



Department of
Environmental
Conservation

REQUEST FOR APPLICATIONS

New York State Department of Environmental Conservation

2023 Climate Smart Communities Grant Program
Environmental Protection Fund

AS AMENDED: Attachment C updated May 23, 2023

Apply through the Consolidated Funding Application
<https://apps.cio.ny.gov/apps/cfa/index.cfm>

Application Due Date: 4:00 p.m. ET, July 28, 2023

Climate Smart Communities Grant Program

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Program Description

The Climate Smart Communities (CSC) grant program provides funding for municipalities to address greenhouse gas (GHG) mitigation and climate change adaptation at the local level. A total of \$8 million is available through this request for applications (RFA).

Projects are divided into two categories:

- I. Implementation - There are two subcategories of implementation projects:
 - A. GHG Mitigation (mainly in the non-power sector, e.g., from transportation and food waste).
 - B. Climate Adaptation (reducing risks to residents, infrastructure, and/or natural resources from changing climate hazards).
- II. Certification - Projects in this category include inventories, assessments, and planning projects that build local capacity to respond to climate change and move municipalities toward designation as certified Climate Smart Communities.

Per New York State (NYS) Environmental Conservation Law § 54-1511(3), a local match equal to 50 percent of total eligible project costs is required. For example, a project with an eligible total cost of \$100,000 is eligible for a \$50,000 grant and the grantee must provide a \$50,000 local match.

CSC grants are reimbursement-based. See Reimbursements and Reporting section on page 34 of this RFA for additional details.

Question and Answer Period

For grant-specific questions contact Myra Fedyniak at the NYS Department of Environmental Conservation (DEC), Office of Climate Change (OCC), 625 Broadway, Albany, NY 12233-1030, 518-402-8448 or cscgrants@dec.ny.gov. Also see <https://www.dec.ny.gov/energy/109181.html#CSC> for additional information on OCC grant programs.

The question-and-answer period will run from the Consolidated Funding Application (CFA) opening date to the middle of the CFA cycle. Questions and answers will be posted to <https://www.dec.ny.gov/energy/109181.html#CSC> following the end of the question-and-answer period.

For general information and questions about the CSC Certification program, visit <https://climatesmart.ny.gov>, email climatesmart@dec.ny.gov, or call the DEC OCC at 518-402-8448.

Eligibility

Eligible Applicants

All municipalities in the State of New York are eligible to apply for funding in response to this request for applications (RFA). For the purposes of this RFA and pursuant to 6 NYCRR § 492-1.1(j), a municipality is defined as a county, city, town, village, or borough (referring only to Manhattan, Bronx, Queens, Brooklyn, and Staten Island) residing within New York State.

Political subdivisions such as municipal corporations, school districts, district corporations, boards of cooperative educational services, fire districts, public benefit corporations, industrial development authorities, and similar organizations are not eligible to apply in response to this RFA.

Applicants do not need to be a certified or registered CSC or be working toward CSC certification to apply in response to this RFA.

Applicants must submit a resolution, adopted by the municipal legislative body, authorizing the application and specifying the match amount and the source of the local match. Applications submitted without such a resolution will be deemed ineligible.

Two or more municipalities, or one municipality and a quasi-governmental entity or non-profit organization, may collaborate on a project; however, the applicant must be a municipality. See the Partnerships section on page 16 of this RFA for more details.

Applicants may submit several applications, but no more than one application may be submitted for the same project or project location.

Eligible Timeline

The start date for all contracts awarded through this RFA will be March 15, 2024, and the contract end date, March 14, 2029. Project costs must be incurred between the contract start and end dates to be considered eligible for reimbursement or match. Applicants should not submit applications in response to this RFA if they do not anticipate they can complete the proposed project(s) within five years of the contract start date. The contracting process will not begin until the awards have been announced, the procurement package has been approved by the NYS Comptroller and Attorney General, as applicable, and the contracts have been created in the Grants Gateway.

Eligible Project Types and Funding Levels

Environmental Conservation Law (ECL) Section 54-1507 provides that adaption and mitigation “[p]rojects must demonstrate an ability to identify, mitigate and/or adapt to climate change vulnerability and risk or demonstrate potential to reduce greenhouse gas emissions.” Projects that do not meet this requirement are not eligible for grant funding under this program.

The CSC grant program includes two different project categories: implementation and certification. The implementation category is divided into two subcategories: GHG mitigation and adaptation. Each category and the related project types are detailed below.

Disadvantaged Communities

The Climate Leadership and Community Protection Act (Climate Act) charged the Climate Justice Working Group (CJWG) with the development of criteria to identify Disadvantaged Communities to ensure that frontline and otherwise underserved communities benefit from the state’s historic transition to cleaner sources of energy, reduced pollution and cleaner air, and economic opportunities.

The CJWG developed criteria to identify census tracts that qualify as Disadvantaged Communities by evaluating 45 indicators, including environmental exposures, burdens, climate change risks, and socioeconomic factors. Please see <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria> for more information.

DEC is committed to meeting or exceeding the requirements of the Climate Act with respect to Disadvantaged Communities. This includes the Climate Act's requirement in Environmental Conservation Law § 75-0117 that Disadvantaged Communities receive at least thirty-five percent (35%) of the benefits of spending on clean energy and energy efficiency programs, with a goal of forty percent (40%). Given this important objective of the Climate Act, implementation projects occurring in Disadvantaged Communities and certification projects occurring in municipalities with Disadvantaged Communities will receive additional points in the scoring criteria. See the Application Review and Scoring section on page 18 for details. See Attachment D for instructions on using the DECinfo Locator to locate census tracts identified as Disadvantaged Communities within a municipality.

Implementation Category

Eligible implementation projects must be GHG mitigation or climate change adaptation projects, as described below, and be located within the State of New York. The expected useful life of an implementation project is a minimum of 10 years, pursuant 6 NYCRR § 492-3.3(e).

- Total available - up to \$7 million
- Minimum grant award - \$50,000
- Maximum grant award - \$2,000,000

Design and engineering expenses are limited to a maximum of fifteen percent (15%) of the grant request. For projects with outreach or educational components, curriculum or program development expenses are limited to fifteen percent (15%) of the grant request.

No more than fifty percent (50%) of the total available funds for implementation projects will be awarded to municipalities with populations greater than 100,000 or to any single municipality.

If funding in the implementation category remains after all awards in the implementation category are made based on eligibility, program requirements and goals, and passing score, DEC reserves the right to apply the remaining funding to eligible proposals in the certification category.

GHG Mitigation Projects

Eligible projects in the mitigation category must reduce GHG emissions. Projects shall be one of the following types to be eligible:

1. **Reduction of Vehicle Miles Traveled (VMT).** These projects include, but are not limited to, the following:
 - Construction of on-road or off-road facilities for non-motorized forms of transportation that facilitate commuting or access to daily needs. Recreational trails are not eligible.
 - Implementation of transit improvements that have the potential to substantially increase ridership, improve access to daily needs, and/or increase commuting by mass transit.
 - Implementation of projects or programs, such as zoning buildout analysis or zoning code updates, to support densification or implementation of smart-growth strategies that reduce the distance commuted in passenger vehicles.
2. **Reduction of Organic Waste.** These projects include, but are not limited to, the following:

- Implementation, expansion, or piloting of education and outreach programs to prevent wasted food and reduce the volume of surplus food in the community, i.e., source reduction at the consumer level, thereby increasing the diversion of food waste from landfills.
- Increasing edible food donated to the needy, e.g., establishment or expansion of food-donation programs, purchase and installation of storage equipment for food, purchase and use of edible-food collection vehicles, and infrastructure for the storage and management of edible food.
- Implementation, expansion, or piloting of a food-waste pick-up service for residents, businesses, institutions, or municipal facilities to be repurposed as animal feed or composted at an organics recycling facility.
- Construction of new (or the expansion of existing) facilities to process food scraps via anaerobic digesters, e.g., at wastewater treatment facilities or composting facilities.

3. Refrigerant Management

Refrigeration and cooling systems contain GHGs that are many times more potent than carbon dioxide at trapping heat in the atmosphere. Leakage of refrigerants is a regular occurrence from heating, ventilation, and air conditioning (HVAC) equipment, refrigerators, ice rinks, chillers, window air conditioners, and dehumidifiers. Municipalities can reduce or eliminate the harm caused by refrigerants by converting to zero or low global warming potential (GWP) alternatives, instituting leak management systems and repair plans, or providing for the proper disposal of appliances in the community. See the refrigerant fact sheet at <https://www.dec.ny.gov/energy/109181.html> for general information regarding municipalities and refrigerant management. For information on how these emissions are regulated at the State and federal levels please see 6 NYCRR Part 494¹ and the American Innovation and Manufacturing (AIM) Act of 2020.² See <https://ogs.ny.gov/green/y/refrigerant-containing-equipment> and https://ogs.ny.gov/system/files/documents/2020/12/case-study-refrigerant_1.pdf for information and best practices regarding procurement of refrigerant containing products and equipment. Note that although GWP100 is referenced in the RFA, NYS adopted a 20-year GWP accounting methodology pursuant to the Climate Act.

Refrigerant management projects include, but are not limited to, the following:

- Replacement or retrofit of refrigeration equipment, chillers, or air-conditioning equipment with alternative refrigerants that have a GWP of 700 or lower.³ Natural refrigerants, such as carbon dioxide, propane, and ammonia have the lowest GWP. Natural refrigerants must be utilized for ice rink projects. Applicants should contact potential vendors to determine the available options for low-GWP alternatives in different types of products and equipment and examine the technical documentation for the associated products and equipment. Lists of acceptable refrigerants and their GWP can be found online: <https://www.epa.gov/snap/substitutes-refrigeration-and-air-conditioning>
- Establishment of community disposal programs to recover and recycle refrigerants,

¹[https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=I5bce71c0daa411ebb975c37ce99fbefc&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=I5bce71c0daa411ebb975c37ce99fbefc&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

² <https://www.epa.gov/climate-hfcs-reduction/aim-act>

³ Based on a 100-year GWP accounting methodology. Note that although GWP100 is referenced in the RFA, NYS adopted a 20-year GWP accounting methodology pursuant to the Climate Act.

including those from automobiles, or to properly dispose of equipment containing refrigerants. (See <https://www.epa.gov/rad> as one example.)

- Adoption of codes to enable and encourage the use of alternative refrigerants or requirements for proper monitoring, repair, and disposal of refrigerants.
 - Implementation of education and outreach programs for residents and local businesses regarding the reduction of GHG emissions from refrigerants.
4. **Renewable Energy in Low-income Housing.** These projects must establish and implement easily replicable renewable energy projects, including solar arrays, heat pumps, and wind turbines in public low-income housing. Projects requesting funding for heat pumps must purchase products or equipment using refrigerants with a GWP of 700 or lower.⁴⁵ See #3 Refrigerant Management in the mitigation category on page 4. Natural refrigerants, such as carbon dioxide, propane, and ammonia, have the lowest GWP. Lists of acceptable refrigerants and their GWP can be found online at <https://www.epa.gov/snap/substitutes-refrigeration-and-air-conditioning> on the United States Environmental Protection Agency website. Applicants should contact potential vendors to determine the available options for low-GWP alternatives in different types of products and equipment and examine the technical documentation for the associated products and equipment.

Climate Adaptation Projects

Eligible adaptation project types include projects designed to provide a meaningful reduction of risk to residents, infrastructure, and/or natural resources from hazards projected to become more severe or frequent as a result of climate change. Such projects include, but are not limited to, the following:

1. Increasing or preserving natural resilience, such as construction of living shorelines and other nature-based landscape features to decrease vulnerability to the effects of climate change and to improve or facilitate conservation, management, and/or restoration of natural floodplain areas and/or wetland systems. Such projects may include mapping of wetlands, as long as the cost of the wetland mapping does not exceed fifteen percent (15%) of the grant request.
2. Flood-risk reduction, including but not limited to, strategic relocation or retrofit of climate-vulnerable critical municipal facilities or infrastructure to reduce future climate change-induced risks to those facilities.
3. Replacing or right-sizing flow barriers, including but not limited to, right-sizing bridges or culverts, or improving flow barriers to facilitate emergency response or protection of population centers, critical facilities, infrastructure, and/or natural resources, based on assessment of projected future conditions. Such projects should include information on upstream occurrences that may be contributing to the problem, potential downstream impacts of the proposed project, and overall watershed assessment of the waterbody. Impacts must be due to climate change and not the result of deferred maintenance.
4. Extreme-heat preparation, including but not limited to, establishment of cooling centers, construction of permanent shade structures, and implementation of other cooling features or programs. Cooling center projects requesting funding to purchase new products or equipment

⁴ Based on a 100-year GWP accounting methodology. Note that although GWP100 is referenced in the RFA, NYS adopted a 20-year GWP accounting methodology pursuant to the Climate Act.

must purchase products or equipment using refrigerants with a GWP of 700 or lower.⁶ See #3 Refrigerant Management in the mitigation category on page 4 for additional information. Generators associated with a cooling center must be powered by means other than fossil fuels to qualify for grant funding or match.

5. Emergency preparedness, including but not limited to, establishment of emergency warning systems or implementation of emergency preparedness and/or response programs (excluding radio communications). Applications requesting funding for a generator must meet the following requirements 1) the generator installation must be a component of a larger adaptation project, and 2) the generator must be powered by means other than fossil fuels. If a hydrogen fuel cell powered generator is selected, it must be powered by hydrogen produced through electrolysis, either created onsite or delivered.

Applications for all flood risk reduction, natural resilience, and right-sizing flow barrier projects must include projected increases in flood volume or precipitation due to climate change in the calculations performed for project sizing and design. At minimum, the calculations must include the guideline elevations specified in the NYS Flood Risk Management Guidance (https://www.dec.ny.gov/docs/administration_pdf/crrafloodriskmgmtgdnc.pdf). However, it is preferable to use detailed local data in cases where it is available. See Estimating Guideline Elevations (https://www.dec.ny.gov/docs/administration_pdf/crraestelevguidelines.pdf) for instructions on calculating these elevations.

Certification Category

Certification projects focus on assessments, inventories, and planning activities that are part of becoming a certified Climate Smart Community. These actions also provide a basis for future grant applications in the implementation category. Only the 20 certification actions listed below are eligible for grant funding.

- Total available - up to \$1,000,000.
- Minimum grant award - \$10,000.
- Maximum grant award - \$200,000.

No more than fifty percent (50%) of the total available funds for certification will be awarded to municipalities with populations greater than 100,000 or to any single municipality.

If funding in the certification category remains after all awards in the certification category are made based on eligibility, program requirements and goals, and passing scores, DEC reserves the right to apply the remaining funding to eligible proposals in the implementation category.

Certification Actions Eligible for Funding

Eligible applications must include completion of at least one of the following 20 CSC certification actions:

- PE2 Action: Government Operations GHG Inventory
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/6>
- PE2 Action: Community GHG Inventory

⁶ Based on a 100-year GWP accounting methodology. Note that although GWP100 is referenced in the RFA, NYS adopted a 20-year GWP accounting methodology pursuant to the Climate Act.

- <https://climatesmart.ny.gov/actions-certification/actions/#open/action/7>
- PE2 Action: Government Operations Climate Action Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/10>
- PE2 Action: Community Climate Action Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/11>
- PE3 Action: Fleet Inventory
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/147>
- PE3 Action: Fleet Efficiency Policy
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/21>
- PE5 Action: Refrigerant Management Program
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/165>
- PE5 Action: Organics Management Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/158>
- PE5 Action: Construction and Demolition Waste Policy
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/57>
- PE6 Action: Comprehensive Plan with Sustainability Elements
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/66>
- PE6 Action: Complete Streets Policy
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/74>
- PE6 Action: Planning for Biking and Walking
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/164>
- PE6 Action: Natural Resources Inventory
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/82>
- PE7 Action: Climate Vulnerability Assessment
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/85>
- PE7 Action: Evaluate Policies for Climate Resilience
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/87>
- PE7 Action: Climate Adaptation Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/88>
- PE7 Action: Heat Emergency Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/91>
- PE7 Action: Design Flood Elevation and Flood Maps
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/104>
- PE7 Action: Freeboard Policies
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/103>
- PE7 Action: National Flood Insurance Program Community Rating System
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/99>

Work plans submitted as part of an application for a project under the certification category must include completion of the minimum requirements for the selected certification action(s) as described in the CSC certification portal website <https://climatesmart.ny.gov/actions-certification/actions/>. These action descriptions are available via the links above, under subheadings “E. How to Obtain Points for this Action” and “F. What to Submit.”

Fees related to accessing tools for climate change adaptation and GHG mitigation for the duration of the project are reimbursable if directly related to the proposed project, e.g., ICLEI ClearPath, the Temperate tool, GHG software. Approval of these expenses will be made by DEC during application review.

Eligible Expenses for Reimbursement

The following expenses are eligible for reimbursement:

- **Personnel Services:** Salaries of staff, including fringe, directly devoted to project implementation. Grantees will be required to document dates and hours worked and tasks completed via time records.
- **Contractual Services:** Tasks completed by professional and technical consultants or contractors, e.g., engineering, planning, construction, and legal services, directly related to the project.
- **Equipment:** Purchase or rental of equipment, e.g., backhoe, directly required to implement the project.
- **Travel:** Project related travel costs. Mileage will be reimbursed at the current federal rate and lodging at current state per diem rates for the location. Note that consultants should include travel in the overall cost proposal and not bill the grantee separately.
- **Supplies and Materials:** Supplies and materials are defined as consumable products needed to directly implement the project, e.g., printing, copying, paving material, crushed stone.
- **Real Property:** The cost of fee simple land acquisition and associated legal fees, filing fees, closing costs, and transactional costs, provided they result in the final acquisition of land. Transactional costs can be submitted for reimbursement as incurred throughout the contract term, but grantees may be required to return payments to the State should the land transaction not successfully close. Transactional costs are limited to property surveys, appraisals, certified appraisal review, map and GIS/remote sensing data, phase I environmental assessment, title reports and title insurance, prorated property taxes, and state or local real estate transfer taxes, that are directly related to the project and necessary to facilitate a climate adaptation or mitigation implementation project. See the Land Acquisition Toolkit at <https://www.dec.ny.gov/energy/109181.html> for additional information, requirements, and documentation that must be provided for land acquisition. Specific documents, language, and requirements will vary depending on project type and various State and program requirements.
 - Applicants are strongly encouraged to investigate the steps involved in the land acquisition process and any State and local approvals that may be required; as well as initiate conversations with landowners before starting an application.
 - Real property (land) for which grants funds are requested but acquired prior to an executed contract are not eligible. However, the land value of parcels acquired prior to an executed contracts may be eligible as match; see the Match section of this RFA on page 11.
 - Real property that is currently protected by a State or federal easement program is not eligible for grant funding.
 - Phase I environmental site assessment reports are required for all properties acquired in fee simple and must be completed by a qualified consultant. If a phase II environmental assessment is recommended, the awardee must contact DEC to propose and request approval on appropriate next steps if reimbursement will be requested. If the land is determined to be contaminated in either a phase I or phase II report, then DEC must be contacted to determine whether the parcel is eligible for the program and reimbursement. If conditions are considered unacceptable, DEC will notify awardee within 120 days of receipt of the environmental report.

- The grantee must hold title to any land acquired in fee simple through this grant.
- Title insurance is required for all properties.
- Appraisals, surveys, title report and insurance, phase I environmental assessments, and deeds must be reviewed and approved or disapproved by DEC for all projects. No reimbursement will be made until the final approval is given by the DEC. DEC will have a minimum of 120 days from the date all documents are received to review and approve, or disapprove, the acquisition of parcel(s).
- Appraisals are required for all properties prior to reimbursement. Appraisals must be completed by a State general certified appraiser following the Uniform Standards of Professional Appraisal Practice (USPAP) and submitted as non-restricted narrative appraisal reports.
 - DEC may reimburse for purchase of land above appraised value, if, in DEC's opinion, a parcel has exceptional value for its protected purpose that cannot be factored into a determination of fair market value. However, grant amounts cannot be adjusted after award. DEC may reimburse at a price above the highest approved independent appraisal provided: (1) the price was the result of documented negotiations between Grantee and the seller, and (2) the Grantee demonstrates the unique protected purpose and value and how it accomplishes the objective of this program.
- Boundary surveys are required for all properties. Surveys must be completed by a professional land surveyor.
- All land acquired under this grant must be protected for climate change mitigation or adaptation purposes, subject to alienation restrictions under ECL Section 54-1525. At the time of application, the applicant must submit the following documentation:
 - Map identifying the property, including adjacent roads and section-block-lot number.
 - Narrative description of property.
 - Legal description of property.
 - Narrative description of any public access rights, forestry management, wetland management, flood infrastructure (natural [e.g., dune] and engineered) maintenance, or other climate mitigation or adaptation management or maintenance protocol to occur on the property.
 - Public access and passive recreational trails will be reviewed by DEC on a case-by-case basis. The applicant must provide at the earliest practicable date, a thorough description and maps showing public access points, proposed activities, proximity to the protected area, and justification for public access to assist DEC in making the determination of whether public access will have an impact on the protected purpose.
 - Documentation that federal, State, and local taxes and fees are up to date and paid in full.
 - Additional information or documentation as determined by DEC on a case-by-case basis.
 - Provisional purchase agreement, if available,
 - OR, if the property owner is another municipality, a certified resolution by the municipal property owner in support of the project indicating agreement to convey the real property to the applicant,
 - OR, if the property owner is not a municipality, a notarized written statement

from the property owner in support of the project indicating an agreement to convey the real property to the applicant.

- The budget detail must estimate the value of the land being acquired for each parcel(s), transactional costs for each parcel(s), staff salaries devoted to or connected to the project or program, restoration costs, contractual costs, and travel cost. Applications that do not clearly detail costs associated with a land acquisition project or detail costs that do not provide a good value as it applies to achieving climate change adaptation and mitigation will not be eligible.
- Property monitoring and enforcement protocol: Applicants are required to submit detailed protocols to demonstrate proper enforcement and monitoring of properties acquired with funding through this grant opportunity. Applicants that do not upload a detailed property enforcement and monitoring protocol with an online application will be deemed ineligible for funding. The protocol must include, but is not limited to, the following information:
 - Monitoring Procedure
 - > Frequency (e.g., annual)
 - > Type of monitoring (e.g., boundary survey, encroachment, dumping)
 - > Monitoring documentation (e.g., updated site photos, maps)
 - > Parties responsible for monitoring (e.g., staff, volunteers, contractor)
 - Enforcement Procedure
 - > Violation definitions (e.g., minor, major)
 - > Potential violation response
 - > Violation documentation
 - > Resolving violations

If the acquired property is used for activities which interfere with the accomplishment of approved climate change adaptation or mitigation purposes, the violating activities must cease, and any resulting adverse effects must be remedied.

Funding cannot be used for eminent domain proceedings.

Real property acquired, developed, improved, restored, or rehabilitated by a municipality pursuant to this grant program shall not be sold or disposed of or used for other than climate change mitigation or adaptation purposes without the express authority of an act of the New York State Legislature, which shall provide for the substitution of other lands of equal environmental and fair market value, and reasonably equivalent GHG mitigation or climate adaptation benefits to the residents of New York, and be located within New York State, as closely as practicable to those to be discontinued, sold, or disposed of, and such other requirements as shall be approved by the commissioner.

For real property alienated under ECL Section 54-1525, DEC must review and approve the proposed acquisition of a new parcel(s) prior to the sale of the original parcel. This requirement shall remain in effect beyond the term of this contract.

In accordance with the New York State Finance Law, landowners are considered sub-contractors of the grantee, therefore any landowner receiving \$100,000 or more is required to submit a Vendor Responsibility Questionnaire before DEC will execute a contract with the applicant. See page 33 for additional information.

Land acquired under this program must have the "Notice of Grant" language required for fee

simple acquisition recorded against the subject property and submit a certified copy provided to the DEC. See the Land Acquisition Toolkit at <https://www.dec.ny.gov/energy/109181.html> for the Notice of Grant as well as additional information, requirements, and documentation that must be provided for land acquisition. Specific documents, language, and requirements will vary depending on project type and various State and program requirements.

Eligible Expenses for Match

A local match equal to 50 percent of total eligible project costs is required. For example, a project with an eligible total cost of \$100,000 is eligible for a \$50,000 grant and must provide a \$50,000 local match. The applicant must identify all sources and amounts of match in the budget at the time the application is submitted. The following are eligible as local match:

In-kind Match

- Personnel Services: Salaries of staff, including fringe, directly devoted to project implementation. Grantees will be required to document date and hours worked and tasks completed via time records.
- Real Property: The value of land, previously acquired, that is necessary for and directly related to a proposed implementation project may be used as match. At the time of application, the applicant must submit the following acquisition documentation when real property is being used as match:
 - map identifying the property including section-block-lot number and adjacent roadways
 - current appraisal report, preferably within three years of application date
 - copy of the recorded deed conveying title with legal and narrative descriptions

Real property as match must be approved by DEC as part of the application review process. Match for which complete land acquisition documentation is not submitted with the application will be deemed ineligible.

Real property previously acquired with CSC grant funds cannot be used as a match.

Donated parcels or parcels to be used as a match are subject to the terms of the grant including the alienation clause.

Land to be used as match must have the “Notice of Grant” match recorded against the subject property and submit a certified copy provided to the DEC. See the Land Acquisition Toolkit at <https://www.dec.ny.gov/energy/109181.html> for the “Notice of Grant” as well as additional information, requirements, and documentation that will need to be provided for land acquisition. Specific documents, language, and requirements will vary depending on project type and various State requirements.

- In-kind Equipment Use: In-kind use of municipal equipment will be valued at the current NYS Department of Transportation or Federal Emergency Management Administration (FEMA) equipment rates or documented local equipment rental rates. The rate selected by the applicant must be detailed in the budget.
- Volunteer Time: Volunteer time is defined as unskilled labor or work performed by professionals or skilled laborers directly on the project, in an area outside their area of expertise. Values for volunteer time must be computed at the minimum wage at the time the work is performed. (See <https://dol.ny.gov/minimum-wage-0> for current wage rates for different areas of the

State.) The rate selected by the applicant must be detailed in the budget. Grantees will be required to document dates and hours worked and tasks completed via time records.

- Donated Professional Services (DPS): DPS is defined as work performed by professionals or skilled laborers in their area of expertise directly on the project. For example, a lawyer donating legal services to the project may compute value based on the standard billing rate for the location, but the same lawyer, donating time painting walls, must calculate the value using minimum wage. The rate selected by the applicant must be detailed in the budget. Grantees will be required to document date and hours worked and tasks completed via time records.

Cash Match

Cash match includes general municipal funds, other grants from non-state or non-federal funding sources, and donations from community or corporate sponsors. Funds allocated from NYS, including the consolidated local street and highway improvement program (CHIPS), aid and incentives to municipalities (AIM), and payments in lieu of taxes (PILOT), are considered local general municipal funds and may be used as match.

Cash purchases for local match include the following:

- Contractual Services: Tasks completed by professional and technical consultants, e.g., engineering, planning, construction, and legal services directly related to the project.
- Equipment: Purchase or rental of equipment, e.g., backhoe, directly required to implement the project.
- Travel: Project related travel costs. Mileage will be reimbursed at the current federal rate and lodging at current state per diem rates for the location. Note that consultants should include travel in the overall cost proposal and not bill the grantee separately.
- Supplies and Materials: Supplies and materials are defined as consumable products needed to directly implement the project, e.g., printing, copying, paving material, crushed stone.
- Clean Water State Revolving Fund (CWSRF): CWSRF loans may be used as match for eligible projects to relocate or floodproof water and wastewater treatment facilities.

Projects for which a complete match is not identified will have the award reduced to the eligible match amount or may be deemed ineligible if the reduced funding is unlikely to ensure successful completion of the project.

Ineligible Expenses

The following expenses are not eligible as match or for reimbursement:

- Costs for purchase of zero-emission vehicles and/or installation of electric vehicle service equipment or other charging or clean vehicle fueling infrastructure. If interested in zero-emission vehicles, charging infrastructure, or hydrogen fuel cell filling station grant opportunities, please see the Grants Gateway at https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportal.aspx and search for the term “zero-emission.”
- Costs for the installation of equipment for power-sector related GHG emission reductions (such as solar panels, heat pumps, etc.), unless they are installed in low-income public housing.

- Salt storage sheds.
- Generators, unless part of a larger adaptation project and powered by means other than fossil fuels.
- Real property (land) acquired prior to award and contract start date, and lands protected through State or federal easements are not eligible for grant funding.
- Indirect or overhead costs of the municipality. This category includes, but is not limited to, rent, telephone service, general administrative support, general-use computers, office equipment, general office supplies, and other general operations costs such as memberships and subscriptions, e.g., newspapers, professional and municipal associations.
- Salaries and other expenses of elected officials, whether incurred for purposes of project direction, execution, or legislation.
- Fund-raising expenses.
- Taxes, insurance, fines, deficit funding, bond interest, and associated fees.
- Contingency costs.
- All federal funds including Infrastructure Investment and Jobs Act, Inflation Reduction Act, American Reinvestment and Recovery Act, and Appalachian Regional Commission funds.
- Other NYS grant funds.

Application Criteria, Terms and Conditions

Grants Gateway Registration

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 grant contract process. Information on these initiatives can be found at <https://grantsmanagement.ny.gov/>, the Grants Management website.

Although applications for the CSC grant program are submitted through the CFA, development of contracts for awarded applications will take place in the Grants Gateway. Therefore, all applicants must be registered in the Grants Gateway at the time and date that the application is due. Applications received from applicants that have not registered in the Grants Gateway by the application due date and time cannot be evaluated. Such applications will be disqualified from further consideration.

Applicants are strongly encouraged to begin the Grants Gateway registration process as soon as possible to participate in this grant opportunity.

To register an organization, send a completed Registration Form for Administrators (located at <https://grantsmanagement.ny.gov/register-your-organization>) and submit the required documentation, via email to grantsgateway@its.ny.gov. The individual completing this paperwork will be designated the Grantee Delegated Administrator role in the Grants Gateway. This individual's only responsibility will be to assign and delete roles and responsibilities for other individuals of the organization within the Grants Gateway process flow. The Signatory and the intended project manager should NOT be designated the Delegated Administrator. See section 2 of the User's Manual linked below for details on roles and responsibilities within the Grants Gateway.

Applicants must have a valid Federal Employee Identification Number (FEIN) and a NYS Vendor Identification Number to complete their Grants Gateway registration. If a municipality passes a resolution authorizing a department under its jurisdiction to apply for funding, that department can

apply only if it is registered in the NYS Grants Gateway. Registration in the NYS Grants Gateway is necessary for municipalities to apply for a NYS grant opportunity, enter into a grant contract, amend an existing contract, and apply for reimbursement.

For assistance with usernames, email grantsgateway@its.ny.gov or call (518) 474-5595. For forgotten passwords, click the Forgot Password link on the log-in page at https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportal.aspx and follow the prompts.

Resources are available to help you understand how to register with and use the Grants Gateway:

- NYS Grants Management: <https://grantsmanagement.ny.gov/>
- Videos: <https://grantsmanagement.ny.gov/videos-grant-applicants>
- Live Webinars: <https://grantsmanagement.ny.gov/live-webinars>

Contact the Grants Management Team for additional assistance with Grants Gateway.

Main Help Desk:

Contact the main help desk for assistance with registration, prequalification, applications, contracts, payments, and more.

Hours: Weekdays 8:00 am - 4:00 pm

Email: grantsgateway@its.ny.gov

Phone: (518) 474-5595

After Hours Support:

Contact the afterhours support desk on weekdays after 4:00 pm for help with account lockouts, lost User IDs, or basic information.

Hours: Weekdays 4:00 pm - 8:00 pm

Email: helpdesk@agatesoftware.com

Resolution

A municipal resolution authorizing application submittal and documenting the availability and amount of local match must be submitted at the time of application. The legislative body of the lead municipal applicant must adopt the resolution; this requirement applies to all municipalities, including counties.

See Attachment A for a template.

Ownership

Pursuant to ECL § 54-1515(3), all infrastructure and project components funded through the CSC grant program must be owned by the contractor (grantee) and cannot be transferred to another entity for the duration of the service life of such infrastructure and/or project components. Through a Climate Change Mitigation Easement (CCME), further discussed on page 16 of this RFA, the infrastructure and project components may be placed on real property not owned by the municipality.

Real property (land in fee simple) acquired, developed, improved, restored or rehabilitated by a municipality with funds made available pursuant to this program shall not be sold or disposed of or used for other than climate change mitigation and adaptation purposes without the express authority of an act of the New York State Legislature, which shall provide for the substitution of other lands of equal environmental and fair market value and reasonably equivalent usefulness and location to those to be discontinued, sold or disposed of, and such other requirements as shall be approved by the

commissioner.

Maps

Maps are required as part of the application in the following instances, all maps must include the applicant's name, project title, north arrow, and map legend:

1. Land value is requested as match or funding is requested for land acquisition. A map identifying the real property, adjacent roadways, section-block-lot number, and its spatial relationship to the project.
2. All flood risk reduction projects must provide a FEMA flood insurance rate map with the project location noted on the map.
3. All projects moving facilities out of a flood-prone area, must provide a FEMA flood insurance rate map showing the current facility location in the floodplain and the future facility location outside the floodplain.
4. Natural resilience, flood risk reduction, and replacing or right sizing flow barrier implementation projects must provide a map showing the hazard(s), location of assets to be protected (assets must be labeled), and the project location.
5. Reduction of VMT implementation projects must provide a map showing the on-road or off-road non-motorized transportation facility location, its connection to other on-road or off-road non-motorized transportation facilities (planned or existing, denoting difference between existing and planned infrastructure), and label all activity areas that the non-motorized system is designed to connect, e.g., neighborhood to employment center.
6. Implementation projects located within a Disadvantaged Community must provide a map depicting the Disadvantaged Community(ies) within the municipality AND a street level map depicting the location of the project within the Disadvantaged Community. Attachment D provides instruction on how to use the DECinfo Locator (<https://gisservices.dec.ny.gov/gis/dil/>) to identify Disadvantaged Communities within a municipality.

Work Plan and Budget

Work Plan – Each application must contain a detailed work plan. The work plan must be completed on the template provided, which uses the Grants Gateway format of objectives (goals of the project), tasks (the steps involved in implementing the project, from creation of a request for proposals to final reporting), and performance measures (deliverables provided to DEC). Visit <https://www.dec.ny.gov/energy/109181.html#CSC> to download the CSC work plan template.

DEC will require certain objectives, tasks, and performance measures for certain project types to be included in the work plan, which may include measuring the benefits and outcomes of the project. Details will be provided during contract development.

Budget – Each application must contain a detailed budget with total CSC project costs, including match. The budget must be completed on the template provided. The CSC grant budget must be submitted in the template format, as an attachment to the CFA, and must be specific as to the tasks and grant request from the CSC grant program and exclude costs or funding from other grant programs. However, funding from other grant programs and sources must be included in the CFA budget form. Visit <https://www.dec.ny.gov/energy/109181.html#CSC> to download the CSC budget plan template.

Agreements

Partnership Agreement

Two or more municipalities, or one municipality and a quasi-governmental entity or non-profit organization, may collaborate on a project. However, only one eligible municipality, designated as the lead applicant, may submit the application for grant funding. Letters or other written agreements, signed by all parties, substantiating the collaboration, and detailing the responsibilities, roles, and match contributions of each party to the agreement are required as part of the application.

If awarded, formal, finalized agreements, (such as memoranda of understanding [MOU]) executed by all parties must be provided to the DEC and include the name, headquarters address, and contact information of all partners and lead municipality; and must be signed and dated by the CEO or duly authorized representative of each party to the agreement. Awards involving a partnership agreement will not be moved to contract execution until the formal agreement is officially executed and a copy received by the DEC.

The lead applicant must assume the responsibility for the project application, contract development and maintenance in the Grants Gateway, performance of work consistent with this RFA, and compliance with all State, federal, and local laws, and compliance with the State of New York Master Contract for Grants.

Climate Change Mitigation Easement

Pursuant to NYS Environmental Conservation Law § 54-1513, a municipality that develops, improves, restores, or rehabilitates real property that is not owned by the municipality, with CSC grant funds, must obtain a climate change mitigation easement (CCME) from the owner of the real property. This applies to easements not owned by the applicant municipality. If a CCME is required, the applicant must submit a landowner agreement at the time of application, as follows:

- If the property owner is another municipality, submit a certified resolution by the municipal property owner in support of the project indicating agreement to enter a CCME with the applicant.
- If the property owner is not a municipality, a notarized written statement from the property owner in support of the project indicating an agreement to enter a CCME with the applicant.

If awarded, during the term of the CSC grant contract for development, improvement, restoration, and/or rehabilitation projects of which the contractor (grantee) is not the landowner, the contractor (grantee) must develop, execute, and file with the appropriate county clerk's office a CCME that ensures the following:

- The property shall be accessible to the municipality for any necessary work to achieve the funded purpose throughout the expected useful life of the project.
- The property shall provide the identified public benefit throughout the expected useful life of the project.
- The property shall be used to achieve climate protection and mitigation goals pursuant to ECL Article 54, Title 15 "Climate Smart Communities Projects" throughout the expected useful life of the project.
- The property owner shall provide information and data to the municipality or will provide access to the municipality for collection of data, as specified in the grant contract.
- A ten-year minimum term for the easement is required to adequately reflect the expected useful life of the project.

- The easement is to be enforced as a conservation easement pursuant to ECL § 54-1513 and 49-0305.

The resolution or notarized written statement must be uploaded as part of the application and include the stipulations in the bulleted list above; the name, headquarters address, and contact information of both the property owner and municipality; and it must be signed and dated by the CEO or duly authorized representative of each party to the agreement. Awards involving a CCME will not be moved to contract execution until the formal agreement is officially executed and a copy received by the DEC. Visit <https://www.dec.ny.gov/energy/109181.html#ccme> to download the CCME template.

Smart Growth Public Infrastructure Policy Act

New York State's Smart Growth Public Infrastructure Policy Act, Environmental Conservation Law Article 6, requires DEC 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 ECL § 6-0107, or that compliance is considered to be impracticable, before making any commitment to fund such project(s). Applicants are required to provide smart growth assessment information as part of the CFA.

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 DEC 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.

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, municipal applicants utilizing subcontractors 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/applicants (municipalities) 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.” The Certification must be completed and executed by the applicant municipality. Failure to do so will result in disqualification.

Application Review and Scoring

Eligibility Review

ECL § 54-1507 provides that adaption and mitigation “[p]rojects must demonstrate an ability to identify, mitigate and/or adapt to climate change vulnerability and risk or demonstrate potential to reduce greenhouse gas emissions. . . .” Projects that do not meet this requirement are not eligible for grant funding under this program.

Each application is assessed for eligibility based on the pass/fail criteria listed below. At the request of the DEC, the municipality shall provide any additional information (beyond that provided via the CFA), documents, or other material that the DEC deems necessary to evaluate the municipality's eligibility. If an application does not meet all threshold criteria, it is deemed ineligible and disqualified from further review. DEC will mail a letter to the contact listed in the CFA application informing the applicant of the determination. If the application meets all threshold criteria, it is deemed eligible and the application process will move on to technical scoring by a review team convened by DEC. However, if during or after the application process, it is determined based on additional information that the application is ineligible or otherwise does not meet the requirements of a specific project type, DEC reserves the right to deem the application ineligible or withdraw confirmation of an award or seek reimbursement of any funding.

A failure to meet any one criterion below will disqualify the application from further consideration:

- The applicant is a county, city, town, village, or borough (referring only to Manhattan, Bronx, Queens, Brooklyn, and Staten Island) residing within New York State.
- A copy of a municipal resolution authorizing application submittal and a description of the required 50 percent match has been included.
- The application directly addresses one of the eligible project categories.
- The applicant provides a completed expenditure budget and a completed work plan in the required templates.
- If applicable, documentation of real property ownership and/or the necessary land access and use agreement(s) and/or partnership agreements are provided.
- Applicant is registered in the NYS Grants Gateway.

- Applicant will own any infrastructure, project components, and real property funded or partially funded by this program.
- The applicant demonstrates its ability to begin and complete the project within the five-year contract term.

Detailed Application Review

Using information provided by the applicant, each member of the DEC review team will score each eligible application according to the scoring criteria outlined below. The reviewer scores will be averaged and ranked highest to lowest. An application must score a minimum of 55 points, out of a possible 100 points, to be considered for funding.

Proposed projects must provide meaningful mitigation of GHG emissions or adaptation to climate change to receive an award. For example, for adaptation projects, the DEC must determine that the municipality has considered future physical climate risk due to sea level rise, and/or storm surges and/or flooding, or other climate hazard, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data, if applicable. If the review team, after the more detailed review and scoring process, determines that a project proposal does not result in an overall climate benefit, the proposal will be deemed ineligible regardless of the initial eligibility determination or final score.

Applications are no longer reviewed by the Regional Economic Development Councils (REDC). However, the DEC review team can accept REDC input and use this input in the assessment of applications, where practicable.

Implementation Category

Eligible projects in the mitigation category will be evaluated for their potential to provide a reduction in GHG emissions. Scores will be based on the anticipated effectiveness of the proposed project to reduce GHG emissions.

Eligible projects in the adaptation category will be evaluated for potential to provide a meaningful response, at the municipal level, to anticipated future conditions resulting from climate change. Scores will be based on the anticipated effectiveness of the proposed project to reduce risk to residents, infrastructure, and/or natural resources under projected climate conditions.

Implementation Scoring Overview

Category	Max. Points			Min. Points
Disadvantaged Communities	10	-	-	0
Financial Hardship	5	2	0	-
CSC Status	6	4	2	0
Project Criticality	20	15	8	0
Effectiveness of Proposal	20	13	5	0
Planning Context	5	3	-	0
Implementation Readiness	10	7	3	0
Reasonableness of Cost	20	12	5	0
Quality of Application	4	2	1	0
Total Available Points	100			

Mitigation Scoring Criteria

Category	Criterion	Points
Disadvantaged Communities	The project is located in a Disadvantaged Community, per the maps submitted by the applicant.	10
	The project does not involve locations identified as Disadvantaged Communities.	0
Financial Hardship	Applicant municipality has a Median Household Income (MHI) less than 80% of the 2017-2021 Statewide MHI (<i>i.e.</i> , MHI less than \$60,125), as returned in census table B19013. See Attachment B of this RFA for step-by-step instructions on how to determine MHI for the purposes of this program.	5
	Applicant municipality has a MHI greater than or equal to \$60,125 but less than \$75,157, as returned in census table B19013. See Attachment B of this RFA for step-by-step instructions on how to determine MHI for the purposes of this program.	2
	Applicant is not a financial-hardship community, as defined above.	0
CSC Status	Applicant is a certified silver Climate Smart Community.	6
	Applicant is a certified bronze Climate Smart Community.	4
	Applicant is a registered Climate Smart Community.	2
	Applicant is not a Climate Smart Community.	0
Project Criticality	Application identifies GHG emissions from local and/or regional GHG emissions inventories ⁷ in the sector relevant to the proposed project, describes how the emissions in this sector are expected to change if no action is taken, and explains why the proposed project is essential to undertake at this time.	20
	Application describes information or data on GHG emissions at any scale and the GHG emissions to be targeted by this project.	15
	Application generally describes the value of GHG emission reduction.	8
	Application does not provide sufficient information to demonstrate an expected GHG emission reduction.	0
Effectiveness of Proposal	Application <u>specifically</u> identifies and provides quantifiable evidence (e.g., model results, calculations, data) that demonstrates the GHG mitigation value of the project, <i>i.e.</i> , how it will result in a meaningful reduction of GHG emissions.	20
	Application <u>generally</u> and credibly identifies and describes the GHG mitigation value of the project.	13
	The proposed project may lead to indirect, secondary, or partial benefits associated with GHG mitigation.	5
	The proposed work will not lead to identifiable benefits associated with GHG mitigation.	0
Planning Context	The proposed project is specifically recommended by an adopted local or regional plan, or it is a documented initiative of a climate or energy task force or committee.	5
	The proposed project identifies and is consistent with the purpose of, or	3

⁷ See the 2010 NYS regional GHG emissions inventories at <https://climatesmart.ny.gov/support/regional-greenhouse-gas-inventories-in-nys/>.

	provides indirect benefits related to, a local or regional plan or documented initiative of a climate or energy task force or committee.	
	The application does not describe a local or regional planning context or does not provide sufficient information to evaluate the relationship of the proposed project with local or regional plans, task force, or committee.	0
Implementation Readiness	Application clearly describes all the following: 1. The work plan is detailed and clear, it aligns with the budget, and contains most of the relevant information for the project type. 2. A realistic schedule for obtaining all necessary permits or approvals and/or ownership of or permission to use or acquire the property or facilities proposed for work. Project partnership agreements/letters of commitment are included and detailed in regard to what each partner will provide, including match 3. Municipal project manager, project participants, and the roles of each are described. 4. Project has support at the municipal level and with the public and is therefore likely to be completed within the contract term.	10
	Application clearly describes at least 3 of the above factors, including #1 and #3.	7
	Application clearly describes at least 2 of the above factors, including #1.	3
	Application does not identify an available source of eligible match, has not outlined a realistic schedule for obtaining all necessary permits or approvals, and/or does not clearly describe the factors listed above.	0
Reasonableness of Cost	To determine the reasonableness of cost, the following seven questions will be considered: 1. Have costs been thoroughly documented using quotes, pricingsheets, previous final budgets for similar projects, or similar documentation? 2. Does the budget contain the proper amounts of grant and local match? 3. Has a specific source of local match (such as general fund, highway department budget, or donation) been allocated? 4. Are budget lines (not backup documents) detailed with information, such as: type of contractor and amount, construction vs design; title of personnel, hours expected, and hourly or annual rate; purpose and location of travel; list of materials, title and hourly rate of donated professional services, or number of volunteers and hours anticipated? Engineering costs allocated to the grant cannot exceed 15% of the total grant amount requested in the application. 5. Are the size and scope of the project suitable to accomplish the desired outcome? 6. Does the applicant leverage non-contractual services (e.g., municipal staff or other local resources) to accomplish the proposed work? 7. Will the completed project provide a meaningful GHG mitigation or climate change adaptation benefit relative to	

	anticipated project costs?	
	Six or more of the questions listed above are answered, including 1, 2, and 3.	20
	At least four of the questions listed above, including 1, 2, and 3.	12
	At least three of the questions listed above are answered.	5
	Fewer than three of the questions listed above are answered.	0
Quality of Application	The application is complete, including an anticipated schedule, work plan, and detailed budget breakdown, and all necessary questions have been answered. The project is clearly and specifically described, and all supporting information and documentation is included.	4
	The application generally describes the project, but some questions have not been fully or adequately answered, supporting documentation is missing, and/or the budget or schedule generalizes across broad categories.	2
	The application does not clearly describe the project, or there are discrepancies in the proposal or between the work proposed and the included budget.	1
	The application is missing a significant amount of information, does not address the stated purpose of the grant program and its eligible project categories, and/or does not provide sufficient budget information to understand the amount of funding requested.	0

Adaptation Scoring Criteria

Category	Criterion	Points
Disadvantaged Communities	The project is located in a Disadvantaged Community, per the maps submitted by the applicant.	10
	The project does not involve locations identified as Disadvantaged Communities.	0
Financial Hardship	Applicant municipality has a Median Household Income (MHI) less than 80% of the 2017-2021 Statewide MHI (<i>i.e.</i> , MHI less than \$60,125), as returned in census table B19013. See Attachment B of this RFA for step-by-step instructions on how to determine MHI for the purposes of this program.	5
	Applicant municipality has a MHI greater than or equal to \$60,125 but less than \$75,157, as returned in census table B19013. See Attachment B of this RFA for step-by-step instructions on how to determine MHI for the purposes of this program.	2
	Applicant is not a financial-hardship community, as defined above.	0
CSC Status	Applicant is a certified silver Climate Smart Community.	6
	Applicant is a certified bronze Climate Smart Community.	4
	Applicant is a registered Climate Smart Community.	2
	Applicant is not a Climate Smart Community.	0
Project Criticality	Application identifies specific climate vulnerabilities (including populations and resources at risk), describes, quantitatively, the scientifically supported scientifically supported projections of future local	20

	or regional climate conditions ⁸ that will create or exacerbate those vulnerabilities, and cites scientific reference and relevant section of supporting documents.	
	Application generally identifies climate vulnerabilities (including populations and resources at risk) and generally describes the scientifically supported projections of future climate conditions at any scale that will create or exacerbate those vulnerabilities.	15
	Application generally describes a relationship between climate change and vulnerable populations or resources.	8
	Application does not provide sufficient information to demonstrate a climate vulnerability expected to be exacerbated by climate change.	0
Effectiveness of Proposal	Application <u>specifically</u> identifies and provides quantifiable evidence (e.g., model results, calculations, data) that demonstrates the climate adaptation value of the project (i.e., how it will improve local climate resilience and/or minimize the effects of climate change).	20
	Application <u>generally</u> and credibly identifies and describes the climate adaptation value of the project.	13
	The proposed project may lead to indirect, secondary, or partial benefits associated with climate adaptation.	5
	The proposed work will not lead to identifiable benefits associated with either climate adaptation.	0
Planning Context	The proposed project is specifically recommended by an adopted local or regional plan or is a documented initiative of a climate task force or committee.	5
	The proposed project identifies and is consistent with the purpose of, or provides indirect benefit related to, a local or regional plan or documented initiative of a climate task force or committee.	3
	The application does not describe a local or regional planning context or does not provide sufficient information to evaluate the relationship of the proposed project with local or regional plans, task force, or committee.	0
Implementation Readiness	<p>Application clearly describes all the following:</p> <ul style="list-style-type: none"> • The work plan is detailed and clear, and it aligns with the budget and contains most of the relevant information for the project type. • A realistic schedule for obtaining all necessary permits or approvals and/or ownership of or permission to use or acquire the property or facilities proposed for work. Project partnership agreements/letters of commitment are included and detailed in regard to what each partner will provide, including match. • Municipal project manager, project participants, and the roles of each are described. • Project has support at the municipal level and with the public and is therefore likely to be completed within the contract term. 	10

⁸ See, for example, New York State “ClimAID” report (<https://www.nyserda.ny.gov/climaid>) National Climate Assessment <https://nca2018.globalchange.gov/?msclid=b73a3463c64a11ecb84635b38031c500> and New York State Climate Change Science Clearinghouse (<https://www.nyclimatescience.org/>).

	Application clearly describes at least 3 of the above factors, including #1 and #3.	7
	Application clearly describes at least 2 of the above factors, including #1.	3
	Application does not identify an available source of eligible match, has not outlined a realistic schedule for obtaining all necessary permits or approvals, and/or does not clearly describe the factors listed above.	0
Reasonableness of Cost	<p>To determine the reasonableness of cost, the following seven questions will be considered:</p> <ol style="list-style-type: none"> 1. Have costs been thoroughly documented using quotes, pricing sheets, previous final budgets for similar projects, or similar documentation? 2. Does the budget contain the proper amounts of grant and local share? 3. Has a specific source of local match (such as general fund, highway department budget, or donation) been allocated? 4. Are budget lines (not backup documents) detailed with information, such as: type of contractor and amount, construction vs design; title of personnel, hours expected, and hourly or annual rate; purpose and location of travel; list of materials, title and hourly rate of donated professional services, or number of volunteers and hours anticipated? Engineering costs allocated to grant cannot exceed 15% of the total grant amount requested in the application. 5. Are the size and scope of the project suitable to accomplish the desired outcome? 6. Does the applicant leverage non-contractual services (e.g., municipal staff or other local) resources to accomplish the proposed work? 7. Will the completed project provide a meaningful GHG mitigation or climate change adaptation benefit relative to anticipated project costs? 	
	Six or more of the questions listed above are answered, including 1, 2, and 3.	20
	At least four of the questions listed above, including 1, 2, and 3.	12
	At least three of the questions listed above are answered.	5
	Fewer than three of the questions listed above are answered.	0
Quality of Application	The application is complete, including an anticipated schedule, work plan, and detailed budget breakdown, and all necessary questions have been answered. The project is clearly and specifically described, and all supporting documentation is included.	4
	The application generally describes the project, but some questions have not been fully or adequately answered, supporting documentation is missing, and/or the budget or schedule generalizes across broad categories.	2
	The application does not clearly describe the project, or there are discrepancies in the proposal or between the work proposed and the included budget.	1

	The application is missing a significant amount of information, does not address the stated purpose of the grant program and its eligible project categories, and/or does not provide sufficient budget information to understand the amount of funding requested.	0
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Certification Category

Eligible projects in the certification category will be evaluated for their potential to provide information, data, planning, and policy foundations for future climate mitigation and adaptation implementation projects at the local level.

Certification Scoring Overview

Category	Max. Points				Min. Points
Disadvantaged Communities	15	12	8	5	2
CSC Status	8	6	3	-	0
Certification Readiness	3	-	-	-	0
Project Criticality	20	15	6	-	2
Effectiveness of Proposal	15	10	5	-	0
Planning Context	6	3	-	-	0
Implementation Readiness	8	6	4	-	0
Reasonableness of Cost	20	12	5	-	0
Quality of Application	5	3	1	-	0
Total Available Points	100				

Certification Scoring Criteria

Category	Criterion	Points
Disadvantaged Communities (includes financial hardship)	Applicant is a municipality with a Disadvantaged Community population of 81 – 100%. See Attachment C.	15
	Applicant is a municipality with a Disadvantaged Community population of 61 - 80%.	12
	Applicant is a municipality with a Disadvantaged Community population of 41 - 60%.	8
	Applicant is a municipality with a Disadvantaged Community population of 21 - 40%.	5
	Applicant is a municipality with a Disadvantaged Community population of 1 - 20%.	2
CSC Status	Applicant is a certified silver Climate Smart Community.	8
	Applicant is a certified bronze Climate Smart Community.	6
	Applicant is a registered Climate Smart Community.	3
	Applicant is not a Climate Smart Community.	0
Certification Readiness	Applicant has provided documentation showing formation of a CSC task force and two meetings in the past year, per https://climatesmart.ny.gov/actions-certification/actions/#open/action/2	3

	Applicant has NOT provided documentation showing formation of a CSC task force and two meetings in the past year, per https://climatesmart.ny.gov/actions-certification/actions/#open/action/2	0
Project Criticality	To determine project criticality, the following questions will be considered: <ol style="list-style-type: none"> 1. Why is the project needed in the community? Describe any local or regional events and/or problems that substantiate the need for the project. 2. How will funding for this project help meet the needs or alleviate the problem(s) presented in #1 above? 3. How will actions completed through this project build on previous work? 4. What was the method used to prioritize this project over other climate-related projects (data, immediate needs, etc.)? 5. How will this project support the municipality's efforts to encourage the public, local businesses, and non-governmental entities to act on climate change? 	
	Application provides well-reasoned answers to at least five of the questions above.	20
	Application provides well-reasoned answers to at least four of the questions above, including 1, 2, and 3.	15
	Application provides well-reasoned answers to at least three of the questions above.	6
	Application does not provide well-reasoned answers to at least two of the questions above.	2
Effectiveness of Proposal	Application specifically identifies and describes how the proposed project will build local capacity and lead to specific implementation projects that will help the community mitigate and/or adapt to climate change.	15
	Application generally describes how the proposed project will lead to additional efforts that will help the community mitigate and/or adapt to climate change.	10
	The proposed project may lead to indirect, secondary, or partial benefits for local climate mitigation or adaptation.	5
	The proposed project will not lead to an identifiable climate change adaptation benefit or reduce GHG emissions; or the application does not provide sufficient information to evaluate the effectiveness of the proposed project.	0
Planning Context	The proposed project is specifically recommended by an adopted local or regional plan or is a documented initiative of a climate, energy, or GHG task force or committee.	6
	The proposed project identifies and is consistent with the purpose of, or provides indirect benefit related to, a local or regional plan or documented initiative of a climate, energy, or GHG task force or committee.	3
	The application does not describe a local or regional planning context or does not provide sufficient information to evaluate the relationship of	0

	the proposed project with local or regional plans, task forces, or committees.	
Implementation Readiness	To determine implementation readiness, the following questions will be considered: <ol style="list-style-type: none"> 1. Is the work plan clear and concise and does it contain the requirements and deliverables listed at https://climatesmart.ny.gov/actions-certification/actions/? 2. Does the budget align with the work plan (i.e., do they contain the same categories)? 3. Does the project create or strengthen an organizational structure, including proper partnership agreements (where necessary), that will sustain implementation of the project and ongoing climate action? 4. Does the applicant have adequate labor (staff, partners, volunteers) and resources to complete the project within the contract period? 5. Does the applicant have, or can it obtain, the technical expertise needed to complete the project? 6. Does the project include adequate public engagement? 	
	Application addresses at least four of the items above, including 1 and 3.	8
	Application addresses three of the items above, including 1.	6
	Application addresses two of the items above.	4
	Application addresses one or none of the items above.	0
Reasonableness of Cost	To determine the reasonableness of cost, the following questions will be considered: <ol style="list-style-type: none"> 1. Have costs been thoroughly documented using quotes, pricing sheets, previous final budgets for similar projects, or similar documentation? 2. Does the budget contain the appropriate amounts of grant and local share? Does the budget template match the CFA application budget? 3. Has a specific source of local match, such as general fund, highway department budget, or donation been allocated and specified? 4. Are budget lines detailed with information such as type of contractor and amount; title of personnel, hours expected, and hourly or annual rate; purpose and location of travel; list of materials, title and hourly rate of donated professional services, or number of volunteers and hours anticipated? 5. Are the size and scope of the project suitable to accomplish the desired outcome? 6. Does the applicant leverage non-contractual services (e.g., municipal staff or other local resources) to accomplish the proposed work? 7. Will the completed project provide a meaningful GHG mitigation or climate change adaptation benefit relative to anticipated project costs? 	

	Six or more of the questions listed above are answered, including 1, 2, and 3.	20
	At least four of the questions listed above, including 1, 2, and 3.	12
	At least three of the questions listed above are answered.	5
	Fewer than three of the questions listed above are answered.	0
Quality of Application	The application is complete, including an anticipated schedule, work plan, and detailed budget breakdown, and all necessary questions have been answered. The project is clearly and specifically described, and all supporting documentation is included.	5
	The application generally describes the project, but some questions have not been fully or adequately answered, supporting documentation is missing, and/or the budget or schedule generalizes across broad categories.	3
	The application does not clearly describe the project, or there are discrepancies in the proposal or between the work proposed and the included budget.	1
	The application is missing a significant amount of information, does not address the stated purpose of the grant program and its eligible project categories, and/or does not provide sufficient budget information to understand the amount of funding requested.	0

Awards

Funding will be recommended based on the highest to lowest overall score ranking for eligible applications within each funding category, and within the expressed funding limits for municipalities with population sizes over 100,000 and/or any single municipality, as described in this RFA, until all available funding has been exhausted.

In the event of tied total score between two or more applications at the funding limit, DEC will make the award to the application with the highest individual criteria score in the following order of priority:

1. Disadvantaged Communities
2. Project Criticality
3. Effectiveness of Proposal
4. Implementation Readiness
5. Reasonableness of Cost
6. Planning Context
7. Quality of Application
8. Financial Hardship

In the event there is a tie score on all individual scoring criteria, the proposed project that is likely to have the greatest impact on mitigating GHG emissions or adapting to climate change in NYS, as determined by DEC, will receive the award.

Applicants selected to receive grant awards will be notified by an official DEC award letter after the awards announcement. A “next steps” email with follow up details on the contract development process will be sent once the New York State Office of the State Comptroller has approved the procurement and the contracts have been created in Grants Gateway.

IMPORTANT NOTE: By accepting an award, applicant agrees to abide by all MCG and Attachment A-1 Terms and Conditions. Any changes to the terms and conditions will not be accepted and may affect applicant's award. The standard MCG and Attachment A-1 Program Terms and Conditions for CSC are available on the OCC grants webpage: <https://www.dec.ny.gov/energy/109181.html#CSC>.

Master Contract for Grants

All applicants selected to receive an award will be required to complete the contract development and approval process within the Grants Gateway. Contractors (grantee) will negotiate the budget and work plan with the DEC program manager and supply insurance information as described below in Insurance Requirements. Once the budget and work plan are approved by both parties and the insurance information is provided, the contractor (grantee) will be given access to the contract within the Grants Gateway and required to input the approved budget and work plan into the Grants Gateway Forms Menu, as well as upload insurance documentation, Equal Employment Opportunity Policy statement, EEO staffing plan, and SDVOB utilization plan. MWBE utilization plans must be submitted online using the New York State Contract System (NYSCS) at <https://ny.newnycontracts.com/>. The contract will then move to the next step of the contract execution process. Contracts should be executed within 90 days from the time of the award notification. Failure to submit required MCG documents in a timely fashion may result in loss of the award. Once a contract is executed, the DEC project manager will provide the contractor (grantee) with the grantee guidelines, voucher and reporting paperwork, and draft funding acknowledgement signage if applicable.

Reimbursement requests will not be approved or processed by DEC until a MCG is fully approved by DEC and, as applicable, the New York State Offices of the Attorney General and the State Comptroller, expenses are incurred, and reimbursement request is submitted with all required documentation. Advance payments are not authorized as part of the CSC grant program. Contract extensions will be considered on a case-by-case basis upon written request from the contractor (grantee).

Contractual Requirements

Minority Women Owned Business Enterprise (WMBE) Goals

The DEC 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.

All contracts of \$25,000 or more will be assessed for MWBE goals.

Applicants subject to executing a future NYS MCG agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to the DEC, to fully comply and cooperate with the DEC 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 MWBEs. Contractors (grantees) demonstration of "Good Faith Efforts" pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the "Human Rights Law") or other applicable federal, State, or local laws.

Failure to comply with MWBE and EEO requirements may result in a DEC 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.

If awarded a grant, upon contract execution 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 (grantee) 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 DEC contracts must now be completed using the New York State Contract System (NYSCS), <https://ny.newnycontracts.com/>.

Contracts which meet the established MWBE-EEO thresholds require the contractor (grantee) to submit a Utilization Plan prior to the execution of the contract and monthly quarterly reports in the NYSCS after the contract is executed. To submit the required MWBE Utilization Plan, log-in to NYSCS <https://ny.newnycontracts.com/> and access the Utilization Plans section displayed on the user dashboard. Plans requiring action will be displayed in red.

All contractors (grantees) 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.

MWBE Overall Participation Goals are established as follows:

- Construction/Engineering – up to 30%
- Commodities – up to 30%
- Services/Technologies – up to 30%

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> or contact the MWBE office at.

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

Service-Disabled Veteran Owned Business (SDVOB) Goals

The DEC is required to implement the provisions of New York State Veteran's Law Article 3. The contractor (grantee) must make "good faith efforts" to subcontract a goal of 6% 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 (grantee) is required to complete and submit a SDVOB utilization plan detailing how the

contractor (grantee) intends to meet the SDVOB goal. In addition, the contractor (grantee) must complete and submit quarterly compliance reports detailing the amount spent on SDVOBs in the previous quarter. Upload all required forms to the Grants Gateway. In addition, all forms and guidance can be located at the Division of Service-Disabled Veterans' Business Development Compliance and Reporting <https://ogs.ny.gov/veterans/division-service-disabled-veterans-business-development-compliance-and-reporting>. Contact the Department's SDVOB compliance staff with any questions:

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

Green Products Procurement

Contractors (grantees) will utilize, to the extent possible, the New York State Office of General Services list of green products and sources for building construction or renovation.

<https://ogs.ny.gov/greenny/green-purchasing-products-and-sources>.

Insurance Requirements

Contractors (grantees) will be required to carry appropriate insurance as specified in Attachment A-1 Program Specific Terms and Conditions and to agree that each project consultant, project contract, and project subcontractor secures and delivers to the contractor (grantee) appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies held by the contractor (grantee) must name the State of New York and the NYS Department of Environmental Conservation, 625 Broadway, Albany, NY 12233- 1030 as an additional insured and certificate holder, with appropriate limits, covering contractors (grantees) public liability and property damage insurance, Contractors (grantees) contingency liability insurance, "all- risk" insurance, workers' compensation, and disability coverage for the project. Additional insurance or insurance riders may be requested by DEC based on the project work plan.

Acknowledgement of Financial Support

The following statement acknowledging DEC funding for the project must be included in any press releases or other public announcement, including newspaper articles and web posting, as well as all documents, brochures, reports, signage, maps, and exhibits: "This project has been funded in part by the Climate Smart Communities grant program, Title 15 of the Environmental Protection Fund through the New York State Department of Environmental Conservation."

If a ribbon-cutting or other promotional event is planned for the project, the event must be coordinated, in advance, with the DEC Press Office.

Metrics and Reporting

The grant recipient shall provide estimates of the project's GHG emissions reductions, risk reduction, or other appropriate metrics, as approved by the DEC program manager, through the end of the contract term, in the quarterly report, and/or final project report as applicable. Progress reports must be submitted on a quarterly basis, within 30 days following the end of the quarter. Grant recipient shall also report on the number of jobs created by implementation of the project.

Agreements

Climate Change Mitigation Easement

See page 16 of this RFA.

Partnership Agreement

See page 16 of this RFA.

Conveyance of Real Property Agreements

See pages eight to eleven of this RFA.

Retainage

Per 6 NYCRR Part 492, Climate Smart Communities Projects, a retainage of 5 percent will be withheld from each reimbursement (installment payment), except the final payment, for all projects. A final payment, which brings the total of State grant payments to 100 percent of the State share of the project cost, will be released upon determination by DEC that the project is complete and is operating satisfactorily, and that all grant requirements have been met. If the project is complete but not operating satisfactorily, the DEC may withhold from the final payment an amount sufficient, in the judgment of the DEC, to ensure correction of deficiencies. The amount withheld will be released when deficiencies are corrected.

30-day Notice

Contractor (grantee) agrees to notify DEC, in writing, of the commencement of construction, within thirty (30) calendar days prior to the start of construction. If the start of construction began on or after the contract start date, the contractor (grantee) shall notify DEC in writing within thirty (30) calendar days as to the status of any construction. The contractor (grantee) agrees that it shall notify DEC in writing thirty (30) days following initial start-up operation of the project.

Procurement of Contractors/Subcontractors

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

State Environmental Quality Review Act (SEQRA) Documentation

With respect to the project, the contractor (grantee) will certify that it has complied, and shall continue to comply, with all requirements of the SEQRA. The contractor (grantee) will further certify that it has notified, and shall continue to notify, DEC of all actions proposed for compliance with the environmental review requirements imposed by SEQRA. By entering a contract with DEC, the contractor (grantee) agrees to provide all SEQRA documentation, and other environmental documents, as may be required, to the DEC upon their completion and/or approval.

Historic Preservation Review Requirements

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 Office of Parks, Recreation, and Historic Preservation (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 OPRHP for all historic property grants.

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, § 165-a, effective April 12, 2012. By entering into a Contract, the contractor (grantee) 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 Attachment A-1 Program Specific Terms and Conditions.

Permit Requirements

If applicable, contractors (grantees) 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 (grantee) agrees that all work performed in relation to the project by the contractor (grantee) or its agents, representatives, or sub-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. The applicant is responsible for assuring that any SEQRA determinations, permits, approvals, lands, easements, and rights-of-way that may be required to carry out the activities of the project are obtained.

Vendor Responsibility Questionnaire

If any single sub-contractor will be receiving over \$100,000 in grant funds, the sub-contractor must complete the Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, the sub-contractor can follow the VendRep instructions available at <https://www.osc.state.ny.us/state-vendors/vendrep/vendrep-system> or go directly to the VendRep System online at <https://onlineservices.osc.state.ny.us/Enrollment/login?0>. More information is available in section XVII. Vendor Responsibility, of the Attachment A-1 Program Terms and Conditions.

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 <https://www.ada.gov/law-and-regs/design-standards/2010-stds/> while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas at <https://www.access-board.gov/aba/guides/chapter-10-outdoor/>.

Reimbursement and Reporting

The CSC grant program is a reimbursement program. State assistance paid shall not exceed 50 percent of the total eligible project costs. Total grant payments may not exceed the State share of the actual

project cost. Pursuant to State Finance Law, municipalities are not eligible to receive advance payments, all reimbursements (installment payments) are based on documented incurred costs.

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

If the municipality fails to comply with any of the requirements of the Environmental Conservation Law or regulations of the DEC applicable to the project, the DEC may withhold all or part of further payments pending compliance pursuant to 6 NYCRR § 492-3.5(c).

Per 6 NYCRR Part 492, a retainage of 5 percent will be withheld from each reimbursement, except the final payment, for all funded projects. All accumulated retainages will be added to the final reimbursement upon project completion, match fulfillment, and submission of all deliverables. A final payment, which brings the total of State grant payments to 100 percent of the State share of the project cost, will be released upon determination by the DEC that the project is complete and is operating satisfactorily, and that all grant requirements have been met. If the project is complete but not operating satisfactorily, the DEC may withhold from the final payment an amount sufficient, in the judgment of the DEC, to ensure correction of deficiencies. The amount withheld will be released when deficiencies are corrected, as per 6 NYCRR § 492-3.5(e).

Progress reports must be submitted in narrative form on a quarterly basis, within 30 days following the end of the quarter as follows: Q1 - January 1 to March 31, due April 30; Q2 - April 1 to June 30, due July 31; Q3 - July 1 to September 30, due October 31; Q4 - October 1 to December 31, due January 31. Quarterly reports must summarize project progress toward meeting project objectives and deliverables during the quarter. Expenditure reports (section VI Financial Status of the quarterly report form), detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, must accompany the quarterly reports.

Upon notification from the municipality that the project is complete, the DEC will determine if the project is operating in accordance with applicable laws and regulations pursuant to 6 NYCRR § 492-3.5(d). A final project summary report must be submitted no later than 60 days after the end of the contract period and be approved by DEC prior to the release of the final contract reimbursement. The final report must report on all aspects of the program, include photographs and copies of media promotion, detail how grant funds were utilized in achieving the goals set forth in the work plan, summarize the obstacles experienced and how they were overcome and include monitoring and metrics data pertaining to the project's GHG emissions reductions, risk reduction, or other appropriate metrics as defined in the contract work plan.

Draft copies of appropriate deliverables (e.g., inventory and/or management plan) must be submitted by the contractor (grantee) and approved by DEC before a final draft is produced. An on-site inspection by DEC may be required to confirm all work was completed in accordance with the approved contract work plan.

Debriefing

In accordance with section 163 of the NY State Finance Law, DEC must, upon request, provide a debriefing to any unsuccessful applicant that responded to the opportunity regarding the reasons that the proposal or bid submitted by the unsuccessful applicant was not selected for an award. An unsuccessful applicant 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. Email requests to cscgrants@dec.ny.gov. Debriefings requested after fifteen calendar days may be denied.

Protest Procedure

DEC does not have a formal protest procedure; therefore, an applicant may file an initial protest with the Office of the State Comptrollers Bureau of Contracts (BOC) after the DEC has made a contract award. The protest must be in writing and filed with BOC within ten business days of notice of the contract award or if a debriefing has been requested by the interested party, within five business days of the debriefing (whichever is later). If the interested party is not provided with notice of the contract award, the interested party may file a protest with BOC at any time after the contract award and prior to the Comptroller's final action on the contract.

Formal protests concerning a pending contract award must be received within five (5) business days after the protesting party knows or should have known of the facts that constitute the basis of the formal protest.

The protest must be filed with:

Bureau Director

at bidprotests@osc.ny.gov or

Bureau of Contracts

New York State Office of the State Comptroller

110 State Street, 11th Floor

Albany, NY 12236

DEC Oversight

The Department of Environmental Conservation reserves the right to do the following:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Award an agreement for any or all parts of this RFA in accordance with the method of award or withdraw the RFA at any time at the DEC's sole discretion.
- Award only one application for funding in the event there are several application submissions for a single project or for portions of a single project.
- Monitor the progress of all grant awards and withdraw grant funding if the contractor (grantee) fails to make significant and timely progress on the project or fails to receive the necessary permissions and permits for the project.
- Not fund projects that are determined not to be consistent with the NYS Smart Growth Public Infrastructure Policy Act (Environmental Conservation Law Article 6) or the Climate Leadership and Community Protection Act or the related implementing regulations.
- Reclaim funds paid to contractor (grantee) if false statements regarding eligibility of the project

or any if its components are discovered after award or reimbursement has been made.

- Partially fund an application if the partially funded portion can be demonstrated to meet the criteria of this RFA and the project can proceed at the reduced funding level.
- Reject any or all applications in response to the RFA at the agency's sole discretion.
- Reduce an award from the amount requested in the application, should the project budget contain costs considered ineligible under this grant program.

Attachment A: Resolution Template

Sample Municipal Resolution Authorizing Application for a New York State Climate Smart Communities Grant

Resolution

Whereas, [name of municipality] hereby requests financial assistance from the New York State Climate Smart Communities grant program pursuant to Environmental Conservation Law Article 54, Title 15.

Whereas, [name of municipality] certifies that it has identified \$[amount of match] of matching funds from [location – general fund, donation, etc.] pursuant to the requirements of Environmental Conservation Law Article 54 Title 15.

Therefore, be it resolved, that [name of municipality] hereby authorizes [name and title of authorized representative], an official or employee, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$[amount requested], to be used for [project title].

Adopted this [date] day of [month], [year].

I hereby certify that the foregoing resolution was duly adopted by [name of municipality] at a legal meeting on the [date] day of [month], [year].

[NAME]

[TITLE]

Attachment B: Median Household Income Determination Instructions

1. Open the U.S. Census data search page: <https://data.census.gov/cedsci/>.
2. Click on “Advanced Search.”

Explore Census Data

Learn about America's People, Places, and Economy

Find Tables, Maps, and more ...



[Help](#) [Feedback](#) [Advanced Search](#)



3. Type “B19013” under the words “Advanced Search.” This will cause the database to access the correct table - “Median Household Income in the Past 12 Months (In 2020 Inflation-adjusted Dollars).”

United States[®]
Census
Bureau

Search

All Tables

Advanced Search

🔍 B19013 ✕

0 Filters ?

Find a Filter

🔍 Search

123 Codes >

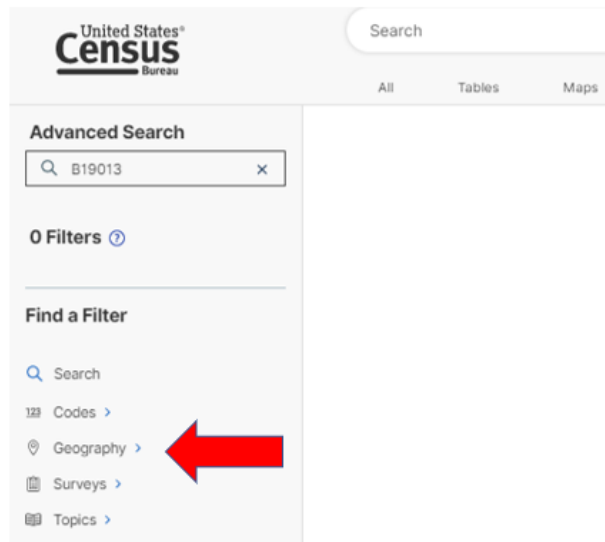
📍 Geography >

📋 Surveys >

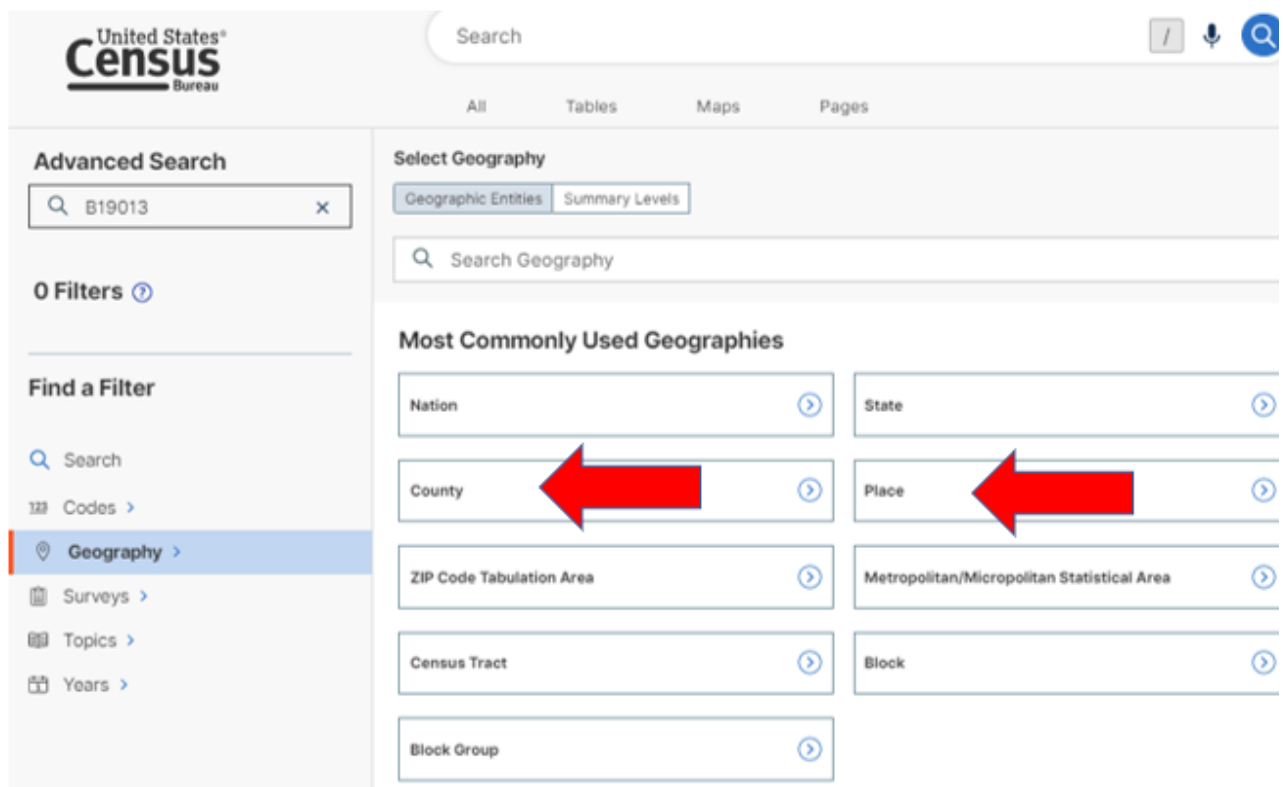
📅 Topics >

📅 Years >

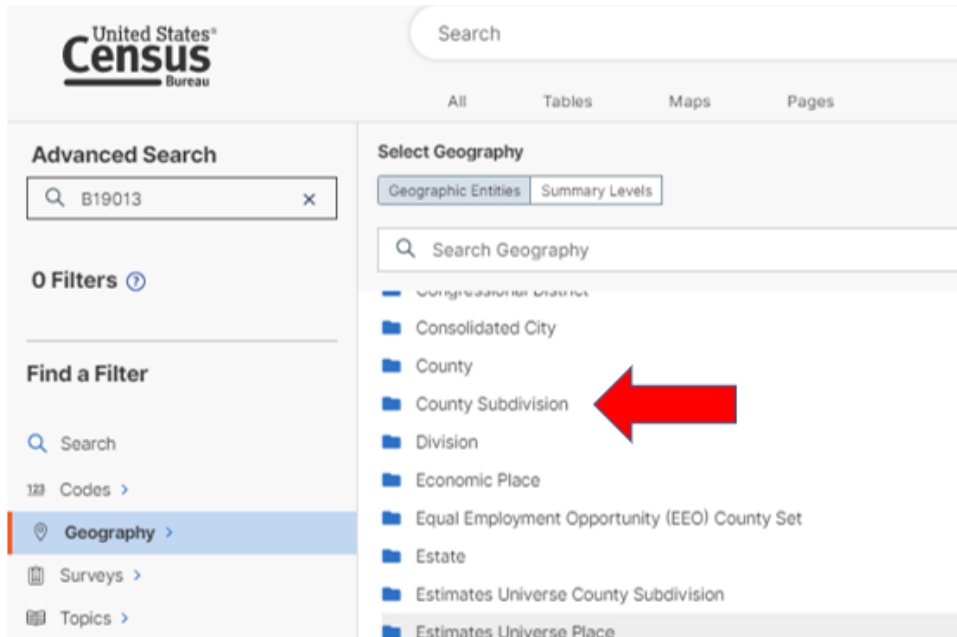
4. Select “Geography” below “Find a filter.”



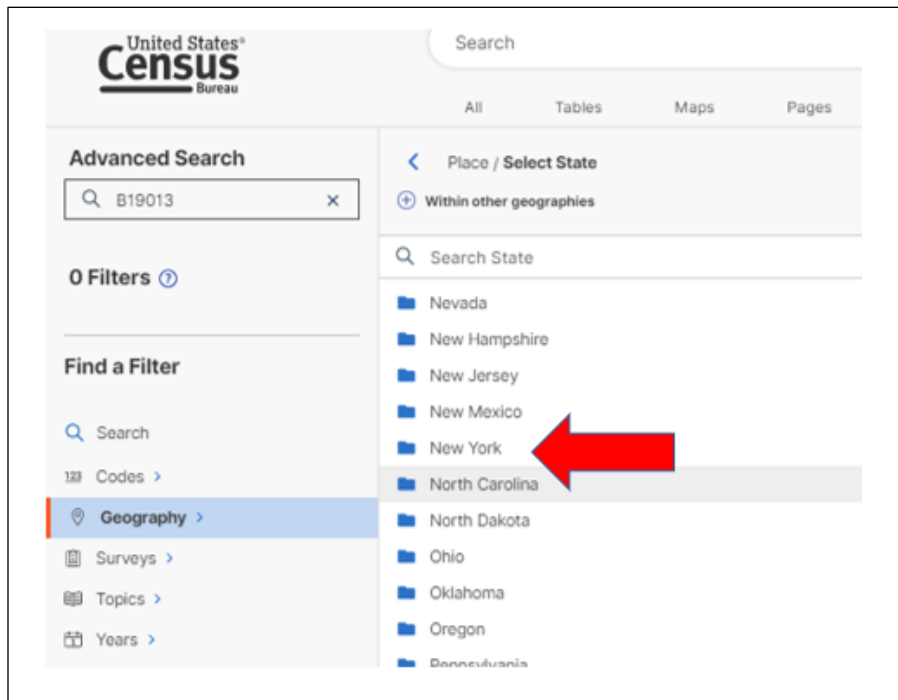
5. In the box to the right of “Geography,” counties will select “County” while cities and villages will select “Place.”



Towns will scroll down and select “County Subdivision.”



6. All applicants will then select New York State.



7. Select appropriate municipality and click the “Search” button in the lower right-hand corner.

The screenshot shows the United States Census Bureau website. The top navigation bar includes the logo and a search box. Below the navigation bar, there are tabs for 'All', 'Tables', 'Maps', and 'Pages'. The left sidebar contains an 'Advanced Search' section with a search box containing 'S1901', a '0 Filters' section with a 'Clear all' button, and a 'Find a Filter' section with a 'Search' button. The main content area is titled 'County / New York / Select County'. It features a 'Hide Geographics Components' button and a 'Show Geographics Components' button. Below these buttons, there is a section titled 'Within other geographies' with a plus icon. This section contains a list of counties in New York, each with a checkbox. A red arrow points to the checkbox for 'Allegany County, New York'.

United States[®]
Census
Bureau

Search

All Tables Maps Pages

Advanced Search

Q S1901 ×

0 Filters ?
Clear all

Find a Filter
Q Search

123 Codes >

Geography >

Surveys >

< County / New York / Select County

Hide Geographics Components Show Geographics Components

+ Within other geographies

☐ All Counties within New York

☐ Albany County, New York

☐ Allegany County, New York

☐ Bronx County, New York

☐ Broome County, New York

☐ Cattaraugus County, New York

☐ Cayuga County, New York

☐ Chautauqua County, New York

The screenshot shows the United States Census Bureau website. The top navigation bar includes the logo and a search box. Below the navigation bar, there are tabs for 'All', 'Tables', 'Maps', and 'Pages'. The left sidebar contains an 'Advanced Search' section with a search box containing 'S1901', a '0 Filters' section with a 'Clear all' button, and a 'Find a Filter' section with a 'Search' button. The main content area is titled 'Place / New York / Select Place'. It features a 'Hide Geographics Components' button and a 'Show Geographics Components' button. Below these buttons, there is a section titled 'Within other geographies' with a plus icon. This section contains a list of places in New York, each with a checkbox. Red arrows point to the checkboxes for 'Adams village, New York' and 'Albany city, New York'.

United States[®]
Census
Bureau

Search

All Tables Maps Pages

Advanced Search

Q S1901 ×

0 Filters ?
Clear all

Find a Filter
Q Search

123 Codes >

Geography >

Surveys >

Topics >

Years >

< Place / New York / Select Place

Hide Geographics Components Show Geographics Components

+ Within other geographies

☐ All Places in New York

☐ Accord CDP, New York

☐ Adams Center CDP, New York

☐ Adams village, New York

☐ Addison village, New York

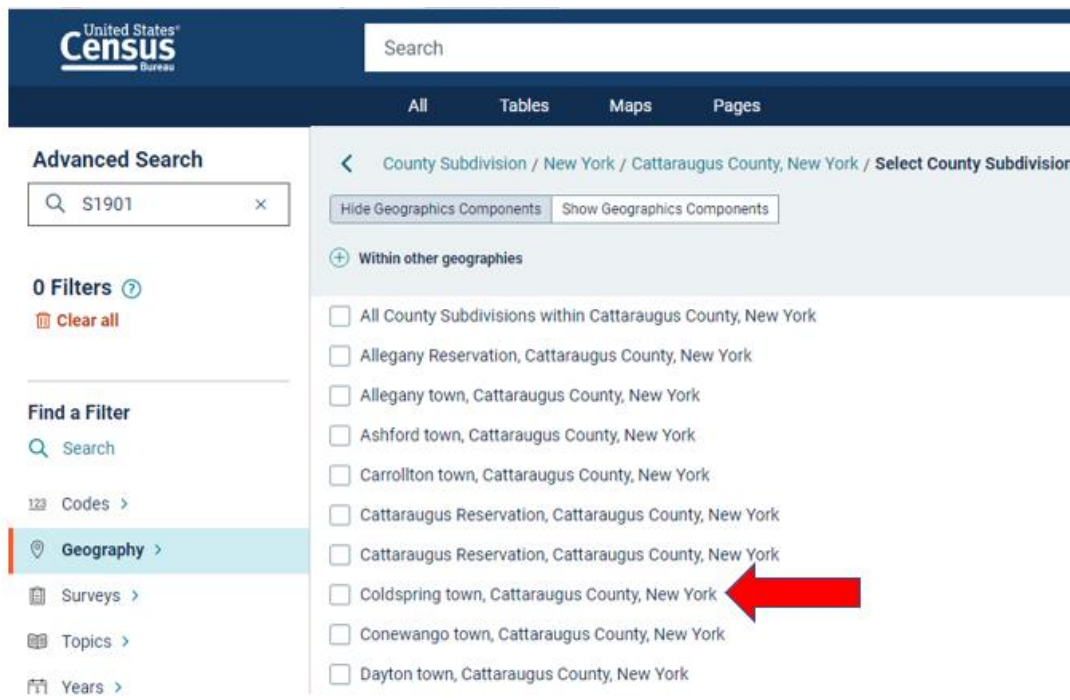
☐ Afton village, New York

☐ Airmont village, New York

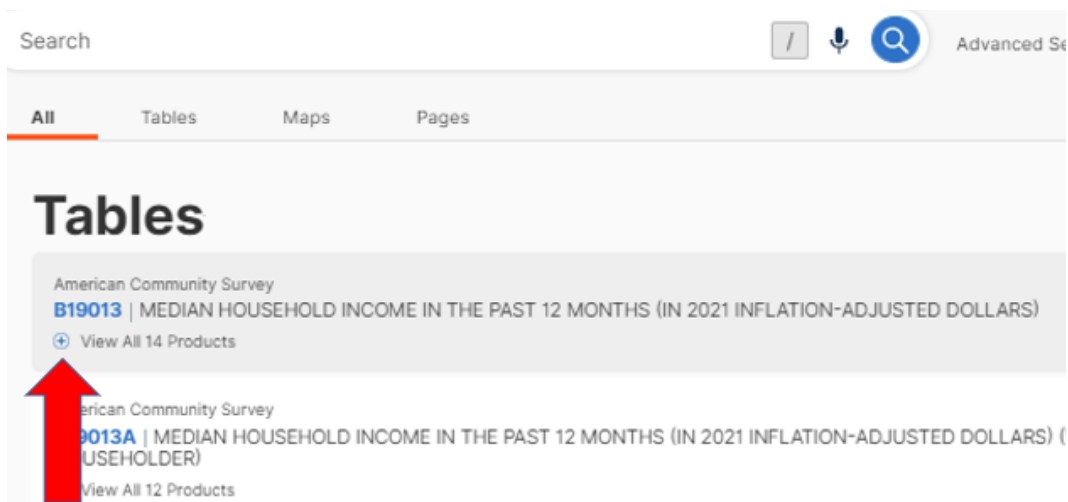
☐ Akron village, New York

☐ Akwesasne CDP, New York

☐ Albany city, New York



8. Click on the + sign just below “B19013 Median Household Income in the Past 12 Months (In 2021 Inflation-adjusted Dollars).”



9. Select “2021 ACS 5-Year Estimates Detailed Table” from the dropdown arrow.

The screenshot shows the 'Tables' section of the American Community Survey data tool. The top navigation bar includes 'All', 'Tables', 'Maps', and 'Pages'. The main heading is 'Tables'. Below it, the survey is identified as 'American Community Survey' with the table ID 'B19013' and title 'MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2021 INFLATION-ADJUSTED DOLLARS)'. A link 'View All 14 Products' is present. A list of tables follows, with a red arrow pointing to the '2021: ACS 5-Year Estimates Detailed Tables' link. Other tables listed include 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, and 2010 ACS 5-Year Estimates Detailed Tables, as well as selected population details for 2015 and 2010.

10. Read the MHI for the selected community.

The screenshot shows the '10 Results' section of the American Community Survey data tool. The left sidebar displays the survey details and a list of results. The main panel shows the selected table '2021: ACS 5-Year Estimates Detailed Tables' for the universe 'Households'. A table of results is displayed for 'Ardsley village, New York'. The table has two columns: 'Label' and 'Estimate'. The first row shows the 'Median household income in the past 12 months (in 2021 inflation-adjusted dollars)' with an estimate of 226,218. A red arrow points to the 'Estimate' value.

Label	Estimate
Median household income in the past 12 months (in 2021 inflation-adjusted dollars)	226,218

Attachment C: List of Municipalities that Contain Disadvantaged Community Populations

This list of municipalities was created specifically for use with Climate Smart Communities grant programs. Population data is drawn from the 2010 Census data to align with the Climate Justice Working Group final criteria. Town population is town-outside-village. Final percentages have been rounded following the standard rounding rule, up if over 0.5 and down if under 0.5.

Municipality	Type	County	DAC Percentage
Alabama	Town	Genesee	100%
Albany	City	Albany	52%
Albany	County	Albany	26%
Albion	Town	Orleans	45%
Albion	Village	Orleans	100%
Allegany	County	Allegany	16%
Amenia	Town	Dutchess	100%
Amity	Town	Allegany	83%
Amsterdam	City	Montgomery	85%
Angelica	Town	Allegany	20%
Angelica	Village	Allegany	1%
Arcadia	Town	Wayne	14%
Ashford	Town	Cattaraugus	1%
Athens	Town	Greene	100%
Athens	Village	Greene	100%
Auburn	City	Cayuga	66%
AuSable	Town	Clinton	100%
Babylon	Town	Suffolk	32%
Baldwinsville	Village	Onondaga	38%
Barker	Village	Niagara	100%
Barre	Town	Orleans	100%
Barton	Town	Tioga	3%

Batavia	City	Genesee	31%
Bath	Town	Steuben	100%
Bath	Village	Steuben	100%
Beacon	City	Dutchess	73%
Beekman	Town	Dutchess	14%
Belmont	Village	Allegany	100%
Benton	Town	Yates	11%
Bethel	Town	Sullivan	44%
Bethlehem	Town	Albany	8%
Binghamton	City	Broome	76%
Bombay	Town	Franklin	100%
Brighton	Town	Monroe	19%
Brockport	Village	Monroe	53%
Brocton	Village	Chautauqua	100%
Brookhaven	Town	Suffolk	13%
Broome	County	Broome	32%
Buchanan	Village	Westchester	100%
Buffalo	City	Erie	71%
Butler	Town	Wayne	85%
Canastota	Village	Madison	99%
Carlton	Town	Orleans	28%
Catskill	Town	Greene	45%
Catskill	Village	Greene	100%
Cattaraugus	County	Cattaraugus	18%
Cayuga	County	Cayuga	28%
Chautauqua	County	Chautauqua	29%
Cheektowaga	Town	Erie	19%
Chemung	County	Chemung	28%

Chenango	County	Chenango	6%
Chester	Town	Orange	10%
Chester	Village	Orange	98%
Chili	Town	Monroe	16%
Clarkstown	Town	Rockland	17%
Clarksville	Town	Allegany	50%
Clifton Springs	Village	Ontario	78%
Clinton	County	Clinton	10%
Clyde	Village	Wayne	100%
Cohoes	City	Albany	60%
Collins	Town	Erie	12%
Colonie	Town	Albany	1%
Columbia	County	Columbia	17%
Conquest	Town	Cayuga	100%
Corfu	Village	Genesee	100%
Cortland	City	Cortland	62%
Cortland	County	Cortland	24%
Cortlandt	Town	Westchester	41%
Coxsackie	Town	Greene	3%
Coxsackie	Village	Greene	99%
Cuba	Town	Allegany	74%
Cuba	Village	Allegany	100%
Deerpark	Town	Orange	100%
Delaware	County	Delaware	12%
DeWitt	Town	Onondaga	29%
Dickinson	Town	Broome	100%
Dover	Town	Dutchess	44%
Dresden	Village	Yates	100%

Dundee	Village	Yates	100%
Dunkirk	City	Chautauqua	100%
Dunkirk	Town	Chautauqua	100%
Dutchess	County	Dutchess	45%
East Fishkill	Town	Dutchess	17%
East Syracuse	Village	Onondaga	100%
Elbridge	Town	Onondaga	100%
Elbridge	Village	Onondaga	100%
Ellenville	Village	Ulster	99%
Ellicottville	Town	Cattaraugus	14%
Elmira	City	Chemung	64%
Elmira	Town	Chemung	1%
Elmira Heights	Village	Chemung	48%
Elmsford	Village	Westchester	83%
Endicott	Village	Broome	68%
Enfield	Town	Tompkins	3%
Erie	County	Erie	25%
Esopus	Town	Ulster	38%
Fallsburg	Town	Sullivan	100%
Farmersville	Town	Cattaraugus	37%
Fenner	Town	Madison	99%
Fishkill	Town	Dutchess	66%
Fishkill	Village	Dutchess	100%
Fonda	Village	Montgomery	100%
Fort Covington	Town	Franklin	100%
Fort Plain	Village	Montgomery	100%
Franklin	County	Franklin	16%
Franklinville	Town	Cattaraugus	89%

Franklinville	Village	Cattaraugus	100%
Freeport	Village	Nassau	72%
Friendship	Town	Allegany	88%
Fulton	County	Fulton	19%
Fulton	City	Oswego	75%
Fultonville	Village	Montgomery	100%
Gaines	Town	Orleans	59%
Galen	Town	Wayne	100%
Gates	Town	Monroe	51%
Geddes	Town	Onondaga	30%
Genesee	County	Genesee	19%
Geneva	City	Ontario	34%
German Flatts	Town	Herkimer	1%
Glen Cove	City	Nassau	49%
Glen	Town	Montgomery	100%
Glens Falls	City	Warren	30%
Gloversville	City	Fulton	43%
Goshen	Town	Orange	88%
Goshen	Village	Orange	53%
Granby	Town	Oswego	100%
Great Valley	Town	Cattaraugus	10%
Greece	Town	Monroe	18%
Greene	County	Greene	30%
Green Island	Town/Village	Albany	100%
Greenport	Town	Columbia	100%
Greenport	Village	Suffolk	100%
Hamlin	Town	Monroe	47%
Hammond	Town	St. Lawrence	76%

Hammond	Village	St. Lawrence	100%
Hanover	Town	Chautauqua	52%
Harriman	Village	Orange	100%
Harrison	Town/Village	Westchester	13%
Haverstraw	Town	Rockland	49%
Haverstraw	Village	Rockland	100%
Hempstead	Town	Nassau	14%
Hempstead	Village	Nassau	90%
Henrietta	Town	Monroe	12%
Herkimer	County	Herkimer	13%
Herkimer	Village	Herkimer	26%
Heuvelton	Village	St. Lawrence	100%
Highland Falls	Village	Orange	30%
Highlands	Town	Orange	21%
Hillburn	Village	Rockland	100%
Holley	Village	Orleans	60%
Horseheads	Town	Chemung	13%
Horseheads	Village	Chemung	44%
Hudson	City	Columbia	100%
Hudson Falls	Village	Washington	66%
Humphrey	Town	Cattaraugus	8%
Huntington	Town	Suffolk	5%
Hyde Park	Town	Dutchess	84%
Ilion	Village	Herkimer	42%
Irondequoit	Town	Monroe	17%
Islandia	Village	Suffolk	100%
Islip	Town	Suffolk	20%
Ithaca	City	Tompkins	19%

Ithaca	Town	Tompkins	5%
Jamestown	City	Chautauqua	45%
Jefferson	County	Jefferson	13%
Johnson City	Village	Broome	36%
Johnstown	City	Fulton	46%
Jordan	Village	Onondaga	100%
Kingston	City	Ulster	65%
Kingston	Town	Ulster	100%
Kirkwood	Town	Broome	100%
Lackawanna	City	Erie	51%
Lenox	Town	Madison	23%
Liberty	Town	Sullivan	67%
Liberty	Village	Sullivan	100%
Lincoln	Town	Madison	100%
Livingston	County	Livingston	5%
Lloyd	Town	Ulster	100%
Lockport	City	Niagara	56%
Lockport	Town	Niagara	36%
Long Beach	City	Nassau	19%
Lyndon	Town	Cattaraugus	10%
Lyndonville	Village	Orleans	100%
Machias	Town	Cattaraugus	22%
Madison	County	Madison	26%
Mamaroneck	Village	Westchester	51%
Manchester	Town	Ontario	74%
Manchester	Village	Ontario	100%
Marlborough	Town	Ulster	45%
Massena	Town	St. Lawrence	18%

Massena	Village	St. Lawrence	62%
Maybrook	Village	Orange	100%
Medina	Village	Orleans	43%
Menands	Village	Albany	100%
Mentz	Town	Cayuga	100%
Middleport	Village	Niagara	100%
Middletown	City	Orange	88%
Milo	Town	Yates	13%
Minden	Town	Montgomery	46%
Minisink	Town	Orange	100%
Mohawk	Village	Herkimer	100%
Mohawk	Town	Montgomery	100%
Monroe	County	Monroe	32%
Monroe	Town	Orange	15%
Monroe	Village	Orange	14%
Montgomery	County	Montgomery	68%
Montgomery	Town	Orange	75%
Montgomery	Village	Orange	100%
Monticello	Village	Sullivan	100%
Mount Kisco	Town/Village	Westchester	41%
Mount Morris	Village	Livingston	100%
Mount Pleasant	Town	Westchester	5%
Mount Vernon	City	Westchester	89%
Munnsville	Village	Madison	100%
Murray	Town	Orleans	90%
Nassau	County	Nassau	17%
Nelliston	Village	Montgomery	100%
Newark	Village	Wayne	99%

Newburgh	City	Orange	100%
Newburgh	Town	Orange	85%
Newfane	Town	Niagara	30%
Newfield	Town	Tompkins	2%
New Paltz	Town	Ulster	20%
New Paltz	Village	Ulster	100%
New Rochelle	City	Westchester	71%
New Windsor	Town	Orange	100%
New York	City	Multiple	49%
Niagara Falls	City	Niagara	84%
Niagara	County	Niagara	43%
Niagara	Town	Niagara	100%
North Hempstead	Town	Nassau	6%
North Tonawanda	City	Niagara	31%
Norwich	City	Chenango	43%
Nyack	Village	Rockland	100%
Ogdensburg	City	St. Lawrence	100%
Olean	City	Cattaraugus	25%
Oneida	City	Madison	55%
Oneida	County	Oneida	24%
Oneonta	City	Otsego	22%
Onondaga	County	Onondaga	31%
Onondaga	Town	Onondaga	10%
Ontario	County	Ontario	13%
Orange	County	Orange	52%
Orleans	County	Orleans	62%
Ossining	Village	Westchester	85%
Oswegatchie	Town	St. Lawrence	84%

Oswego	City	Oswego	100%
Oswego	County	Oswego	30%
Otsego	County	Otsego	5%
Owego	Village	Tioga	100%
Oyster Bay	Town	Nassau	2%
Palatine Bridge	Village	Montgomery	100%
Palatine	Town	Montgomery	100%
Patchogue	Village	Suffolk	100%
Peekskill	City	Westchester	100%
Pembroke	Town	Genesee	83%
Penfield	Town	Monroe	4%
Plattekill	Town	Ulster	52%
Plattsburgh	City	Clinton	16%
Plattsburgh	Town	Clinton	18%
Pomfret	Town	Chautauqua	87%
Port Byron	Village	Cayuga	100%
Port Chester	Village	Westchester	61%
Port Dickinson	Village	Broome	100%
Porter	Town	Niagara	81%
Port Jervis	City	Orange	100%
Portland	Town	Chautauqua	100%
Poughkeepsie	City	Dutchess	89%
Poughkeepsie	Town	Dutchess	64%
Pulaski	Village	Oswego	100%
Red Creek	Village	Wayne	100%
Red Hook	Town	Dutchess	17%
Rensselaer	City	Rensselaer	100%
Rensselaer	County	Rensselaer	28%

Riverhead	Town	Suffolk	56%
Rochester	City	Monroe	83%
Rockland	County	Rockland	28%
Rockville Centre	Village	Nassau	22%
Rome	City	Oneida	41%
Root	Town	Montgomery	100%
Rosendale	Town	Ulster	48%
Rose	Town	Wayne	100%
Rossie	Town	St. Lawrence	100%
Rotterdam	Town	Schenectady	10%
Salamanca	City	Cattaraugus	94%
Salina	Town	Onondaga	38%
Saugerties	Town	Ulster	38%
Saugerties	Village	Ulster	100%
Savannah	Town	Wayne	100%
Savona	Village	Steuben	100%
Schenectady	City	Schenectady	67%
Schenectady	County	Schenectady	30%
Scio	Town	Allegany	13%
Seneca Falls	Town	Seneca	26%
Seneca	County	Seneca	26%
Shelby	Town	Orleans	51%
Shortsville	Village	Ontario	100%
Sidney	Town	Delaware	100%
Sidney	Village	Delaware	100%
Sleepy Hollow	Village	Westchester	69%
Smithfield	Town	Madison	100%
Sodus Point	Village	Wayne	100%

Sodus	Town	Wayne	100%
Sodus	Village	Wayne	100%
Solvay	Village	Onondaga	39%
Somerset	Town	Niagara	100%
Southampton	Town	Suffolk	25%
South Nyack	Village	Rockland	100%
Spring Valley	Village	Rockland	79%
Starkey	Town	Yates	100%
Steuben	County	Steuben	13%
St. Johnsville	Town	Montgomery	34%
St. Johnsville	Village	Montgomery	100%
St. Lawrence	County	St. Lawrence	24%
Stockbridge	Town	Madison	100%
Stony Point	Town	Rockland	30%
Suffern	Village	Rockland	29%
Suffolk	County	Suffolk	16%
Sullivan	County	Sullivan	45%
Syracuse	City	Onondaga	74%
Tarrytown	Village	Westchester	44%
Thompson	Town	Sullivan	60%
Tioga	County	Tioga	16%
Tivoli	Village	Dutchess	100%
Tompkins	County	Tompkins	6%
Tonawanda	City	Erie	15%
Tonawanda	Town	Erie	9%
Torrey	Town	Yates	88%
Troy	City	Rensselaer	70%
Ulster	County	Ulster	47%

Ulster	Town	Ulster	100%
Union	Town	Broome	9%
Unionville	Village	Orange	100%
Utica	City	Oneida	67%
Valley Stream	Village	Nassau	47%
Van Buren	Town	Onondaga	2%
Walden	Village	Orange	100%
Wallkill	Town	Orange	69%
Wappinger	Town	Dutchess	30%
Wappingers Falls	Village	Dutchess	100%
Warren	County	Warren	7%
Washington	County	Washington	8%
Watertown	City	Jefferson	57%
Watervliet	City	Albany	100%
Waverly	Village	Tioga	95%
Wawarsing	Town	Ulster	80%
Wawayanda	Town	Orange	63%
Wayne	County	Wayne	39%
Westbury	Village	Nassau	29%
Westchester	County	Westchester	44%
Westhampton Beach	Village	Suffolk	100%
West Haverstraw	Village	Rockland	100%
West Seneca	Town	Erie	16%
Westville	Town	Franklin	100%
White Plains	City	Westchester	57%
Wirt	Town	Allegany	16%
Wolcott	Town	Wayne	65%
Wolcott	Village	Wayne	100%

Woodridge	Village	Sullivan	100%
Yates	Town	Orleans	100%
Yates	County	Yates	23%
Yonkers	City	Westchester	79%
Youngstown	Village	Niagara	4%

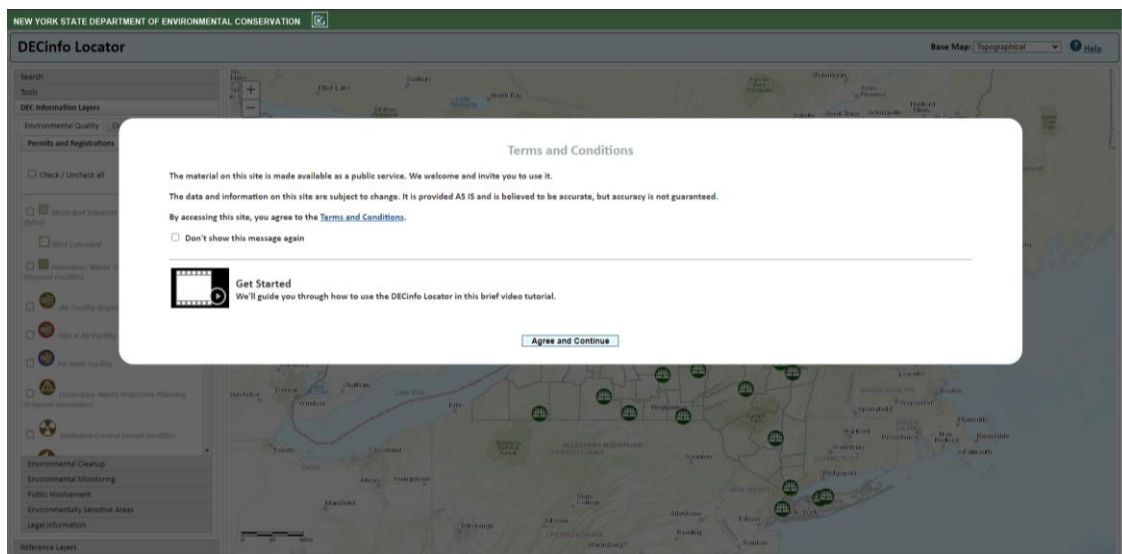
Attachment D: Using DECinfo Locator to Identify Disadvantaged Communities Within Municipalities

Applicants for implementation projects should use the instructions below to determine if their project location occurs within a Disadvantaged Community (as identified by the CJWG criteria). For background information about the development of these criteria, please see <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria>.

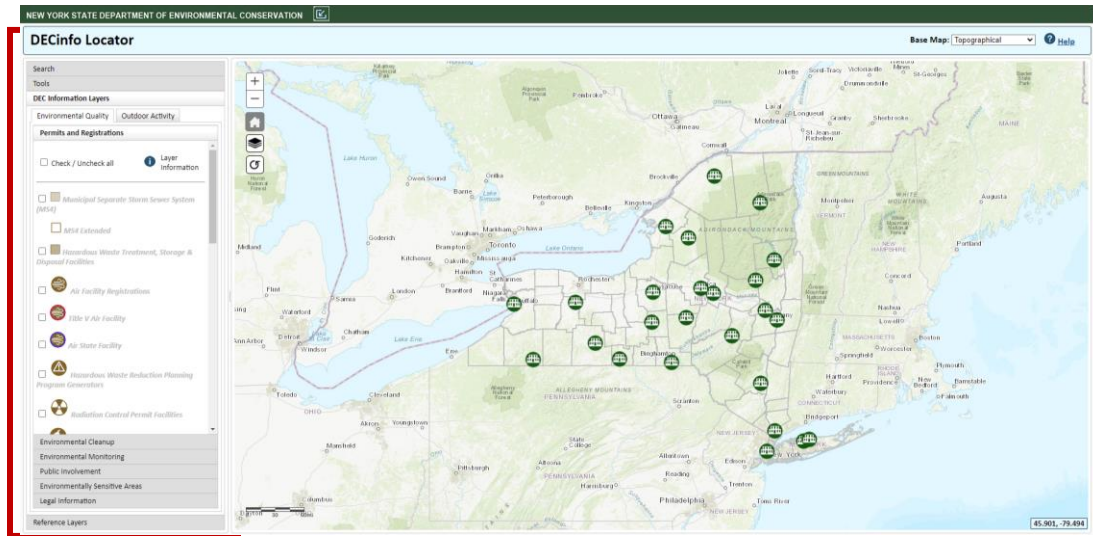
The instructions below describe how to generate maps of the project location using the DECinfo Locator and how to obtain the census tract identifier for each Disadvantaged Community.

For additional guidance on using the DECinfo Locator, visit <https://www.dec.ny.gov/pubs/109457.html>.

1. Open the DECinfo Locator website: <https://gisservices.dec.ny.gov/gis/dil/>
 - a. Agree to the Terms and Conditions of the website.
 - b. If you are unfamiliar with using online map tools, the Get Started tutorial video is recommended.



2. Your view is composed of two windows. The main window is a map of New York State. On the left is the legend. The legend is a table of contents composed of several drop-down menus containing all the categories of data that can be displayed on the map.



3. The four menus you will need to use are Public Involvement, Search, Reference Layers, and Tools. First, click on Public Involvement. This will expand the Public Involvement tab, revealing all the Public Involvement layers. Turn layers on and off by clicking the check box to the left of each layer.

Search

Tools


DEC Information Layers

Environmental Quality Outdoor Activity


Permits and Registrations


☐ Check / Uncheck all


i Layer Information


☐  *Municipal Separate Storm Sewer System (MS4)*


☐ *MS4 Extended*


☐  *Hazardous Waste Treatment, Storage & Disposal Facilities*


☐  *Air Facility Registrations*

☐  *Title V Air Facility*

☐  *Air State Facility*

☐  *Hazardous Waste Reduction Planning Program Generators*

☐  *Radiation Control Permit Facilities*

☐  *Environmental Cleanup*

☐ *Environmental Monitoring*

☐ *Public Involvement*

☐ *Environmentally Sensitive Areas*


☐ *Legal Information*


Reference Layers


Public Involvement


☐ Check / Uncheck all


i Layer Information


☐  *Potential Environmental Justice Areas*


☐  *Disadvantaged Communities (DAC)*

☐  *OEJ Grants*

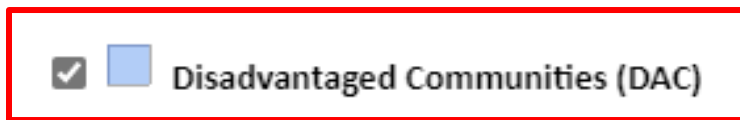
☐  *Environmental Excellence Awards Winners*

☐  *Climate Smart Communities*

☐  *Climate Smart Communities Grants*

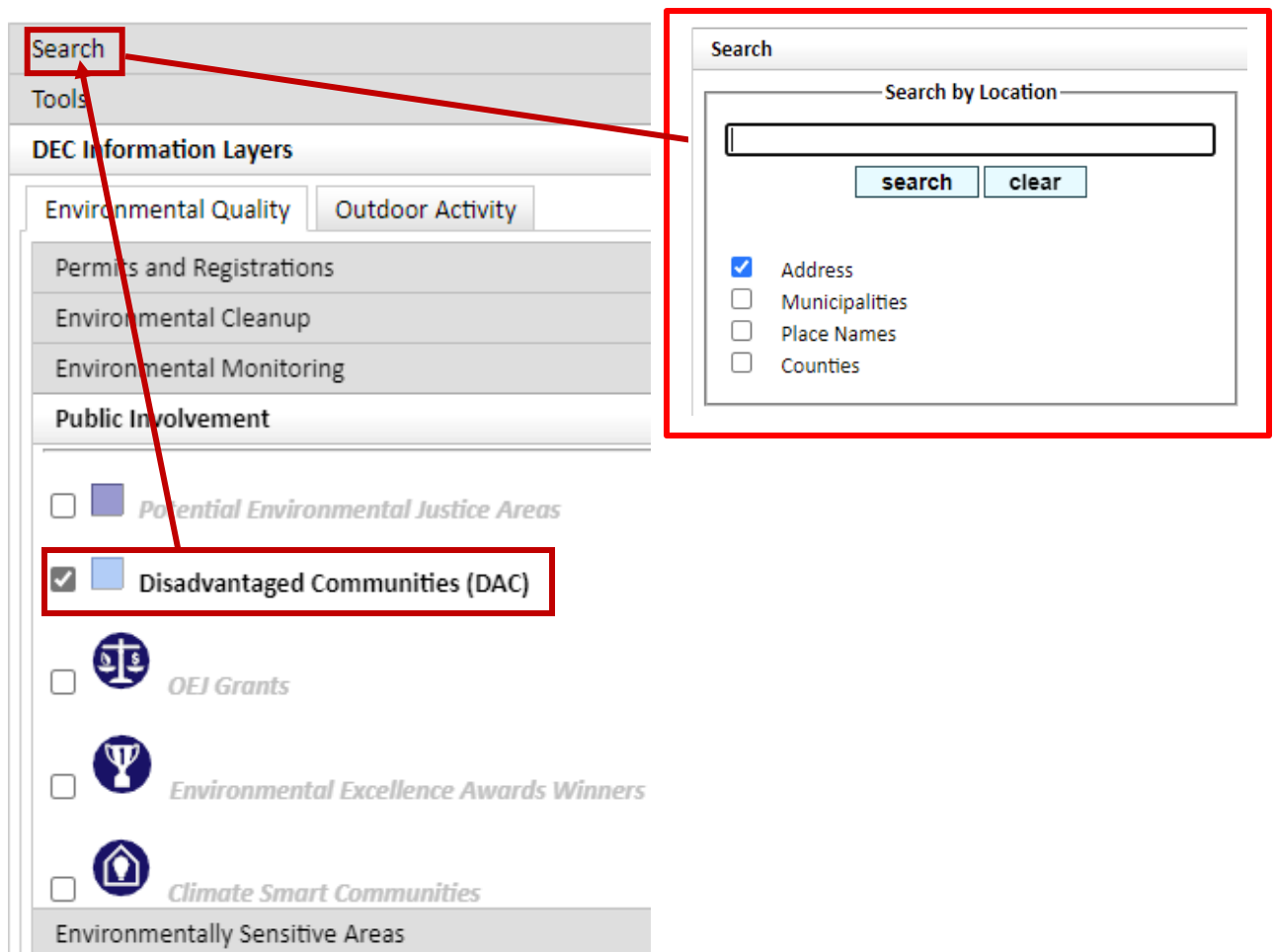
☐  *Zero-emission Vehicle Rebates*

- Next, click on the check box for Disadvantaged Communities. This will turn on the Disadvantaged Communities layer. Note that the layer only becomes visible once you've zoomed in sufficiently.



***Layer becomes visible when you zoom in on the map.**

- Now return to the table of contents and select Search.



- In the search field, type in the address of the proposed project location. A dropdown menu will appear giving you a selection of candidate locations. Select the correct address. If an address does not yet exist for your project location, select an address that is as close as possible to the project location.

Search by Location

625 Broadway, Albany NY

Search Results

Addresses

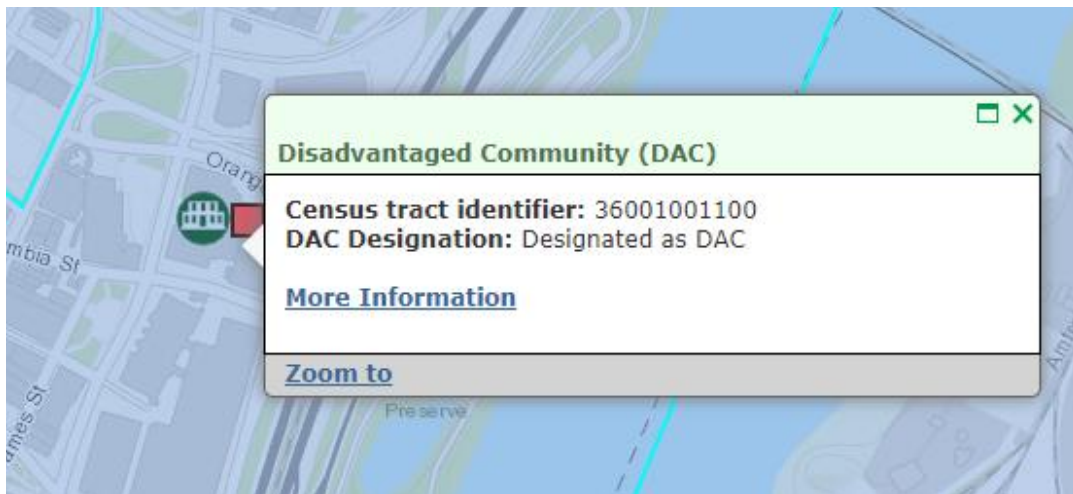
625 Broadway, Albany, NY, 12207

625 Broadway, New York, NY, 10310

7. When the location is selected, the DECinfo Locator will automatically zoom in to the project location and place a square marker at the indicated site. Areas that are within the Disadvantaged Communities are symbolized by a purple overlay. Areas that are not within the Disadvantaged Communities do not have this overlay. In the example below, the proposed project location at 625 Broadway in Albany is within a Disadvantaged Community, but the area to the north-west is not.



8. To obtain the census tract identifier for a Disadvantaged Community, click on the purple-shaded area on the map and a pop-up box will appear showing this number. You will be asked for this number in your grant application. Note that more than one census tract identifier may be involved in your project, depending on the size and location of the project.



9. For the purposes of your grant application, you will need to include two versions of your project location map. The first is a “street-level” view, as exemplified above. This version should be at the 600-foot scale as indicated by the scale bar in the lower left corner of the map. This is the default zoom level for the DECinfo Locator when searching by address.



10. Click on the Tools Tab and then click on the Activate Printer Tool button.



11. This will open the Print Map Tool. You will use this tool to generate a PDF map.
 - a. The Printout Title should be your municipality name and type, project title, and Street Level.
 - b. The Author Information should be the person responsible for the grant application.
 - c. The Printout Template should be 8.5 x 11.0 Portrait, which is the default setting. (Other sizes are acceptable if you are unable to capture the needed area using this setting.)
 - d. Click Generate Map and the DECinfo Locator will generate a PDF map in another tab.

Print Map Tool

Printout Title:

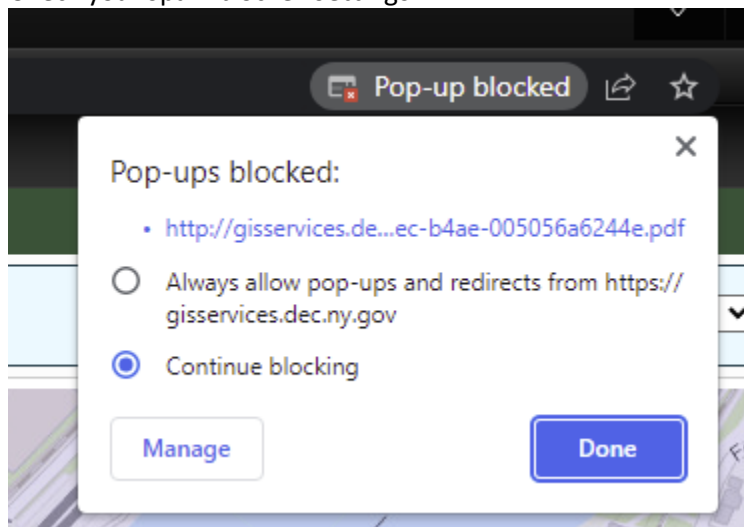
Author Information:

Printout Template:

8.5 x 11.0 Portrait
▼

Generate Map

- e. It is common for the map to appear in a new tab and to be blocked by a spam blocker. Check your spam blocker settings.






12. Next you are going to zoom out to the 1-mile scale for a “high-level” view. Click on the Zoom Out button three times to achieve this level of zoom. This should be sufficient to see your entire municipality if you are a town, city, or village. A 6-mile scale should be used for county applicants, which can be reached by three additional clicks of the Zoom Out button.



13. At the bottom of the table of contents, click on Reference Layers. You will see layers for Cities, Towns, Villages, and County Boundaries. Select the check box for the category that matches your municipality type. (If you represent a county government, note that the County Boundary layer is turned on by default.)

Search

Tools



Print Map Tool

Printout Title:
Albany, Demonstration Project

Author Information:
Svante Arrhenius

Printout Template:
8.5 x 11.0 Portrait

Generate Map


Search


Tools


DEC Information Layers


Reference Layers


☐ Check / Uncheck all


 Layer Information


☐  DEC Regional Offices


☐  DEC Regional Boundary


☐  Adirondack Park Boundary


☐  Catskill Park Boundary

☒  Cities

☐  Towns

☐  Villages

☒  County Boundary

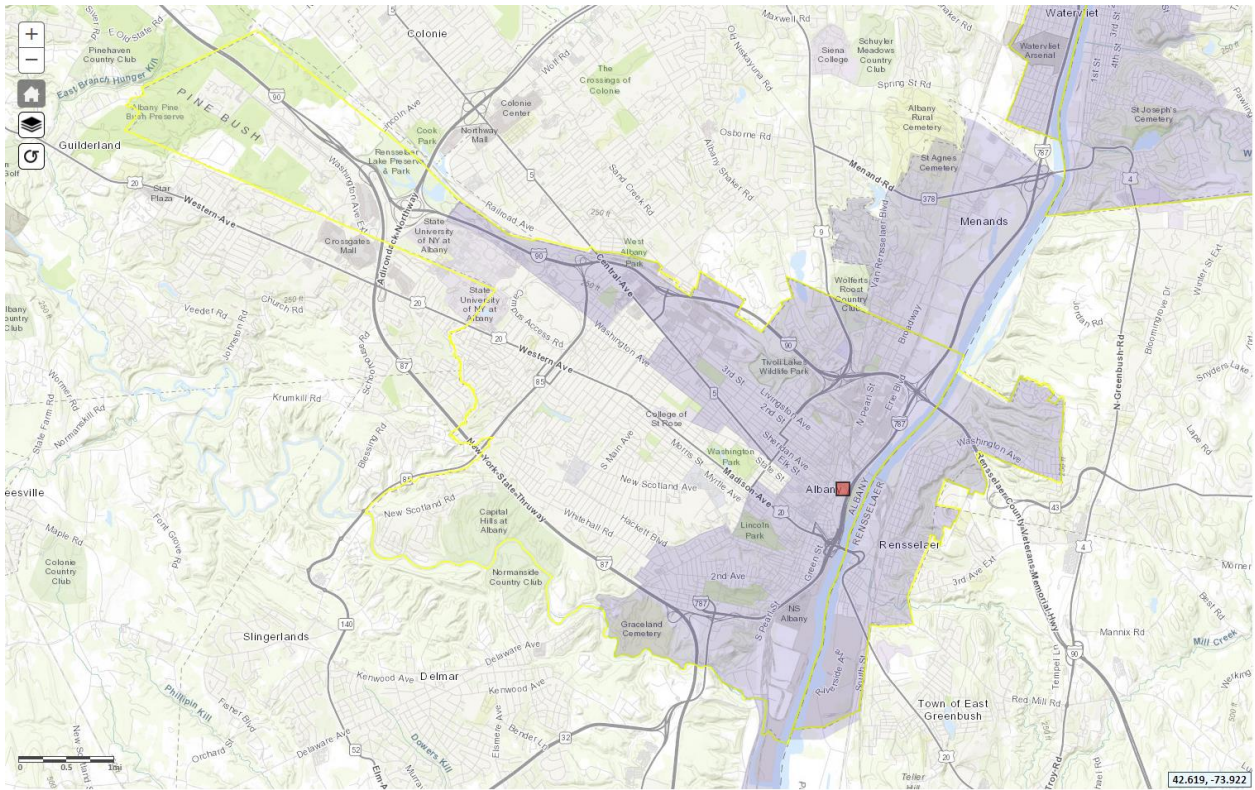
☐  Tax Parcels

*Layer becomes visible when you zoom out on the map

DEC Information Layers

Reference Layers

14. This will show the boundary of your municipality on the map. In the example below, you can see the outline of the city of Albany in yellow, the Disadvantaged Communities shaded in purple, and the project location at 625 Broadway marked with a red square.



15. Repeat the printing instructions started at step nine, this time replacing “Street-level” with “High-level.”