

NYS Office of Parks, Recreation and Historic Preservation

Q. Under the Environmental Protection Fund Municipal Grant Program (EPF), how do you determine the historic value of a building built in the 1800's?

A. The level of Significance is based on the level and area(s) of significance recorded for the property in the State/National Register nomination (or in the National Historic Landmark documentation), as well as consideration of the significance of the specific feature(s) of the property to be addressed in the proposed project (e.g., a primary contributing resource versus a secondary contributing resource).

Q. Are projects eligible for both funding sources (Environmental Protection Fund Municipal Grant Program and Recreational Trails Program)?

A. Yes; if both the applicant and proposal meet program requirements, it is possible that funding can be received from both funding sources.

Q. Are projects located inside the Catskill Blue Line eligible for applications?

A. Yes.

Q. Can you use funding to maximize strategy planning?

A. Under the Environmental Protection Fund Municipal Grant Program, project planning is eligible for stand-alone funding. This funding is intended for project-specific planning, such as designs and specifications for rehabilitation of an historic property or structural assessment of a dock for public fishing, not for comprehensive Open Space or Management Plans.

Q. Does the proposal need to be signed by the Community Board President?

A. If that is a local requirement.

Q. Can the value of a property be used as our match of funds?

A. Yes; if the transfer of real property takes place during the project term or up to one year prior to the application deadline, the value of any property acquired, donated or converted from other purposes can be used as match and should be included in the budget. For real property owned by the applicant and converted from other purposes within that period, the value of such property may be included under

the EPF budget, provided it has not been previously designated as parkland or otherwise used for purposes related to this project.

Q. Define "Shovel Ready". Would that cover the cost of an architect?

A. Shovel ready means the applicant is ready to begin. Permits, match, and administrative staff in place to begin work as soon as possible after receipt of the grant award notification letter (EPF) or federal authorization (RTP), and OPRHP signoff on bids for construction and professional services, plans and specifications, M/WBE utilization plans (EPF), etc.

Architectural services for preparation of construction documents are routinely include in development projects. For projects requiring substantial upfront planning, an applicant may wish to apply for a stand-alone planning grant under the Environmental Protection Fund Municipal Grant Program first.

Q. What types of properties are eligible for funding?

A. For the Environmental Protection Fund Municipal Grant Program (EPF): parks, historic properties, and heritage areas located within the physical boundaries of the State of New York. Municipalities and not-for-profit organizations with an ownership interest in the property are eligible to apply. Historic properties must be listed on the State or National Register of Historic Places; properties not currently listed, but scheduled for nomination review at the State Board for Historic Preservation meeting of June 11, 2015 or September 17, 2015, are eligible to apply. Heritage Areas projects must be identified in an approved management plan for Heritage Areas designated under sections 35.03 and 35.05 of the Parks, Recreation and Historic Preservation Law. The EPF Program requires that the public have reasonable access to or use of the project. All grant awards under this program come with long term protections, either through parkland alienation law, conservation easements, or public access or preservation covenants recorded against the deeds.

For the Recreational Trails Program: municipalities and not-for-profit organizations with an ownership interest in the property are eligible to apply. All properties must be: legally and physically accessible to the public, or be a portion of an identified trailway project which, when completed, will be legally and physically accessible to the public; physically and environmentally developable as a trailway; planned and developed under the laws, policies and administrative procedures of the State; identified in or further one or more specific goals of the Statewide Comprehensive Outdoor Recreation Plan (SCORP) required by the Land and Water Conservation Fund Act of 1965, or the Statewide Trails Plan, as found at: <http://nysparks.com/grants/forms-resources.aspx>, or a local trails plan.

Q. What is the timeline for starting projects?

Successful applicants are advised NOT to begin work until a project contract has been fully executed. Proceeding without advance approval from OPRHP (EPF) or U.S. Department of Transportation's Federal Highway Administration (FHWA) (RTP) will jeopardize grant reimbursement. Certain conditions of award must be met to the satisfaction of OPRHP/FHWA before a contract can be executed with the applicant/grantee. Grant contracts will require that prior to commencement of project work, certain procedures must be followed and documentation provided and approved by OPRHP/FHWA. Project costs will be eligible for reimbursement only if grant work meets State/Federal standards and the expenditures are made in compliance with State/Federal requirements. See the Guidance Documents for these programs available on our Agency website at <http://www.nysparks.com/grants/consolidated-funding-app.aspx>. Once all conditions of award are met and a contract is executed, it is anticipated that acquisition and planning projects will be completed within one year and construction projects within two years; all projects must be completed within five years from the date of the award of the grant.

Q. Can the Environmental Protection Fund Municipal Grant Program and Recreational Trail Program grant funds be used as match for each other?

A. Both programs allow state and federal funds to be used as match; however, the funding sources cannot match each other if the work is for the same project elements.

Q. A historic property that needs a new roof, which is being completed over 3 phases, currently in second phase, can we apply for funding for another phase?

A. Yes, an applicant can apply for another phase of the project as long as it is for new, additional work not already being funded.

Q. For non-profits, to what extent are registered volunteer hours counted?

A. Volunteer Labor is an eligible form of applicant share, or match. Skilled and professional labor can be computed at the job rate. The value for labor (unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise) of an adult (18 and over) donating time to a project may be computed up to the amount indicated for New York State at http://www.independentsector.org/volunteer_time. (For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the value for the same lawyer donating time painting walls will be calculated up to the amount identified as the Value of Volunteer Time for New York State.) The value of volunteer labor and other donations can be applied toward the matching share requirement; reimbursement cannot exceed the dollar amount of actual expenditures.

Q. Does a 99-year lease satisfy the requirement that an applicant must have an ownership interest in the project property?

A. It may; the lease will be reviewed to ensure the applicant's interest in the property is of sufficient duration and stability to assure that the applicant will be able to comply with the Rules and Regulations of the Program. In addition, under the Environmental Protection Fund Municipal Grant Program, where the applicant is not the property owner: if the project is for planning only, the application must include a statement from the owner acknowledging the application and granting the applicant any access necessary to complete the project; if the project involves improvement/development of the property, the owner must agree to sign the project agreement and any long term protection document. If there are additional parties with an ownership interest in the property, including lien holders, all parties must agree to sign the project agreement and all lien holders must subordinate their interests to those of the State.

The Recreational Trails Program requires the following when the applicant is not the property owner: a clear and legible copy of the documentation showing such interest in the property (i.e. lease, operating or management agreement) along with a letter of support for the project from the owner/managing entity stipulating that they will agree to enter into a legally binding agreement; if the project is for trail grooming equipment purchase ONLY (or a portion of the project is for trail grooming equipment purchase), a list of landowners and a copy of the land use agreement must be provided.

Q. What regulations need to be followed in order to purchase trail grooming equipment under Recreational Trails Program?

A. For projects that include purchase or lease of equipment, a written estimate and photos (originals or examples from catalogs or brochures) of the type of equipment being purchased or leased is required with the application. Applicants purchasing trail grooming vehicles and mechanized equipment primarily constructed with steel or iron must comply with Buy America requirements or must request a waiver (see FHWA's Notice of Buy America Waiver Request webpage for information: <http://www.fhwa.dot.gov/construction/contracts/waivers.cfm>). If the project is for the acquisition of motorized grooming or trail maintenance equipment for use on any State Land, a signed statement by the agency or jurisdiction certifying that the use of such equipment (specific to the type and size being purchased with this grant) on state land is consistent with the policies and management plan for such property must be submitted. All expenditures under these grants must be for goods and services procured in a manner so as to assure the prudent and economical use of public money in the best interests of the taxpayers of the State of New York, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against nepotism, favoritism, improvidence, extravagance, fraud and corruption. Such procedures may include, but are not limited to, competitive bidding, the solicitation of three price quotes, written requests for proposals, etc.

Q. Is there a specific time frame that a not-for-profit would have to enter into an agreement to allow an easement?

A. A not-for-profit corporation must demonstrate to the satisfaction of the OPRHP that it is capable of operating and maintaining the completed project for the benefit of the public. The applicant's interest in the property needs to be of sufficient duration and stability to assure that the applicant will be able to comply with the Rules and Regulations of the Program. To ensure the public benefit from the investment of State funds, all grant awards under this program come with long term protections, either through parkland alienation law (municipalities), perpetual conservation easements, or public access or preservation covenants recorded against the deeds. All parties with an ownership interest in the property will be required to sign the project agreement. All lien holders must subordinate their interests to those of the State, and may be required to sign the project agreement.

Q. If a trail proposal is in the initial stage of planning, is it best to wait until next year to submit an application?

A. For projects requiring substantial upfront planning, an applicant may wish to apply for a stand-alone planning grant under the Environmental Protection Fund Municipal Grant Program first.

Projects awarded under the Recreational Trails Program need to be ready to move quickly. All projects must be completed within five years from the date of federal approval. Successful grantees are expected to submit a payment request within ten months of the federal approval date and at least annually thereafter until the project is completed. OPRHP will monitor the progress of project work and will recapture awarded funds if significant progress is not being made, lacking compelling justification. Significant progress includes such tasks as retaining consultants, purchasing equipment, executing contracts, initiating construction, submitting payment requests or other tasks required to complete project work pursuant to timeframes established in the grant contract. Any work accomplished and paid for will be subject to all provisions of the contract.

Q. What funding is available to preserve a building that we are trying to get listed on the State/National Register of Historic Places? Would installing a full basement under the building for the Town Government and Community Center be eligible? Also what would cover the feasibility study and cost savings?

A. Under the Environmental Protection Fund Municipal Grant Program, funding is available to improve, protect, preserve, rehabilitate, restore or acquire properties listed on the State or National Register of Historic Places and for structural assessments and/or planning for such projects. Grant funds cannot be used for constructing contemporary additions on an historic property unless that work will provide universal access and/or eliminate code deficiencies for access/egress, such as an elevator or stair tower. Multi-purpose additions to historic buildings and free-standing new construction on historic properties are not eligible for this grant program. Project planning is eligible for stand-alone funding. This funding is intended for project-specific planning, such as designs and specifications for rehabilitation of an historic property or structural assessment of a dock for public fishing, not for comprehensive Open Space or Management Plans.

Q. Does a written estimate need to be done by a certified appraiser for acquisition projects?

A. Yes; the application must include an estimated fair market value of each parcel proposed for acquisition documented by a written estimate of value (windshield appraisal) by a qualified appraiser. Successful applicants will be required to provide a detailed (self-contained) appraisal for each parcel to be acquired; two appraisal reports for any parcel valued at \$300,000 or more. (Appraisal standards can be found at: <http://www.nysparks.com/grants/forms-resources.aspx>.)

Q. Can trail funds be used for the maintenance of trails?

A. Yes; the Recreational Trails Program provides funds to states to develop and maintain recreational trails for both motorized and non-motorized recreational trail use. Maintenance and restoration should be extensive repair needed to bring a facility up to standards suitable for public use (not routine maintenance). Funding is available for the maintenance and restoration of existing recreational trails, development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails, purchase and lease of recreational trail construction and maintenance equipment, construction of new recreational trails, acquisition of easements and fee simple title to property for recreational trails or recreational trail corridors, and assessment of trail conditions for accessibility and maintenance.

Q. Is the 75% reimbursement dependent on the Zip Code breakdown and the actual size of the project?

A. For projects located in impoverished areas (as defined by 10 percent or more of the population below the poverty level according to most recent Census data), the reimbursement can be up to 75 percent of the eligible project cost. This determination is based on the census tract number of the project location. Once the census tract number is determined, consult the Poverty Level table at <http://nysparks.com/grants/consolidated-funding-app.aspx>. Projects located in a census tract where the poverty level is 10 percent or more are eligible for up to 75 percent reimbursement.

Q. We have a church on the Historic Register and want to keep the church in good condition. Is there funding available for such things a maintenance to our slate roof?

A. Funding is not available to sectarian property owners for the sole purpose of basic maintenance, but is available to fund true restoration over and above what would normally be spent on basic repair. Work must have a public benefit and not be intended for the primary benefit of the worshippers.

Q. Can the New York State Art Fund be used as a source of matching funds for the Environmental Protection Fund (EPF) grant?

A. With the exception of other EPF funds, both State and federal funds can be used to match EPF Municipal Grants.

Q. Do non-profits have to pre-qualify for all funding offerings?

A. Not-for-profit organizations must be pre-qualified prior to submitting an application for funds through the CFA for OPRHP's EPF Municipal Grant and Recreational Trails programs.

Q. Can you use other funds besides cash for the local share?

A. Yes; in addition to cash, the principal types of local share, or match, are: force account (payroll of applicant), professional services, supplies and materials, volunteer labor, equipment usage, and real property (see the Guidance Documents available at <http://www.nysparks.com/grants/consolidated-funding-app.aspx> for specifics).

Q. Is there an option of being in the process of acquiring land or do you have to own land at the time of the request?

A. Yes; if an applicant intends to acquire property, the application must include documentation of the owner's intent to sell, donate or transfer the property, along with a written estimate of fair market value (windshield appraisal/market valuation) for each parcel that will be acquired or used as match as part of the proposal. The transfer of real property must take place during the project term or up to one year prior to the application deadline to be eligible for grant funding.

Q. Do you do site visits?

A. Yes. OPRHP staff will conduct periodic inspections, including a final inspection of the project and may conduct post completion inspections as warranted to ensure the public benefit is maintained.

Q. We have a small park, how would we apply for a feasibility study?

A. The Park Acquisition, Development and Planning category under the Environmental Protection Fund Municipal Grant Program is available for the acquisition and development of parks and recreational facilities and for structural assessments and/or planning for such projects.

Q. Is a feasibility study eligible for the EPF Municipal Grant Program?

A. Project planning is eligible for stand-alone funding in all three grant categories (Parks, Historic Preservation, Heritage Areas). This funding is intended for project-specific planning, such as designs and specifications for rehabilitation of an historic property or structural assessment of a dock for public fishing, not for comprehensive Open Space or Management Plans.

Q. For Parks EPF Grants, I noticed that the Commissioner has changed some priorities; does it make sense to change that priority?

A. The programmatic and funding priorities are subject to change annually.

Q. Are there any offerings for the hospitality business? We are not sure how we can be eligible for any CFA Grants?

A. Under the Environmental Protection Fund Municipal Grant Program and the Recreational Trails Program, only governmental and not-for-profit organizations are eligible to apply.

Q. Can one municipal resolution cover grant requests from multiple programs?

A. Yes; if the required language for each program is contained in the resolution language.

Q. Are passive parks funded?

A. Yes.

Q. Under parks planning and development, is there any general prohibition on volunteers doing physical work?

A. Volunteer Labor is allowable as applicant share, or match. Skilled and professional labor can be computed at the job rate. The value for labor (unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise) of an adult (18 and over) donating time to a project may be computed up to the amount identified as the Value of Volunteer Time for New York State at http://www.independentsector.org/volunteer_time. (For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the value for the same lawyer donating time painting walls will be computed up to the amount identified as the Value of Volunteer Time for New York State).

Q. Are you able to describe the readiness of projects from last year? The 16 percent of projects completed, what was the extent of readiness?

A. The applicant's readiness to proceed, as indicated by budget/finances, planning, and administrative structures, is a significant rating factor under the Environmental Protection Fund Municipal Grant Program.

Q. Can you have one application that includes both parks acquisition and planning?

A. Yes.