



Department of
Environmental
Conservation



GUIDELINES AND APPLICATION INSTRUCTIONS

New York State

Department of Environmental Conservation

Office of 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-2023

Application Due Date: 3:00 pm ET, July 26, 2023

Timetable of Key Events:

Application Period Begins	April 24, 2023
Question & Answer Period Ends	July 12, 2023
Applications Due	July 26, 2023 3:00PM ET
Award(s) Announced By (anticipated)	September 18, 2023

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1. Grant Information

The New York State Department of Environmental Conservation (DEC) is pleased to announce funding for projects that will implement state assistance funding through the Environmental Justice Community Impact Grant program to not-for-profit corporation (NFP) community-based organizations for projects that address exposure of communities to multiple environmental harms and risks (“projects”).

a) Funding

Approximately \$5,995,764 is available for Community Impact Grants. Funding for this grant opportunity is provided from the Environmental Protection Fund with dollars designated to Environmental Justice. Applicants may be awarded up to \$100,000 each until funding has been exhausted 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 and will have a contract term of October 1, 2023 to September 30, 2026**. Costs outside of the contract period/term are ineligible. The Master Contract for Grants (MCG) must be 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 \$50,000. Maximum grant amount is \$100,000.

d) Application Limit/Award limit

Applicants may submit up to three applications. Multiple applications may not be for the same project or project location.

e) Eligible Project Locations

Eligible projects for grant funding must be located within or serve an EJ Community, as defined in DEC *Commissioner Policy 29, Environmental Justice and Permitting* (available on DEC’s website at: <https://www.dec.ny.gov/regulations/36951.html>). Applicants can identify EJ Communities in the following ways:

- Refer to maps showing these areas in the link below:
https://www.arcgis.com/home/webmap/viewer.html?url=https://services6.arcgis.com/DZHaqZm9cxOD4CWM/ArcGIS/rest/services/Potential_Environmental_Justice_Area_PEJ_A_Communities/FeatureServer&source=sd

- Refer to census tracts and block numbering areas which have 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 have 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://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.

- Refer to the final criteria for identifying disadvantaged communities established by the Climate Justice Working Group pursuant to the Climate Leadership and Community Protection Act. An interim approach is available here: <https://www.nyserda.ny.gov/ny/disadvantaged-communities>.
- Refer to other authoritative documentation demonstrating the community's low income population or minority population. 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.

2. 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 NFP community-based organization must provide, at the time of application, an agreement between the fiscal sponsor and the community-based organization, otherwise the application will be disqualified in the

application pass/fail review. The NFP 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 NFP community-based organization 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 NFP community-based organization 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. 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.

Fiscal sponsors do not have to meet eligibility requirements. However, the organization the fiscal sponsor is applying on behalf of must meet all eligibility requirements.

- 2.) For the purposes of this grant opportunity, a community-based organization is an organization that:
- Serves the residents of an area equal to or smaller than one county outside of New York City, or an area equal to or smaller than one of the five boroughs within New York City. Organizations serving areas larger than indicated such as regional or national organizations are not eligible for this grant. However, ineligible not-for-profits may serve as fiscal sponsors for eligible NFP community-based organizations or partner with eligible organizations; and
 - 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 (line 12); and
 - Cannot have its charter revoked or otherwise be dissolved through the action of another organization; and
 - Is able to enter into legal agreements independent of any affiliated nonprofit organization, government body, university or other entity that would be ineligible to apply for this grant; and
 - 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
 - Has its primary office location in the affected community; and
 - 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; and
 - Declares (along with a partner NFP fiscal sponsor, if applicable) 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.); and

- Is in good standing and will have submitted all required progress reports for current open grants and final narrative and financial reports for previously awarded Office of Environmental Justice grants where the term has expired.

3. Inquiries & Designated Contact Information

For general information on completing this application and for clarification of application requirements, contractual terms and procedures, contact:

Jordan Gougler, Program Manager

Contact Information: jordan.gougler@dec.ny.gov and 518-402-8556

For technical information regarding the Grants Gateway application, direct questions to:

NYS Grants Management

Contact Information: grantsgateway@its.ny.gov or (518) 474-5595

Include 2023 COMMUNITY IMPACT GRANT PROGRAM in the subject line of the email. Questions regarding this grant opportunity will be accepted by the Department until C.O.B July 12, 2023 All questions, and answers, will be uploaded in the Grants Gateway application for all applicants to view.

4. Application Submission

Applications must be submitted through the NYS Grants Gateway <https://grantsgateway.ny.gov>. Using **Microsoft Edge** to access the Grants Gateway is recommended. Using other browsers may cause errors in the Work Plan section of the application.

Paper applications will NOT be accepted. Applicants are strongly encouraged to submit their applications prior to the application deadline. Late applications will not be accepted. Please note those logged in as Grantees may work on the application, only those logged in as a Grantee Contract Signatory or a Grantee System Administrator can submit the application to the State. When the application is ready for submission, click the Status Changes tab, then click the “Apply Status” button under “Application Submitted”.

All Applicants must be Registered with Grants Gateway to apply. 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.

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 REVIEW SUBMITTED PREQUALIFICATION

APPLICATIONS. PREQUALIFICATION APPLICATIONS SUBMITTED TO THE STATE FOR REVIEW LESS THAN 5 DAYS PRIOR TO **2023 COMMUNITY IMPACT GRANT PROGRAM** APPLICATION DUE DATE MAY NOT BE CONSIDERED.

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

a) Applicant Prequalification

Pursuant to the New York State Division of Budget Bulletin H-1032 Revised, effective July 16, 2014, New York State has instituted key reform initiatives to the Master Contract for Grants contract. Information on these initiatives can be found on the Grants Management Website.

All Applicants must be Prequalified in the Grants Gateway at the time and date that the application is due. Applications received from nonprofit 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 Management 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 Management website <https://grantsmanagement.ny.gov/> or contact the Grants Management Team grantsgateway@its.ny.gov for more information about Grants Gateway and Prequalification. The Grants Management help desk/hotline can be reached at (518) 474-5595, Monday through Friday 8 AM through 4 PM.

4.1.1 Register for the Grants Gateway

- On the Grants Management Website, download a copy of the Registration Form for Administrator. A signed, notarized original form must be sent to the NYS Grants Management 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 grantsgateway@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.

4.1.2 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 Management Team at grantsgateway@its.ny.gov. The Grants Management help desk/hotline can be reached at (518) 474-5595.

4.1.3 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.

If you are not familiar with Grants Gateway, there are many resources available to help you register and become Prequalified on the NYS Grants Management Website <https://grantsmanagement.ny.gov/resources-grant-applicants> including:

- Video tutorials on Grants Gateway Registration or Applications
- Vendor User Manual includes walkthroughs for the Application process
- Biweekly Document Vault webinars

5. Grant Opportunity General Information and Conditions

a. Grant Application Requirements and Conditions

Please be sure to include information on the following requirements with your application, , if applicable to your project:

Applications must meet the following minimum requirements to be eligible:

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) **Describe Your Community's Harms and Risks-** 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) **Identify Project Type-** Project proposal must identify which category of project type the proposal best fits under:
 - (a) Water

 - (b) Air

 - (c) Community Garden/Urban Agriculture

 - (d) Organic Waste/Composting

 - (e) Habitat Restoration

 - (f) Green Infrastructure

 - (g) Capacity Building

 - (h) Other

- (3) **Identify Mission Statement-** Project proposal must include short mission statement describing the not-for-profit corporation or community-based organization's overall goals or objectives.
- (4) **Define Project Location-** Project proposal must be located within the EJ community served by the eligible applicant community-based organization (see community demographics on page 19); **AND**
- (5) **Brief Project Description-** Project Proposal must include a brief description (250 *CHARACTERS* or less) of the project.
- (6) **Research Component-** Project proposal must include a research component that will be used to expand the knowledge or understanding of the affected community.

For current grantees: please note that this **must** be a **NEW** research component. Previously approved research components will not be accepted.

The research component can be primary or secondary and should be related to the environmental harms or risks in 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 full dataset on Open Data NY called: [Office of Environmental Justice \(OEJ\) Grant Awards: Beginning 2006](#)

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, such as NYS Energy Research and Development Authority (NYSERDA), local governments, utilities or other outside parties on project ideas, partnerships and other available funding.

b. Expenditure Based Budget

Applicants **must** complete an itemized budget in the NYS Grants Gateway that provides details of the proposed project-related expenses. Budget detail must clearly distinguish between expenses to be claimed under the State grant share and expenses comprising the match. The itemized budget should also include appropriate level of information for the breakdown of costs for each budget item. (Eligible and ineligible costs are identified in this RFA. A project's reasonableness of costs is at least 20% of the evaluation factor in the scoring of the application; therefore, attention to budget accuracy will increase your project score.

Project cost-effectiveness will account for at least 20% of an application score as identified in the evaluation criteria section of this RFA.

c. Match Requirement and Expenditures

Matching funds are not a requirement under this Grant Opportunity.

d. Work Plan

Applicants **must** complete a work plan in the NYS Grants Gateway that provides a clear overview of the project. Applications must include proposed project objectives, tasks associated with meeting each objective, and the performance measures associated with each task. The work plan may include anticipated time frames in meeting project objectives, tasks and deliverables. Time frames must be consistent with the timeline applicants are required to upload in the Grant Gateway.

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.

e. 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.

f. Local/Community Letters of 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).*

g. 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.

h. 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: <https://www.dec.ny.gov/regulations/36951.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 have 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 have a poverty rate of at least two times the poverty rate for the county in which the tract is located.

a. Refer to the final criteria for identifying disadvantaged communities established by the Climate Justice Working Group to the Climate Leadership and Community Protection Act. An interim approach is available here: <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

- Refer to other authoritative documentation demonstrating the community's low income population or minority population. Demonstrate low income or minority populations. 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.

i. Project Area Map and Photos

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

j. Debriefing Request

In accordance with section 163 of the NY State Finance Law, the Department must, upon request, provide a debriefing to any unsuccessful offeror that responded to the RFA, regarding the reasons that the proposal or bid submitted by the unsuccessful offeror was not selected for an award. An unsuccessful offeror wanting a debriefing must request a debriefing in writing, within fifteen calendar days of receipt of the notice that their proposal did not result in an award.

k. 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.
- Award an agreement for any or all parts of the RFA in accordance with the method of award or withdraw of the RFA at any time at the Department's sole discretion.
- 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.
- Award to the next highest scoring application in the event a grantee fails to negotiate a grant contract with the Department within 60 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 to not fund projects that are deemed to be inconsistent with NYS's Smart Growth Public Infrastructure Policy Act.
- The Department reserves the right to not fund projects that are deemed to be inconsistent with the Climate Change Leadership and Community Protection Act or its' implementing regulations.
- Reject any or all applications in response to the RFA at the agency's sole discretion.

l. Sexual Harassment Prevention Certification

State Finance Law §139-l requires all applicants of grant funding to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor's model policy and training standards) to all its employees.

Where applying for grant funding is required pursuant to statute, rule or regulation, every application submitted to the state or any public department or agency of the state must contain the following statement: "By submission of this application, each applicant and each person signing on behalf of the applicant certifies, and in the case of a partnering application each party thereto certifies as to its own organization, under penalty of perjury, that the applicant has and has implemented a written policy addressing sexual harassment prevention in the workplace

and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one g of the labor law.”

Applications that do not contain the certification will not be considered for award; provided however, that if the applicant cannot make the certification, the applicant may provide a signed statement with their application detailing the reasons why the certification cannot be made. After review and consideration of such statement, the Department may reject the application or may decide there are sufficient reasons to accept the application without such certification.

Applicants are required to sign and upload the Sexual Harassment Prevention Certification form or upload a signed statement with their application detailing the reasons why the certification cannot be made into the pre-submission uploads folder.

m. Executive Order 16

Executive Order No. 16 provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” The complete text of Executive Order No. 16 can be found at <https://www.governor.ny.gov/executive-order/no-16-prohibiting-state-agencies-and-authorities-contracting-businesses-conducting>. The Executive Order remains in effect while sanctions against Russia imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations. As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership. Vendors responding to this solicitation are required to complete and submit the form entitled “Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia”.

In the Grants Gateway pre-submission upload section of the application, ALL applicants must download, complete and save the Executive Order No. 16 Certification form, prior to uploading the completed form back into the Grants Gateway.

n. SEQRA and Permits (if applicable to your project/)

The applicant is responsible for assuring that any SEQR determinations, permits, approvals, lands, easements and rights-of way that may be required to carry out the activities of the project are obtained.

o. Local/Community Support (if applicable to your project)

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).*

p. Quality Assurance (Required for Water Quality Assessment and Monitoring Projects)

Quality assurance applies to all programs/projects that involve the collection, generation or use of environmental data associated with the mapping, modeling, monitoring, and assessment of water quality data intended for use by the New York State Department of Environmental Conservation (DEC) for its regulatory purposes. This includes the design or use of water quality focused environmental technology. Guidance and resources for DEC's quality assurance can be found on [DEC's quality assurance webpage](#). Activities associated with these types of programs/projects, conducted in the field or laboratory, shall be:

1. Performed in accordance with an effective quality system for planning and assessing environmental measurements and tests, and for conducting required quality assurance and quality control procedures to promote and maintain the accuracy and reliability of environmental measurements and test results. An effective Quality System includes a Quality Assurance Project Plan (QAPP) based on guidance provided by the USEPA Guidance for Quality Assurance Project Plans (QA/G-5 May 2006), or American National Standard ASQ/ANSI E4:2014: Quality management systems for environmental information and technology programs—Requirements with guidance for use, approved February 4, 2014.
2. The fulfillment of the data verification, validation, and usability component of QAPP is to be documented in the Data Usability Assessment Report (DUAR).
3. Performed by a laboratory certified by the New York State Department of Health (NYSDOH) under the Environmental Laboratory Approval Program (ELAP) pursuant to Section 502 of the Public Health Law. This requirement shall not apply to specific parameters where NYSDOH ELAP has not issued a certificate for the specific parameter.
4. Performed in a manner that ensures all requisite quality control and calibration requirements are met, including field testing, sample collection, preservation, and record-keeping. Basic quality assurance and quality control requirements defined in 40 CFR Part 136.7 shall be followed as well as any specific method requirements.
5. Required to submit environmental monitoring data electronically to US EPA Water Quality Exchange (WQX) following the guidance as set by US EPA's WQX Submission Instructions.
6. Covered under the Publicity clause (article IV.G.) of the Master Contract for Grants – Standard Terms and Conditions. Specifically, the Contractor agrees that any work products, including but not limited to, water quality data or environmental information; measured, generated, or developed under this contract shall not be

released, published, cited, or shared in draft or final form without prior written authorization from the Department.

7. At a minimum, performed in accordance with water quality standards in 6 NYCRR Part 703 and/or guidance values in Technical and Operational Guidance Series (TOGS) 1.1.1. projects designed to assess water quality or inform regulatory decisions must measure parameter with applicable water quality standards and/or guidance values.

q. Alignment with Regional Economic Development Council Priorities

New York State directed the establishment of Regional Economic Development Councils (REDCs) 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 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.

The Applicant can provide a brief narrative describing the economic benefits of the proposed project and how the project aligns with the strategies of the REDC plan for the project's region. The narrative must be included with the Application to receive points in the application review.

Each region has a unique plan. Visit <http://regionalcouncils.ny.gov> for information on your region's Economic Development Council.

r. 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 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.

s. 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 benefit from the investment of state funding, preservation covenants or conservation easements will be conveyed to the State (OPRHP) for all historic property grants.

t. 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://dos.ny.gov/system/files/documents/2020/02/coastalpolices.pdf>. 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://dos.ny.gov/coastal-consistency-review>.

6. Application Evaluation, Scoring and Selection

All applications will be reviewed and scored by a review team in accordance with the evaluation and scoring criteria contained in this RFA. Applicants are strongly encouraged to read and address the Application Review and Scoring Standards in the process of developing an application. Knowledge of the scoring criteria is valuable for designing and proposing a relevant and quality project. Scoring consists of:

Step 1: Application and Project Eligibility Determination

Pass/Fail 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) **Define Project Location:** Project proposal must be located within the EJ community served by the eligible applicant community-based organization (see community demographics on page 19). Did they define their project location? (pass/fail)

- Project Type: The applicant must select a project type that best fits the type of work they will complete with their contract. Did they select a project type? (pass/fail)
- Organization Mission Statement: Project proposal must include short mission statement describing the not-for-profit corporation or community-based organization's overall goals or objectives. Did they include a mission statement? (pass/fail)
- Brief Project Description: Project Proposal must include a brief description (250 CHARACTERS or less) of the project. Did they include a brief project description? (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 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.
- Sexual Harassment Prevention Certification: State Finance Law §139-I **requires all applicants** of grant funding to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor's model policy and training standards) to all its employees.

Applications that do not contain the certification will not be considered for award; provided however, that if the applicant cannot make the certification, the applicant may provide a signed statement with their application detailing the reasons why the certification cannot be made, which will be reviewed by Department staff

Applicants are required to sign and upload the Sexual Harassment Prevention Certification form or upload a signed statement with their application detailing the reasons why the certification cannot be made into the pre-submission uploads folder.

Did the applicant upload the Sexual Harassment Prevention Certification form or a signed statement detailing the reasons why the certification cannot be made? (pass/fail)

- Executive Order 16: As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership. **Vendors responding to this solicitation are required to complete and submit the form entitled “Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia”.**

Did the applicant upload the Executive Order No. 16 Certification form to the Grants Gateway? (pass/fail)

- 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 one county outside of New York City, or an area equal to or smaller than one of the five boroughs within New York City.
 - 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 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 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.; and
 - i. be in good standing and will have submitted all required progress reports for current open grants and final narrative and financial reports for previously awarded Office of Environmental Justice grants where the term has expired.

- **Research Component:** Does the project include a NEW 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? <https://www.dec.ny.gov/regulations/36951.html> (pass/fail)

Step 2: Project Evaluation, Scoring and Selection

If your application meets all eligibility pass/fail criteria it will be further evaluated and scored by a review team in accordance with the Evaluation and Scoring Standards contained in this RFA. These include:

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):**

Provide a detailed description of the environmental harms and/or public health risks the project will address. Please explain:

- The multiple environmental harms and/or public health problems the community residents are exposed to.
- What adverse impacts these environmental harms and/or public health risks have on community residents.

DEC will review and assess how the proposed project examines or addresses the affected community's environmental and/or public health risks.

1. The project is likely to result in substantial improvements to the environmental conditions or public health of the affected community.....8 to 15 points;
2. The project will provide community members with information about environmental or public health hazards but is not likely to result in significant improvements to the environmental or health conditions.....1 to 7 points;
3. The environmental or health information and benefits that the project will provide to the 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):

Describe the required research component of the proposed project and how the proposed project and its results will:

- educate and/or raise awareness of the affected community about the multiple environmental harms and risks; and
- how that information will be communicated to the affected community.

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.

1. 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;
2. 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;
3. The project will not expand the knowledge or understanding of residents or the research and awareness component is not well described.....0 points.

d. Project Effectiveness (0 - 30 points):

Knowledge and /or Skills: Describe the knowledge, skills and/or experience that both the organization and key staff members possess to successfully implement the proposed project. Please include the following:

- The staff member(s) titles, qualifications, education level, professional certifications, experience etc.
- Include details on the applicant's track record for implementing the proposed type of project.

Does the applicant demonstrate the knowledge and skills and/or track record to successfully undertake a project of this nature?

1. Very well qualified and/or proven track record for this type of project.....8 to 15 points;
2. Qualified and /or satisfactory track record 1 to 7 points;
3. Project methods are not described in detail to determine their potential effectiveness, not well qualified and/or poor track record0 points.

Goals and Objectives: Complete the work plan section of the Grants Gateway.

Does the project have clear goals and objectives that can be achieved within the proposed project time frame?

1. 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;
2. 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;
1. 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.

e. Regional Economic Development Benefit (5 points):

Describe how the project will implement part of the Regional Economic Development Council (REDC) plan. The plans are available at the following web site <http://regionalcouncils.ny.gov> Provide a brief narrative describing the economic benefits of the proposed project and how the project aligns with the strategies of the REDC plan. If the project will not implement an REDC plan, you must answer the question with "N/A."

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

Applicant does not demonstrate how the project will implement part of a REDC Plan..... 0 Points

f. Cost Effectiveness (30 points):

Describe the cost-effectiveness of the proposed project. Include cost estimates, tangible quotes, etc., for the project. The Grants Gateway Expenditure Budget summary and detail sheets must reflect the total amount of requested grant funds as well as any additional funding (no match is required) secured and available for the project.

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, confusing, extraneous, excessive or not well aligned with the project purpose will not receive points.

1. 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;
2. 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 the applicant demonstrated that the lowest cost estimates were used for the application0 to 10 points;
3. The Cost to benefit ratio is appropriate for the complexity and size of the project.....0 to 5 points;
4. The anticipated benefits are at a scale and cost equivalent to the fair market value of the proposed budget.....0 to 5 points.

All eligible applications will be individually evaluated and scored by at least three technical review team members.

7. 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: <https://www.dec.ny.gov/about/76070.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.

8. Grant Program Payment

Advance payments of up to 30% of the awarded grant amount may be available to not-for-profit grantees once a Master Contract for Grants (MCG) has been fully approved by all applicable State agencies. Only not-for-profits are eligible to receive advance payments under State Finance Law.

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.**

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 advance payment requests, shall not at any time exceed a total of 30 percent of the grant award amount. Quarterly advance payment requests 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 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.

9. Eligible and Ineligible Expenditures

b. 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.

c. 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.
6. State and/or federal funding: project costs funded from other state and/or federal funding sources are not eligible for grant reimbursement.

State and/or federal funding: project costs funded from other state and/or federal funding sources are not eligible for grant reimbursement.

d. Match Requirement and Expenditures

Matching funds are not a requirement for this Grant Opportunity.

10. 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.

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 be approved by the DEC. A DEC on-site inspection may be required to confirm all work was completed in accordance with 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.

11. What to Expect If You Receive an Award

a. 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) or purchase order terms and conditions. Any changes to the terms and conditions will not be accepted and may affect applicant's award.

b. State of New York Master Contract for Grants (MCG)

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 should grant funding be awarded. The MCG and attachments can be reviewed and/or downloaded in the Grants Gateway HRE application under the screen named 'Contract Document Properties'. The MCG and 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)

IMPORTANT NOTE: Project related costs must be incurred within the term of the MCG to be considered eligible for reimbursement or match. Contract payments will not be approved or processed by the DEC until a MCG is fully approved by the DEC, and as applicable the Attorney General and the State Comptroller. All contracts must be approved by the contract start date of which will be determined at the time of an official award.

Applicants (referred to as "Contractor" following award of Grant Contract) Should Be Prepared to Comply with the Following MCG Requirements:

I. Insurance Requirements

Contractor 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 benefits coverage for the project.

II. 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.

III. 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.

c. 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, or log in at <https://onlineservices.osc.state.ny.us>.

d. Charities Bureau

Organizations awarded funding must be up to date with their charity filings. Most organizations that hold property of any kind for charitable purposes or engage in charitable activities in New York State and/or solicit charitable contributions (including grants from foundations and government grants) in New York are required to register with the Attorney General's Charities Bureau. If you are unsure as to whether or not your organization is required to register, please contact the Charities Bureau directly at (212) 416-8401 or charities.bureau.ag.ny.gov and staff will help you determine whether New York Law requires registration of your organization.

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/regs/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. Minority and Women Business Enterprise (MWBE) and Equal Employment Opportunity (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 (MCG) 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 (EEO) for minority group members and women and contracting opportunities for certified Minority and Women Owned Business Enterprises (MWBEs). Contractor's demonstration of Good Faith Efforts (GFEs) 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 MWBE 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 MCG - Article IV (J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review MWBE and EEO requirements.

- 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 MWBE enterprises can be obtained via the internet from the NYS Department of Economic Development at <https://ny.newnycontracts.com/FrontEnd/searchcertifieddirectory.asp>

MWBE reporting for Department of Environmental Conservation contracts must now be completed using the New York State Contract System (NYSCS). <https://ny.newnycontracts.com/>.

All contracts of \$25,000 or more will be assessed for MWBE goals. Contracts which meet the established MWBE-EEO thresholds require the Contractor to submit the Utilization Plan prior to the execution of the contract and Monthly Compliance Audits in the NYSCS after the contract is executed. To submit the required MWBE Utilization Plan, log-in to NYSCS and access the Utilization Plans section displayed on the user dashboard. Plans requiring action will be displayed in red.

All contractors shall complete an Equal Employment Opportunity (EEO) Policy Statement and Staffing Plan form and submit it prior to the execution of the contract. These EEO forms are to be uploaded to the Grants Gateway in the grantee document folder.

For more information regarding MWBE compliance and reporting guidelines, and to download required forms, please visit <https://www.dec.ny.gov/about/61016.html#MWBE>.

- The following MWBE "Fair Share" goals are established as follows:
 - **Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:**

- Construction/Engineering – 0%
 - Commodities – 0%

Services/Technologies –0%

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

g. Service-Disabled Veteran-Owned Business (SDVOB) Participation Requirements

The Department is required to implement the provisions of New York State Veteran's Law Article 3. The contractor must make Good Faith Efforts to subcontract a goal of 0% of the contract amount to New York State Certified Service-Disabled Veteran-Owned Businesses (SDVOBs), for purposes of providing meaningful participation by SDVOBs.

The contractor is required to complete and submit a SDVOB Utilization Plan detailing how the contractor intends to meet the SDVOB goal. In addition, the contractor must complete and submit quarterly compliance reports detailing the amount spent on SDVOBs in the previous quarter. Please upload all required forms to the Grants Gateway. In addition, all forms and guidance can be located at; [Division of Service-Disabled Veterans' Business Development Compliance and Reporting | Office of General Services \(ny.gov\)](#). Please contact the Department's SDVOB compliance staff with any questions at:

DEC SDVOB Compliance Unit
NYS Department of Environmental Conservation
Bureau of Contract and Grant Development/SDVOB Program
625 Broadway, 10th Floor
Albany, New York 12233-5028
SDVOB@dec.ny.gov
Phone: (518) 402-9240

h. 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>.

i. Signage

For infrastructure projects, the contractor shall install signage on-site that identifies the site as a clean vehicle charging/refueling facility; promotes public use of the facility; and acknowledges rebate funding from the Department of Environmental Conservation through Title 15 of the New York State Environmental Protection Fund. Signage developed for use at a rebate-funded facility shall be subject to review and approval by the Department prior to installation.

j. Diesel Emissions Reduction Act 2006

In 2007, New York State passed legislation establishing the Diesel Emissions Reduction Act 2006 (DERA). This Act amended the Environmental Conservation Law (ECL) by adding Section 19-0323 which requires the use of best available retrofit technology (BART) and ultra-low sulfur diesel fuel (ULSD) for heavy duty vehicles owned or operated by, including on behalf of, state agencies and state or regional public authorities. The Department has promulgated regulations (6 NYCRR Part 248) to provide guidance on provisions of the law. The regulations may be found on the Department's website at <http://www.dec.ny.gov/regs/2492.html>.

If applicable, the contractor must comply with the specifications and provisions of ECL Section 19-0323 and 6 NYCRR Part 248, which require the use of BART and ULSD, unless specifically waived by the Department. Qualifications for a waiver under this law are the responsibility of the Contractor.

k. 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.

l. 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.

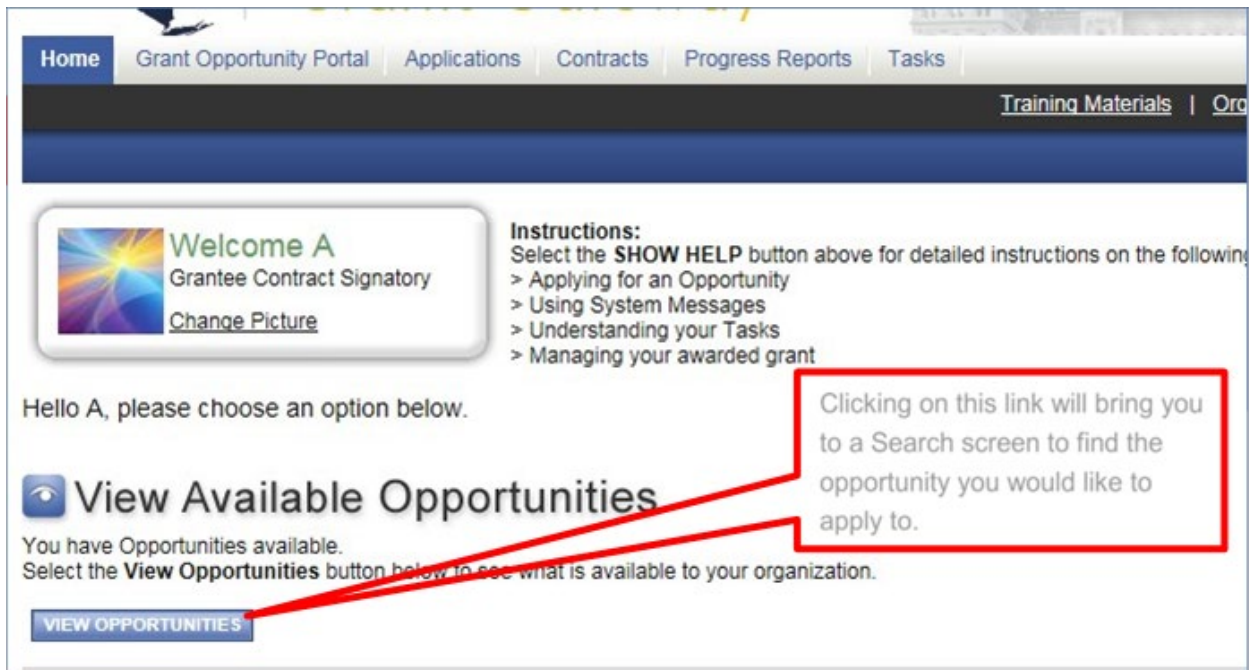
Appendix A – Completing the Application in the Grants Gateway

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.



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.

Signature of Authorized Official of Not-for-Profit Corporation Date

Title of Signer within Not-for-Profit Corporation

Appendix C: Application Checklist

Environmental Justice Community Impact Grant Application Checklist

Use this checklist as a tool to ensure applicant eligibility, project eligibility, and proper application completion.

The Checklist should **NOT** be uploaded back into the Grants Gateway. Incomplete or ineligible applications will not be evaluated for funding.

- PASS/FAIL CRITERIA

1. *NOT-FOR-PROFIT ORGANIZATIONS ONLY*: Applicant is prequalified in the Grants Gateway by the application due date, and up-to-date with a charities registration number and required filings (see page 7).
2. If a fiscal sponsor submitted the application on behalf of an eligible community-based organization, the fiscal 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 (see page 5).
3. Applicant is an eligible community-based organization meeting **all** the following criteria (see pages 4-6):
 - a. Serves the residents of an area equal to or smaller than one county, one town, city or New York City borough. Organizations serving areas larger than indicated such as regional or national organizations are not eligible for this grant; and
 - b. Has a total annual revenue that does not exceed \$3,000,000, 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 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 for organizations that do not have members, have 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 page 33 of this RFA. The declaration must be signed and uploaded in the Grants Gateway.)
 - i. The organization is in good standing and will have submitted all required progress reports for current open grants and final narrative and financial

reports for previously awarded Office of Environmental Justice grants where the term has expired.

4. 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>). (see page 16).
5. Provided a photograph(s) of the proposed project site to supplement your project application.
6. Does the project include a NEW research component that will expand the community residents' knowledge or understanding of the affected community about the multiple harms and risks?
7. The applicant has selected a project type from the list provided.
8. The applicant has written a brief project description.
9. The applicant has written a mission statement for their organization.
10. Application is complete and uploads are in the Grants Gateway (make sure to check errors).

GRANTS GATEWAY FORMS (Program Information, Expenditure-Based budget, and Work Plan)

1. **Program Information:** Project site information is provided, ALL program-specific questions are answered, and applicable/required documents are uploaded for each question. (Mandatory)

Mandatory uploads:

- a. Program Question 3: Applicants must upload a map or other authoritative documentation (report or documentation issued by a local, state, or federal government agency) to supplement this answer. The map must clearly identify the location where residents will be served (see pages 15-17).
- b. Program Question 5: Applicants must provide a photograph(s) of the proposed project site to supplement their project application.
- c. Program Question 13: Applicants must upload a signed declaration that the community-based organization has not contributed to the harms or risks relating to the proposed project. (found in Pre-submission Uploads section in the Grants Gateway)
- d. Program Question 18: Applicants must upload an anticipated timeline to support completion of the proposed project work plan. (see page 14).
- e. Program Question 23: Applicants must upload Sexual Harassment Prevention Certification: Did you sign and upload the Sexual Harassment Prevention Certification form or upload a signed statement with your application detailing the reasons why the certification cannot be made into the pre-submission uploads folder? (see pages 17-18).
- f. Program Question 27: Applicants must upload Executive Order No. 16 Certification form to the Grants Gateway

Optional uploads, as applicable:

- a. Program Question 2: Fiscal sponsor agreement if applicable (see page 5).
- b. Program Question 6: Proofs of land ownership, if applicable. (see pages 15).
- c. Program Question 17: Letters of support are optional but encouraged (see page 15).

- d. Program Question 19: Support for applicant skills and experience (see page 5).
- e. Program Question 20: Support for project cost effectiveness (see page 26).
- Program Question 29: Documentation to support REDC alignment (see page 20).

Complete the following if applicable to your project:

- g. Smart Growth Assessment Form has been completed and uploaded into the Grants Gateway, if applicable to your project. Form can be found in Pre-submission Uploads section in the Grants Gateway. (see page 15)
- h. Historic Preservation Review Requirements complete, if applicable to your project. (see page 20-21)
- i. Coastal Consistency Requirements complete, if applicable to your project. (see page 21)

Mandatory Expenditure-Based Budget and Work Plan

- 2. The expenditure-based budget is completed, including justifications for all budget items (see page 14 and pages 26-27).
- 3. The **Work Plan Overview Form** and **Work Plan Properties** have been completed and you have provided clear and concise:
 - a. objectives,
 - b. tasks, and
 - c. performance measures

Work Plan Overview Form: this form includes three sections:

- 1. Work Plan Period
- 2. Project Summary: Write a detailed summary of your proposed project. It is suggested that you create your work plan in a Word (or similar) document, and copy/paste that into the Project Summary field. The Grants Gateway will retain any bullets or numbering you would have added.
- 3. Organizational Capacity: Write a detailed summary that explains how your organization has the relevant experience and background to accomplish the goals of your proposal.

IMPORTANT: Please note that once you have completed the Work Plan Overview Form sections you will be required to fill out **Work Plan Properties**.

This section allows you to enter the **Objectives, Tasks, and Performance Measures** that make up your work plan. Think of the Objectives as the main goals, the Tasks as the individual milestones, and the Performance Measures as the deliverable or the way to measure if the goal was achieved.

Appendix D: Expenditure Based Budget

For an introduction on how to fill out an expenditure-based budget including how to complete salary calculations please go to:

<https://www.youtube.com/watch?v=0b1btPFdHMU>