Frequently Asked Questions

WHO MAY APPLY?

Municipalities, State agencies, public benefit corporations, public authorities and not-for-profit (NFP) corporations with an ownership interest in the property may apply. Such an interest may be outright ownership (fee simple) or a lesser interest, such as development rights, an easement, or a long-term lease of duration equal to the period of New York State Office of Parks, Recreation and Historic Preservation's (OPRHP) oversight of the project. All parties with an ownership interest in the property will be required to sign the project agreement. All lien holders must subordinate their interests to those of the State, and may be required to sign the project agreement. NFP corporations are subject to New York State's Not-For-Profit Corporation Law. In order to apply under this program, a NFP corporation must have tax-exempt status under the IRS code, be current with pertinent federal and state filings, and have pre-qualified in the Grants Gateway (see http://www.grantsreform.ny.gov/Grantees).

HOW ARE GRANTS SELECTED FOR AWARD?

Each application will be reviewed for eligibility and, if determined eligible, will be rated according to the Grant Selection Criteria. Within each region, applications are ranked according to project category, competing only against others in their region and category.

WHAT ARE THIS YEAR'S FUNDING PRIORITIES?

Commissioner Harvey has identified the following priorities for funding:

Green improvements – that restore, improve and maintain park lands, historic properties and heritage area resources and infrastructure, and in doing so promote sustainability, increase energy conservation and/or efficiency, install renewable energy sources, and decrease long term maintenance and management costs.

Climate Protection - incorporating cost-effective, park-compatible principles that protect park lands, infrastructure, historic properties or heritage-area resources from climate change or storm-related impacts creating a more resilient and sustainable function. Preference may be given to concepts that utilize natural or soft buffering and protections over hardened solutions.

Enhanced access, connections, resources – that enhance the public's access to parks and their environmental and recreational resources (including landscape and trail improvements to facilitate connections and special features or signage to improve programming and interpretation), create physical and functional connections among, or provide or enhance public access to, already-protected state and local lands, historic sites, greenways, trails and waterways to bring visitors back.

Partners to State Parks – projects undertaken by partner groups in State Parks and Historic Sites. Letter(s) from the Regional Director and Capital Facilities Manager must be submitted with the application.

WHAT IS MY FIRST STEP?

All Environmental Protection Fund (EPF) applicants must use the Regional Economic Development Councils online application process, the Consolidated Funding Application (CFA). The CFA is available through our website http://www.nysparks.com/grants and the Governor's Regional Economic Development Councils website http://regionalcouncils.ny.gov

The deadline for applications is **July 31, 2015**. Technical assistance is available through the Regional Economic Development Councils and through the OPRHP Regional Grant Administrators (RGA). Please go to our website for more information on the CFA and how to contact our regional grant administrators.

IS THERE A MAXIMUM GRANT OR A LIMIT ON THE NUMBER OF GRANTS?

There is no statutory limit on the number of grants one property or one applicant may receive, but in the interest of equity and fairness and in consideration of applicant capacity, applicants that have three or more open grants with OPRHP should not receive additional awards. The Commissioner has established a cap of $500,000 for 2015-2016 awards.

ARE THESE MATCHING GRANTS?

Yes. Assistance toward the cost of projects shall not exceed 50% of the approved project cost. Applicants whose projects are located in impoverished areas (as defined by 10 percent or more of the population below the poverty level according to the most recent census data), can apply for up to 75% of the cost of the project. To view state poverty data, go to http://nysparks.com/grants/consolidated-funding-app.aspx. After the grant award is made, the funding amount will not be adjusted upward.

WHAT TYPES OF APPLICANT SHARE ARE ELIGIBLE?

The applicant's share (also referred to as *matching share* or, simply, *match)* includes all funds (including State and Federal funds), other than the grant amount, related to the project and fully documented. The applicant's share may include cash and/or the value of force account labor, real property, professional services, volunteer labor, equipment, supplies and materials.

WHEN MUST MY SHARE BE AVAILABLE?

Successful applicants are expected to raise their full share within one year of the grant award. Professional services and materials purchased or donated (and warehoused, not installed) up to three years prior to the application deadline may be applied toward the

matching share, as may acquisition costs retroactive up to one year prior to the application deadline.

ARE THERE AFFIRMATIVE ACTION REQUIREMENTS?

Yes. Our agency is committed to programs of Affirmative Action. Your RGA will assist you in undertaking Affirmative Action initiatives as you plan your project. A list of the RGAs can be found at http://nysparks.com/grants/contact.aspx. Article 15A of the Executive Law pertains to Minority and Women-owned Business Enterprises (MWBE)/Equal Employment Opportunity (EEO). Grant recipients will be required to solicit MWBEs before commencing work and to document their efforts involving MWBEs during the project term.

ARE THERE ENVIRONMENTAL REVIEW REQUIREMENTS?

Yes. Before any action to award grants, the requirements of the State Environmental Quality Review Act (SEQR) must be met. Specific requirements for SEQR, including the designation of lead agency and classification of actions, can be found in the CFA Guidance Document at http://www.nysparks.com/grants/consolidated-funding-app.aspx.

ARE THERE HISTORIC PRESERVATION REQUIREMENTS?

For projects that involve properties listed on or eligible for the State and/or National Register, all work undertaken as part of a grant-assisted project must conform to the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

WHEN ARE THE GRANT MONIES AVAILABLE?

This grant program is administered on a reimbursement basis. Successful applicants will be expected to fund project expenditures upfront, and then submit for reimbursement. Once the project agreement is formally approved and conditions met, grant recipients must document project expenditures in order to receive reimbursement (i.e., document 100% of eligible costs to receive up to 50% reimbursement or up to 75% reimbursement for selected high-poverty grants). Grant recipients must plan their financial arrangements accordingly.

ARE THERE FISCAL REQUIREMENTS?

Project costs will be eligible for reimbursement only if grant work meets State standards and the expenditures are made in compliance with State requirements. Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money in the best interests of the taxpayers of the State of New York, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against nepotism, favoritism, improvidence, extravagance, fraud and corruption. Such procedures may include, but are not limited to, competitive bidding, the solicitation of three price quotes, written requests for proposals, etc.

Expenditures that do not meet these standards (including retroactive services and purchases) should not be included in the grant budget.

WHEN CAN I START WORK?

Work completed prior to award is not generally eligible for reimbursement or for match (retroactivity exceptions are noted above). Successful applicants are advised NOT to begin work until a project agreement (including a budget, scope of work and performance timeline) has been formalized between OPRHP and the grant recipient and OPRHP has issued all necessary approvals. Conditions of award will include environmental and historic preservation review, OPRHP acceptance/approval of plans and specifications and bidding documents, competitive bidding, solicitation of MWBEs, etc. Proceeding without advance OPRHP approval could jeopardize grant reimbursement.

WHEN MUST WORK BE ACCOMPLISHED?

All projects must be completed within five years from date of award. OPRHP will monitor the progress of project work and will recapture awarded funds if significant progress is not made.

DO THESE GRANTS COME WITH PROVISIONS FOR LONG TERM PROTECTION?

Yes. All successful applicants will be required to enter into formal project agreements. Other legal documents that will ensure the long term protection of the property and restrict changes in the use of the property may also be required. Any work involving a historic resource will require that a preservation covenant be conveyed to OPRHP. Any not-for-profit corporation undertaking a park development project will be required to convey a public access covenant to OPRHP. Any not-for-profit acquiring real property for recreation or conservation purposes must grant the State a permanent conservation easement to the property. Parkland acquired or improved by a municipality must remain parkland in perpetuity. Information is available in the "Handbook on the Alienation and Conversion of Municipal Parkland," available at http://www.nysparks.com/publications/.

WHAT OTHER REQUIREMENTS MUST BE MET?

All projects will need to comply with the Uniform Fire Prevention and Building Code, the Americans with Disabilities Act, the State Labor Law, Workers' Compensation Law and State Historic Preservation Law. Please contact your RGA for information on how these and other applicable statutes may impact your project.

ARE THE REQUIREMENTS THE SAME AS PRIOR YEARS'?

Yes; the complete text of OPRHP's EPF regulations can be found at http://www.nysparks.com/grants/, Forms and Resources.