

NYS Department of State (DOS)

Brownfield Opportunity Areas Program (BOA)

Q. Where can I find information about how to develop a BOA (Nomination) Plan?

A. BOA plans set the stage for revitalization of neighborhoods or areas affected by one or more known or suspected brownfields and should include in-depth analyses of existing economic and other conditions and articulate redevelopment opportunities for brownfield sites and surrounding areas. Information and guidance for developing a BOA Plan is available on the DOS website at: <https://dos.ny.gov/planning-process#development-of-boa-plans>.

Q. Can I start my BOA project before grant awards are announced?

A. Projects may begin prior to announcement of the grant award and receipt of a fully executed contract. However, project costs incurred prior to April 1, 2023 will not be eligible for reimbursement. Expenses and costs incurred before receipt of an executed contract, if funded, are incurred at the grantees risk.

Q. Can I apply for BOA Predevelopment activities or Phase II Environmental Site Assessment for an area or project not in a State-Designated BOA?

A. No, projects submitted for BOA Predevelopment Activity or Phase II Environmental Site Assessment funding must be located within a State-Designated BOA, or within an area submitted for BOA designation to the Department of State prior to the release date of this RFA (5/15/2023).

Q: If we submitted our BOA Plan for Designation before May 15, 2023, are we able to apply for BOA Predevelopment activities and Site Assessment funding in this CFA round?

A: Yes, applicants with a pending application for designation submitted to DOS prior to the release date of this RFA (5/15/2023) are eligible to apply for BOA Predevelopment activities and Site Assessment funding. However, any such funding may only be awarded if the designation is made by the Secretary of State on or prior to October 1, 2023.

Q. We are a non-profit organization applying jointly with a local municipality for a BOA Planning grant. Do we need to complete and submit the Certification under Executive Order No. 16 Prohibiting State Agencies and

Authorities from Contracting with Businesses or Conducting Business in Russia?

A: Yes. All non-municipal applicants or co-applicants need to complete and submit the certification under Executive Order No. 16. The completed certification forms should be submitted no later than October 1, 2023 via email to opd@dos.ny.gov. The certification may be found at:
https://ogs.ny.gov/system/files/documents/2022/04/eo16_certification.pdf

Q: Can two municipalities apply jointly for BOA funding?

A: Applicants are encouraged to work in partnership and may apply jointly for funding. Joint applicants should identify the municipality, community-based organization, or community board that the Department should recognize as the primary applicant for all purposes, including the contract award.

Q. I am a County Municipal Planning applicant. The county is looking to identify potential areas that would be appropriate for the Development of a Brownfield Opportunity Area (BOA) Plan, but the county has very little information on real or perceived brownfields and the impact of vacant parcels in the county. Is the County-wide Pre-Planning Grant activity that is funded in the 2023-2024 RFA an appropriate grant for us apply for in order to gain more information about brownfields in the county?

A: Yes. The County-wide Pre-planning Grant Activity will provide the county greater information on the number and extent of potential brownfield sites and related site underutilization that may have a significant adverse impact on the community. A County-wide Pre-Planning grant will help to identify, inventory and analyze brownfield-affected areas within a county to determine concentrations of brownfield and underutilized properties for future specific planning efforts, such as the development of a Brownfield Opportunity Area (BOA) Plan.

Q. Are we able to apply for multiple projects for different types of BOA activities within one BOA funding application?

A. An application for funding should only include one activity. Eligible applicants wishing to apply for more than one grant activity should submit a separate application for each as described in Section V. Eligible Activities of the RFA. As an example, an application may include more than one pre-development project, but it may not include different BOA activities such as Phase II site assessment

(SA) and pre-development activities. Eligible applicants wishing to apply for more than one type of activity should submit separate applications, one for each activity type.

Q. Our grant application for phase II environmental site assessment includes three sites. Are we required to submit a Phase II Environmental Site Assessment Supplemental application for each of the three sites?

A: Yes, applicants requesting funding for Phase II Environmental Site Assessments within a State-Designated BOA must submit a Site Assessment Supplement form, completed in its entirety, and related attachments for each site for which funding is being requested. Substantially incomplete Site Assessment Forms will not be accepted.

Q: Must a grant application include a resolution from the applicant's governing authority?

A. Yes. All applicants must submit a resolution adopted by the applicant's governing authority that authorizes submission of the application and identifies the title of the applicant's authorized representative. A standard resolution template is available on the DOS website at <https://dos.ny.gov/funding-bid-opportunities>.

Q: Our Community Based Organization (CBO) is submitting a BOA application. Do we need to submit a resolution from the municipality where the proposed BOA is located within?

A: Community Based Organization (CBO) applications requesting funding to develop a BOA Plan require a resolution of support from the city, town or village with planning and land use authority over the proposed BOA. If the CO and municipality are in NYC, the application must include a resolution from the local NYC community board and a resolution from the CBO.

Q. Where can I find a list of BOAs that have been designated by the Secretary of State?

A. Designated BOAs can be found on the DOS webpage at <https://www.dos.ny.gov/brownfield-redevelopment>. Scroll all the way to the bottom.

Q. Can a Regional Planning Board apply for BOA?

A. A regional planning board is not an eligible applicant for BOA funding on its own. Regional Planning Boards are encouraged to work with local municipalities to apply and if, funded, work collaboratively under a cooperative agreement to undertake the project.

Additional questions regarding 2023 – 2024 REQUEST FOR APPLICATIONS for the Environmental Protection Fund Brownfield Opportunity Areas Program (RFA #23-BOA-02) should be submitted to DOS by e-mail to opd@dos.ny.us with the subject line “23-BOA-02 RFA Questions” by June 16, 2023.

Responses to all questions received by June 17th will be posted on the DOS website (<https://www.dos.ny.gov/funding-bid-opportunities>) in a document titled Questions and Answers by July 7th, 2023.

Final applications are due by 4:00pm on Friday, July 28, 2023