status.



**IMPORTANT NOTE:** By accepting an award, applicant agrees to abide by all Master Contract for Grants (MCG) terms and conditions. Any changes to the terms and conditions will not be accepted and may affect applicant's award.

## **2. State of New York Master Contract for Grants (MCG)**

Dependent upon the amount of a grant award, a MCG (grant award above \$10,000) or a Letter of Agreement (LOA) (grant award \$10,000 and below) must be approved by DEC. Both the MCG and the LOA will carry a three-year term, having an optional one-year period extension upon written justification from the grantee supporting the need for a time extension. All extension requests will be reviewed and must be approved by DEC. Failure to submit timely required MCG documents could cause a grantee to lose their grant award. Grantees can anticipate a MCG or LOA to have a start date approximately 60 - 90 days from the date of award notification. A grantee should not start their project until a MCG or LOA has been fully approved by DEC. Costs eligible for grant funding must be incurred within the term dates DEC assigns to the MCG or LOA.

Applicants selected to receive a grant award will be required to execute a MCG **within 60 - 90 days** from the time of their award notification. Failure to submit timely required MCG documents could cause a grantee to lose their grant award. Applicants should review and be prepared to comply with all MCG terms and conditions. The MCG and attachments can be reviewed and/or downloaded in the Grants Gateway EJ grant opportunity under the screen named 'Contract Document Properties'. The MCG attachments include:

- *MCG Grants Face Page*
- *Standard Terms and Conditions (NYS standard terms and conditions)*
- *Attachment A-1 Program Specific Terms and Conditions (Agency and Program specific terms and conditions)*
- *Attachment B-1 Expenditure Based Budget (project expense categories and detail)*
- *Attachment C Work Plan (project objectives, tasks and performance measures)*
- *Attachment D Payment and Reporting Schedule (claims for reimbursement and grant reporting provisions)*

*Applicants selected to receive a grant award of \$10,000 or less will receive grant funding pursuant to a LOA. The terms and conditions of the LOA can be viewed and/or downloaded in the pre-submission area of the Grants Gateway.*

**IMPORTANT NOTE:** *Project related costs must be incurred within the term of the MCG to be considered eligible costs for funding. Contract payments will not be approved or processed by the DEC until a MCG or LOA is fully approved by the DEC. All agreements must be approved by DEC, and if applicable, the NYS Attorney General and the NYS Comptroller, prior to the start of the proposed EJ project.*

## **3. Applicants (referred to as "Contractor" following award of Grant Contract) Should Be Prepared to Comply With the Following MCG Requirements:**

### **a. Insurance Requirements**

Contractors will be required to carry appropriate insurance as specified in the MGC or LOA, Attachment A-1 Program Specific Terms and Conditions, and agree that each project consultant, project contractor and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the contractor as an additional insured, with appropriate limits, covering contractor's public liability and property damage insurance, contractor's contingency liability

insurance, “all-risk” insurance and workers compensation/disability coverage for the project.

**b. Permit Requirements (if applicable)**

Contractors agree to obtain all required permits, including but not limited to, local, state and federal permits prior to the commencement of any project related work. The contractor agrees that all work performed in relation to the project by the contractor or its agents, representatives or contractors will comply with all relevant federal, state and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.

**c. State Environmental Quality Review (SEQR) Documentation**

With respect to the project, the contractor certifies that it has complied and shall continue to comply with all requirements of the State Environmental Quality Review Act (SEQRA). The contractor agrees to provide all environmental documents as may be required by the DEC. The contractor has notified, and shall continue to notify, the DEC of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

**d. Vendor Responsibility Questionnaire**

Not-For-Profit contractors and/or subcontractors are subject to a vendor responsibility review by the state to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions available at [http://www.osc.state.ny.us/vendrep/vendor\\_index.htm](http://www.osc.state.ny.us/vendrep/vendor_index.htm) , or go directly to the VendRep System at <https://portal.osc.state.ny.us>

**e. Iran Divestment Act**

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. By entering into a Contract, the Contractor certifies that it is not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the OGS website at: <http://www.ogs.ny.gov/about/regsg/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the MCG, Attachment A-1 Program Specific Terms and Conditions.

**f. Public Access and Useful Life**

Where EJ funding is awarded for green roofs and other green spaces such as community gardens, the contractor or the community group responsible for implementing the project must maintain and operate the green space for a period of not less than five years and allow appropriate public access to any facilities or amenities funded by the grant.

**g. Acknowledgement/Credits/Photo Rights:**

The grantee must agree to give DEC appropriate credit for its support and shall note the following in all printed documents, video materials and /or program advertisements resulting from this work: “Funding for this project was provided from the NYS Environmental Protection Fund as administered by a grant from the New York State DEC Environmental Justice

Community Impact Grant Program”. In addition, the grantee must agree to give DEC permission to use any photos, maps and other materials sent to us as a part of the application or report for the purposes we deem necessary.

#### **h. Minority/women Business Enterprises (M/WBE) and Equal Employment Opportunities (EEO) Requirements**

The Department is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (“MWBE Regulations”) for all State contracts with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

Applicants subject to executing a future NYS Master Contract for Grants agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to the Department, to fully comply and cooperate with the Department in the implementation of New York State Executive Law Article 15-A. These requirements include equal employment opportunities for minority group members and women (“EEO”) and contracting opportunities for certified minority and women-owned business enterprises (“MWBEs”). Contractor’s demonstration of “good faith efforts” pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the “Human Rights Law”) or other applicable federal, state or local laws.

Failure to comply with M/WBE and EEO requirements may result in a Department finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds or such other actions, liquidated damages or enforcement proceedings.

Please refer to the NYS Master Contract for Grants - Article IV (J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review M/WBE and EEO requirements. Required M/WBE and EEO related forms can be found at <http://www.dec.ny.gov/about/48854.html>

- The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.
- A list of certified M/WBE enterprises can be obtained via the internet from the NYS Department of Economic Development at <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=9885>
- Contracts which meet the established M/WBE-EEO thresholds require the Contractor to submit Quarterly Reports, [http://www.dec.ny.gov/docs/administration\\_pdf/quarterly.pdf](http://www.dec.ny.gov/docs/administration_pdf/quarterly.pdf), detailing payments made by the Prime Contractor to NYS Certified MWBEs.
- The following M/WBE-EEO “Fair Share” goals are established as follows:

Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:

Construction/Engineering – up to 20%

Commodities – up to 20%

Services/Technologies – up to 20%

Equal Employment Opportunity (EEO) Participation Goals

EEO Minority Workforce Participation Goals (DEC Regions 1- 9) 0%

EEO Female Workforce Participation Goals (DEC Regions 1-9) 0%

DEC M/WBE Compliance  
NYS Department of Environmental Conservation  
Bureau of Contract and Grant Development/MWBE Program  
625 Broadway, 10th Floor  
Albany, New York 12233-5028  
Phone: (518) 402-9240  
Fax: (518) 402-9023

#### **4. Procurement of Contractors/Subcontractors**

Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

#### **5. EJ Program Contact Information:**

For more information about the Environmental Justice Community Impact Grant Program, contact the Office of Environmental Justice at:

DEC Office of Environmental Justice  
625 Broadway, 14th Floor  
Albany, New York 12233-1500  
Telephone: 518- 402-2600  
Toll free: 1-866-229-0497  
E-mail: [justice@dec.ny.gov](mailto:justice@dec.ny.gov)

#### **6. Americans with Disabilities Act**

In the event the monies defined herein are to be used for the development of facilities, outdoor recreation areas, transportation or written or spoken communication with the public, the Contractor shall comply with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act, and relevant sections of the New York State Uniform Fire Prevention and Building Code. Standards for certain Recreation Facilities are found in the 2010 ADA Standards for Accessible Design while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas <https://www.access-board.gov/guidelines-and-standards>.

## Appendix A – Completing the Application in the Grants Gateway

### Getting Started

To get started in the [Grants Gateway](#), click on Grants Gateway Login in the upper left hand corner of the page.

### Locating and Initiating an Application

Once you're logged in, you are brought to the Home screen where you begin your search for an opportunity to apply to by clicking on the View Opportunities button.

The screenshot displays the New York State Grants Gateway website. At the top, the header includes the New York State Grants Gateway logo and a "SHOW HELP" button. Below the header, the main content area is titled "Grant Opportunity Portal - Home". A red box highlights the "Grants Gateway Login" link in the top left corner. To the right, a login form is shown with fields for "Username" and "Password", a "LOGIN" button, and a "Forgot Password?" link. A red box highlights the "Forgot Password?" link. Below the login form, a text box explains that clicking the link above will redirect to the Login screen. The main content area also features a "Welcome to the Grants Gateway" message and a description of the portal. Below this, a navigation bar includes links for "Home", "Grant Opportunity Portal", "Applications", "Contracts", "Progress Reports", and "Tasks". A "Training Materials" link is also visible. The main content area is divided into two sections: "Welcome A" (Grantee Contract Signatory) and "Instructions". The "Welcome A" section includes a "Change Picture" link. The "Instructions" section lists tasks such as "Applying for an Opportunity", "Using System Messages", "Understanding your Tasks", and "Managing your awarded grant". Below the instructions, a message says "Hello A, please choose an option below." and a "View Available Opportunities" button is highlighted. A red box highlights the "View Available Opportunities" button. A text box explains that clicking on this link will bring you to a Search screen to find the opportunity you would like to apply to.

New York State  
Grants Gateway

Grants Gateway Login

SHOW HELP

Grant Opportunity Portal - Home

Welcome to the Grants Gateway

The Grant Opportunity Portal is online and available to the public, providing a central location for locating grant funding opportunities with State agencies.

Clicking the link above will redirect you to the Login screen. Enter the Username you were provided by your Grantee Delegated Administrator within your organization.

Login

Username

Password

LOGIN

Forgot Password?

Home Grant Opportunity Portal Applications Contracts Progress Reports Tasks

Training Materials | Org

Welcome A  
Grantee Contract Signatory  
Change Picture

Instructions:  
Select the SHOW HELP button above for detailed instructions on the following:  
> Applying for an Opportunity  
> Using System Messages  
> Understanding your Tasks  
> Managing your awarded grant

Hello A, please choose an option below.

View Available Opportunities

You have Opportunities available.  
Select the View Opportunities button below to see what is available to your organization.

VIEW OPPORTUNITIES

Clicking on this link will bring you to a Search screen to find the opportunity you would like to apply to.

## Appendix B - Declaration (Mandatory Upload)

**The undersigned, as an authorized official of the not-for-profit corporation, does hereby certify that:**

- The community group has more than 50 percent of its members residing in the affected community, or more than 50 percent of the people served by the applicant community group reside in the affected community.
- The community group (and partner not-for-profit corporation, if applicable) has not caused or contributed to the harms or risks relating to the project proposed in this application.

The individual whose signature appears hereon is an authorized official of the applicant community group or partner not-for-profit corporation, if applicable and has been authorized to submit this application for the applicant community group or partner not-for-profit corporation by such organization's executive board or board of directors.

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Signature of Authorized Official of Not-for-Profit Corporation

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Date

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Title of Signer within Not-for-Profit Corporation

## Appendix C: REDC Information

The Regional Economic Development Councils can be contacted as follows:

### **Western New York**

Allegany, Cattaraugus, Chautauqua, Erie and  
Niagara counties  
95 Perry Street, Suite 500  
Buffalo, NY 14203-3030  
Phone: (716) 846-8200  
Fax: (716) 846-8260  
Email: [nys-westernny@esd.ny.gov](mailto:nys-westernny@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/western-new-york](http://regionalcouncils.ny.gov/content/western-new-york)

### **Southern Tier**

Broome, Chemung, Chenango,  
Delaware, Schuyler, Steuben, Tioga and  
Tompkins counties

### **Binghamton Office**

State Office Building  
44 Hawley Street, Suite 1508  
Binghamton, NY 13901  
Phone: (607) 721-8605  
Fax: (607) 721-8613

### **Elmira Office**

Empire State Development  
c/o Small Business Administration  
Elmira Savings Bank, 4th Floor  
333 East Water Street  
Elmira, NY 14901  
Phone: 607-426-2999  
Fax: (607) 734-2698

Email: [nys-southerntier@esd.ny.gov](mailto:nys-southerntier@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/southern-tier](http://regionalcouncils.ny.gov/content/southern-tier)

### **Mohawk Valley**

Fulton, Herkimer, Montgomery, Oneida,  
Otsego, and Schoharie counties  
207 Genesee Street  
Utica, NY 13501  
Phone: (315) 793-2366  
Fax: (315) 793-2705  
Email: [nys-mohawkval@esd.ny.gov](mailto:nys-mohawkval@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/mohawk-valley](http://regionalcouncils.ny.gov/content/mohawk-valley)

### **Capital Region**

Albany, Columbia, Greene, Saratoga,  
Schenectady, Rensselaer, Warren and  
Washington counties  
Hedley Park Place  
433 River Street, Suite 1003  
Troy, NY 12180  
Phone: (518) 270-1130  
Fax: (518) 270-1141  
Email: [nys-capitaldist@esd.ny.gov](mailto:nys-capitaldist@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/capital-region](http://regionalcouncils.ny.gov/content/capital-region)

### **New York City**

Bronx, Kings, New York, Queens and Richmond  
counties  
633 Third Avenue, 31st Floor  
New York, NY 10017  
Phone: (212) 803-3130  
Fax: (212) 803-3131  
Email: [nys-nyc@esd.ny.gov](mailto:nys-nyc@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/new-york-city](http://regionalcouncils.ny.gov/content/new-york-city)

**Finger Lakes**

Genesee, Livingston, Monroe, Ontario, Orleans,  
Seneca, Wayne, Wyoming and Yates counties  
400 Andrews Street, Suite 300  
Rochester, NY 14604  
Phone: (585) 399-7050  
Fax: (585) 423-7570 DED  
Phone: (585) 423-7571  
Email: [nys-fingerlakes@esd.ny.gov](mailto:nys-fingerlakes@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/finger-lakes](http://regionalcouncils.ny.gov/content/finger-lakes)

**Long Island**

Nassau and Suffolk counties  
150 Motor Parkway  
Hauppauge, New York 11788  
Phone: (631) 435-0717  
Fax: (631) 435-3399  
Email: [nys-longisland@esd.ny.gov](mailto:nys-longisland@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/long-island](http://regionalcouncils.ny.gov/content/long-island)

**Central New York**

Cayuga, Cortland, Madison, Onondaga and  
Oswego counties  
620 Erie Boulevard West, No. 112  
Syracuse, NY 13204  
Phone: (315) 425-9110  
Fax: (315) 425-7156  
Email: [nys-centralny@esd.ny.gov](mailto:nys-centralny@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/central-new-york](http://regionalcouncils.ny.gov/content/central-new-york)

**Mid-Hudson**

Dutchess, Orange, Putnam, Rockland, Sullivan,  
Ulster and Westchester counties  
33 Airport Center Drive, No. 201  
New Windsor, NY 12553  
Phone: (845) 567-4882  
Fax: (845) 567-6085  
Email: [nys-midhudson@esd.ny.gov](mailto:nys-midhudson@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/mid-hudson](http://regionalcouncils.ny.gov/content/mid-hudson)

**North Country**

Clinton, Essex, Franklin, Hamilton, Jefferson,  
Lewis and St. Lawrence counties

**Plattsburgh Office**

401 West Bay Plaza  
Plattsburgh, NY 12901  
Phone: (518) 561-5642  
Fax: (518) 561-8831

**Watertown Office**

Dulles State Office Building  
Watertown, NY 13601  
Phone: (315) 785-7907  
Fax: (315) 785-7935  
Email: [nys-northcountry@esd.ny.gov](mailto:nys-northcountry@esd.ny.gov)  
Website: [http://regionalcouncils.ny.gov/  
content/north-country](http://regionalcouncils.ny.gov/content/north-country)

For further information, contact the Office of Environmental Justice at (518) 402-8556, (866) 229-0497 (toll free in New York State), or [justice@dec.ny.gov](mailto:justice@dec.ny.gov)



