



**Department of  
Environmental  
Conservation**

# **GUIDELINES AND APPLICATION INSTRUCTIONS**

**New York State**

**Department of Environmental Conservation**

**2023 Regenerate NY Forestry Practices Cost Share Grant  
Program**

**Round 3**

NYS Grants Gateway Application ID No.: DEC01-RNY3-2023

**Timetable of Key Events:**

<b>Event</b>	<b>Date</b>
Application Period Begins	Friday May 12, 2023
Grants Gateway Training Webinar and Program Informational Session (see details below)	Wednesday, May 24, 2023, at 10:00 A.M EST  To join the online meeting- <a href="https://meetny.webex.com/meetny/j.php?MTID=me872c45f8b25dd98c44a5e0db1672cf8">https://meetny.webex.com/meetny/j.php?MTID=me872c45f8b25dd98c44a5e0db1672cf8</a> <a href="https://meetny.webex.com/meetny/j.php?MTID=me872c45f8b25dd98c44a5e0db1672cf8">https://meetny.webex.com/meetny/j.php?MTID=me872c45f8b25dd98c44a5e0db1672cf8</a>
Question and Answer Period Ends	Friday, October 6, 2023, 5:00 P.M., EST.
Applications Deadline	DEC withdraws this request for applications, the funds are exhausted, or Friday, October 6, 2023, 5:00 P.M. EST, (whichever comes first)
Award(s) Announced	Rolling

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# 1. Grant Information

Welcome to Round 3 of the Regenerate NY Forestry Practices Cost Share Grant Program! The goal of this grant opportunity is to assist private landowners with the costs of establishing successful forest regeneration on private forestland within New York State.

The New York State Department of Environmental Conservation (DEC) is pleased to announce funding for projects that will implement Regenerate NY, Round 3 for qualifying, private forestland owners. Funds are to provide cost share reimbursement payments to forestland owners that implement approved forestry practice(s) that establish and/or protect tree regeneration on their forestland.

Successful projects will need to establish new forest in non-forest areas and/or create the conditions necessary for successful regeneration on private forestlands. All projects must be guided by a private forester or natural resource professional. The proper light conditions in the project area must currently exist or may be created through silvicultural operations or from significant forest dieback from an existing or impending insect or disease agent. A submitted application that is disqualified for not completing successful eligibility questions may submit a second application prior to the deadline after consultation with a Regenerate NY program reviewer, if funding allows.

## A. Funding

Approximately \$850,000 is available for Regenerate NY Round 3 with a 25% Match (see 9c. Expenditure Based Budget for details). Should newly appropriated funding become available, the Department of Environmental Conservation (“the Department”) may make additional awards to fund applications received in this grant round. Funding for this grant opportunity is provided from the New York State Environmental Protection Fund.

NYS cannot reimburse for sales tax for goods and services. Sales tax can be used as match. This is a reimbursement cost share grant program. **All costs must be incurred by Landowner or fiscal sponsor prior to reimbursement.**

## B. Proposed Project Timeframes

All projects must have clearly defined objectives, tasks, and deliverables accounted for in performance measures that can be completed and invoiced within a three-year contract period/term. The Master Contract for Grants (MCG) must be fully approved by DEC, and if applicable approved by the Attorney General and the State Comptroller.

A one year No Cost Time Extension (NCTE) beyond the contract term end date may be allowed and will be determined by the Department based upon written justification from the Grantee. Applicants should not submit an application if they do not anticipate their project can be completed within the specified contract term.

Project maintenance and monitoring required after project completion will be undertaken by the awardee at their expense.

Prior to MCG approval, awardees will be asked to submit insurance certificates appropriate for the project, including Workers Compensation and Disability (or exemptions). For projects performed by an Awardee who is not the landowner, and the project is not contracted out, liability insurance may be requested.

Awardees must submit semi-annual progress reports and may seek partial expense reimbursement for work already completed.

Project activity must fall within the Contract Term. Project expenditures prior to MCG start date and after the MCG end date are not eligible for reimbursement. See Section 9, Eligible and Ineligible Expenditures for further information.

### C. Minimum and Maximum Award Amounts

1. Applicants may request a grant amount between \$10,000 and \$100,000 per application during Round 3.
2. Applicants are encouraged to request the amount of funding they deem appropriate and reasonable for their project and are prepared to pay out of pocket while awaiting reimbursement and are prepared to match 25% in cash or in kind.

### D. Application Limit/Award limit

Applicants may submit up to a total of two applications during Round 3. Multiple practices can take place on the same location under one application.

### E. Eligible Project Locations

Eligible projects for grant funding must be located on one or more contiguous properties. Applicants must implement projects which eligible practices on five acres or more per application on privately owned lands, establish new forest lands and/or enhance forest regeneration. Applicants are required to upload a map of the project area in Grants Gateway as part of the required "Work Plan." Hand-drawn maps will not be accepted.

Ineligible Locations - Lands owned by the state, county, city or any other municipality or governmental entity are not eligible for this opportunity.

### F. Rolling Award Announcement

Applications may be submitted in Grants Gateway starting on Friday May 12<sup>th</sup>, 2023. The application will be evaluated for eligibility. As a component of Eligibility, a DEC forester will contact the applicant to arrange a site evaluation visit. If the application is deemed eligible, the application will then be evaluated for a possible award and approval. Applications will be evaluated until funding is exhausted, withdrawn, or the rolling award application deadline date of October 6, 2023 5:00 P.M EST is reached.

## 2. Eligible Applicants

For the purposes of this grant program, the following entities are considered eligible applicants:

- A. Any individual, partnership, for profit entity or not-for-profit (NFP) entity that owns in fee forest land, or land suitable for establishing forests
- B. Quasi government entity Soil & Water Conservation Districts (SWCD) on behalf of private landowners
- C. Any not-for-profit (NFP) applying as a fiscal sponsor on behalf of an otherwise eligible applicant

### Not for Profits

- An eligible applicant must be a not-for-profit corporation (NFP) community-based organization, or a community-based organization may partner with a NFP that will serve as their fiscal sponsor.

For the purposes of this grant opportunity, a community-based organization is an organization that:

- A. Serves the residents of an area equal to or smaller than a town or city outside of New York City, or an area equal to or smaller than one of the five boroughs within New York City; and
- B. Cannot have its charter revoked or otherwise be dissolved through the action of another organization; and
- C. Is able to enter into legal agreements independent of any affiliated nonprofit organization, government body, university or other entity that would be ineligible to apply for this grant.

For this grant opportunity, a NFP is subject to New York State's Not-For-Profit Corporation Law, is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has an IRS 501(c)(3) determination letter to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

Applicants must possess the knowledge, skills, and /or track record to successfully implement the project.

A fiscal sponsor is an organization including a quasi-government agency (SWCD), a private forestry business, natural resource business focused on tree planting, NFP organization that applies to DEC on behalf of individuals or unincorporated organizations or groups. The fiscal sponsor accepts responsibility to serve as a fiscal conduit for a DEC-funded project, receiving and disbursing funds related to the grant, and administering the requirements throughout the DEC grant process, including final reporting of grant activity.

If a proposed project involves a cooperative agreement or partners, only one eligible, designated lead applicant can submit the application for grant funding. The lead applicant must

assume the responsibility for the project application, performance of work consistent with this RFA, and the State of New York Master Contract for Grants. Letters substantiating the collaboration from each partner are required. These letters are to be uploaded to the Grants Gateway in a single PDF under the appropriate Program Question for the application.

### 3. Inquiries & Designated Contact Information

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

**Jason Drobnack, DEC Program Coordinator,  
Private Lands Services Contact Information:**  
[RegenNY@dec.ny.gov](mailto:RegenNY@dec.ny.gov)

Include “**2023 Regenerate NY**” in the subject line of the email. Questions regarding this grant opportunity will be accepted by the Department until October 6, 2023 at 5:00PM EST. All questions and answers will be uploaded in the NYS Grants Gateway for all applicants to view.

For information about pre-qualification, registration and additional assistance with Grants Gateway, contact: Grants Management Team: Email: [GrantsGateway@its.ny.gov](mailto:GrantsGateway@its.ny.gov)

For technical information regarding the Grants Gateway application, direct questions to: NYS Grants Management Contact Information: [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov) or (518) 474-5595

### 4. Application Submission

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

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

All Applicants must be Registered with Grants Gateway to apply.

**Not for Profits only** - In addition to registration, not-for-profits must also be Prequalified at the time and date that the application is due. If you are not Prequalified at that time and date, your application will not be considered.

PLEASE DO NOT DELAY IN BEGINNING AND COMPLETING THE PREQUALIFICATION PROCESS.

THE STATE RESERVES 5 DAYS TO REVIEW SUBMITTED PREQUALIFICATION APPLICATIONS. PREQUALIFICATION APPLICATIONS SUBMITTED TO THE STATE FOR REVIEW LESS THAN 5 DAYS PRIOR TO October 6, 2023, or the Regenerate NY Round 3 APPLICATION MAY NOT BE CONSIDERED.

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

a) Applicant Prequalification

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

All Applicants must be Prequalified in the Grants Gateway at the time and date that the application is due. Applications received from nonprofit Applicants that have not registered and are not Prequalified in the Grants Gateway by the application due date and time listed at the beginning of this document cannot be evaluated. If you are not Prequalified at that time and date, your application will not be considered. Such applications will be disqualified from further consideration.

Below is a summary of the steps that must be completed to meet registration and Prequalification requirements. The Vendor Prequalification Manual on the Grants Management Website details the requirements, and an online tutorial is available to further explain the process.

PLEASE NOTE: The information included here regarding Prequalification is not intended to be exhaustive, and Applicants should visit the Grants Management website <https://grantsmanagement.ny.gov/> or contact the Grants Management Team [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov) for more information about Grants Gateway and Prequalification. The Grants Gateway help desk/hotline can be reached at (518) 474-5595.

4.1.1 Register for the Grants Gateway

- On the Grants Management Website, download a copy of the Registration Form for Administrator. A signed, notarized original form must be sent to the NYS Grants Management Team at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.
- If you have previously registered and do not know your Username, please email [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov). If you do not know your Password, please click the Forgot Password link from the main log in page and follow the prompts.

4.1.2 Complete your Prequalification Application

- Log in to the Grants Gateway. If this is your first time logging in, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.

- Click the Organization(s) link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A Document Vault link will become available near the top of the page. Click this link to access the main Document Vault page.
- Answer the questions in the Required Forms and upload Required Documents. This constitutes your Prequalification application. Optional Documents are not required unless specified in this document.
- Specific questions about the Prequalification process should be referred to your agency representative or to the Grants Management Team at [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov). The Grants Gateway help desk/hotline can be reached at (518) 474-5595.

#### 4.1.3 Submit Your Prequalification Application

- After completing your Prequalification application, click the Submit Document Vault link located below the Required Documents Section to submit your Prequalification application for State agency review. Once submitted the status of the Document Vault will change to In Review.
- If your Prequalification reviewer has questions or requests changes you will receive email notification from the Gateway system.
- Once your Prequalification application has been approved, you will receive a Gateway notification that you are now Prequalified to do business with New York State.

Once you are Prequalified, please check the status of your document vault on a regular basis to ensure that none of your documents expire prior to the application due date. Expired documents will lead to the loss of Prequalification status.

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

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

## 5. Grant Opportunity General Information and Conditions

### a. Grant Application Requirements and Conditions

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

Applications must meet the following minimum requirements to be eligible:

- Identify the practice/s types to be completed
- Summarize proposed work to be completed
- Complete project template and upload to Grants Gateway



- Describe the project location and upload a map and photos to Grants Gateway
- Provide an estimate/s for work to be completed and upload to Grants Gateway
- Confirm the three-year completion time frame
- Use the services of a forester, certified arborist or natural resource professional
- Agree to a DEC field evaluation of the project site

b. Tax Implications

Applicants / landowners are encouraged to contact their tax professional regarding any potential implications for income, property, or any other possible taxes associated with the acceptance of this grant, completion of work and reimbursement by New York State. Regarding sales tax, NYS cannot reimburse sales tax for goods and services. Sales tax can be used as match

c. Expenditure Based Budget

Applicants must complete an itemized budget in the NYS Grants Gateway that provides details of the proposed project-related expenses. Budget detail must clearly distinguish between expenses to be claimed under the State grant share and expenses comprising the match. The itemized budget should also include appropriate level of information for the breakdown of costs for each budget item (depending on the budget category this information is provided in the budget detail and/or budget narrative) Eligible and ineligible costs are identified in this RFA. Match Requirement and Expenditures

Match is the portion of project expenditures not paid for with grant funds and not reimbursed. Match can be from local and/or in-kind contributions. For example, a \$50,000 grant would require \$12,500 in match for a total project cost of \$62,500; with \$50,000 funded by the grant. Local sources can include funding from other non-state and/or non-federal grant sources or from project partners. In-kind contributions are non-cash donations provided by non-state and/or non-federal third parties which can include equipment, supplies, services, and other expendable property. Matching share contributions must support the objectives outlined in the work plan. Sales tax and project planning can be used as match

Eligible sources of match funds cannot come from other New York State or federal funding sources. Applicants will be required to provide the sources of all matching funds using the Match Worksheet in the Grants Gateway.

c. Work Plan

Applicants must complete a work plan in the NYS Grants Gateway that provides a clear overview of the project. Applications must include proposed project objectives, tasks associated with meeting each objective, and the performance measures associated with each task (performance measures can include desired project outcomes or deliverables). The work plan may include anticipated time frames in meeting project objectives, tasks and deliverables. Include measures such as location of practice by stands(s), extent of treatments or tasks (acres, feet, # of trees, etc.), the person/company performing specific tasks and practices. Please provide the timeframe tasks and practices are scheduled for completion by season and/ or year. Describe supplies and equipment being used to complete project. Details about the procurement of trees, supplies and equipment

Note: A Work Plan ‘worksheet’ is available for applicants in the Grants Gateway (under Pre-submission Uploads). The ‘worksheet’ can be downloaded and used as a tool to help applicants organize their proposed project objectives, tasks and performance measures and their budget. A completed ‘worksheet’ should NOT be uploaded back into the Grants Gateway. The intent of the ‘worksheet’ is to assist applicants in developing their application work plan in Grants Gateway.

e. Debriefing Request

In accordance with section 163 of the State Finance Law, the Department of Environmental Conservation must, upon request, provide a debriefing to any unsuccessful offeror that responded to the Program Overview, regarding the reasons that the proposal or bid submitted by the unsuccessful offeror was not selected for an award. An unsuccessful offeror wanting a debriefing must request a debriefing in writing, within fifteen calendar days of receipt of the notice that their proposal did not result in an award to Regenerate NY, DEC Albany: [regenerateNY@dec.ny.gov](mailto:regenerateNY@dec.ny.gov).

DEC does not have a formal protest procedure, therefore an applicant may file an initial protest with OSC’s Bureau of Contracts (BOC) after the Department 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](mailto:bidprotests@osc.ny.gov) or

Bureau of Contracts

New York State Office of the State Comptroller

110 State Street, 11th Floor

Albany, NY 12236.

f. Department of Environmental Conservation Oversight

The Department of Environmental Conservation reserves the right to:

- Award additional and available funding for projects consistent with these grant opportunities.
- Make an award, in whole or in part, in accordance with the method of award, or withdraw the RFA at any time at the DEC’s sole discretion.
- Award a portion of a grant request based on the proposed work plan included in the application and ineligible project-related costs.
- Monitor the progress of all grant awards and withdraw grant funding if the grantee fails to make significant and timely progress on the project or fails to receive the necessary permissions and permits for the project.
- Disqualify any applicant whose conduct and/or proposal fails to conform to the requirements of the RFA.

- Rescind an award in the event a grantee fails to execute a grant contract with DEC within 60-90 days of a grant award.
- Not fund projects that are determined not to be consistent with NYS's Smart Growth Public Infrastructure Policy Act.
- Not fund projects that are determined not to be consistent with the Climate Change Leadership and Community Protection Act or its' implementing regulations.
- Seek clarification from an applicant to effectively evaluate a project proposal.
- Waive application requirement(s) if they cannot be met by any of the applicants.
- Reject any or all applications in response to the RFA at the Agency's sole discretion.

g. Sexual Harassment Prevention Certification

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

Where applying for grant funding is required pursuant to statute, rule or regulation, every application submitted to the state or any public department or agency of the state must contain the following statement: "By submission of this application, each applicant and each person signing on behalf of the applicant certifies, and in the case of a partnering application each party thereto certifies as to its own organization, under penalty of perjury, that the applicant has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one g of the labor law."

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

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

h. Executive Order 16

Executive Order No. 16 provides that "all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia." The complete text of Executive Order No. 16 can be found at <https://www.governor.ny.gov/executive-order/no-16-prohibiting-state-agencies-and-authorities-contracting-businesses-conducting>. The Executive Order remains in effect while sanctions against Russia imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations. As defined in Executive Order No. 16, an "entity conducting business operations in Russia" means an institution or company, wherever located, conducting any commercial activity in Russia or

transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership. Vendors responding to this solicitation are required to complete and submit the form entitled “Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia”.

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

i. Letters of Agreement Private Landowner (if applicable to project)

(Landowner agreements may or may not be applicable to the types of projects to be funded from each grant application.) The applicant must own the property, or obtain an applicable access agreement, for the proposed project site. (requires an applicant to upload in the Grants Gateway proof of property ownership and/or landowner permissions in a single PDF file as follows:)

- If the property is owned by the applicant – tax map parcel id or most recent tax bill
- If the property is not owned by the applicant – a formal written agreement between the applicant and landowner which allows the applicant access to the property, and to represent the landowner, to accomplish the proposed project.

•Long-Term Support and Benefits

Applicants need to describe a 10-year plan for maintenance of the project and include details in both the Work Plan and as a last Objective, Task and Performance Measure in Grants Gateway. For example, describe how the landowner will monitor deer fencing, regrowth of herbicide treated acreage and detail possible maintenance including mowing, watering and removing tree shelters or stakes.

## 6. Application Evaluation, Scoring and Selection

All applications will be reviewed by a Regenerate NY review team in accordance with the evaluation and criteria contained in this RFA. Applicants are strongly encouraged to read and address the Application Review and Standards in the process of developing an application.

### Step 1: Application and Project Eligibility Determination

Pass/Fail criteria –

Yes/No=Pass/Fail

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

Applications will be reviewed for applicant and project eligibility on a pass/fail basis. Applications that fail one or more of the following eligibility criteria will be disqualified. Upon completion of eligibility review, including a DEC field visit, the application will be given a pass or a fail

determination. Awards will be given to applications receiving a pass score in the order they are received in the Grants Gateway, based on the earliest submittal date and time recorded in the Grants Gateway, until DEC withdraws this request for applications, funds are exhausted, or October 6<sup>th</sup>, 5:00 P.M. EST, whichever comes first.

## Eligibility Questions

Applications will be evaluated using the pass/fail based questions below. Applications will be reviewed in the order they are received in the Grants Gateway, based on the earliest submittal date recorded in the Grants Gateway. Please see Pre-Submission Uploads in Grants Gateway for submitting Project Templates, map and requested forms.

1. **Proof of Private Land Ownership:** Are you the owner of the property or a fiscal sponsor? Is the subject property private forestland within New York State? The application covers land only on contiguous ownership. Proof of ownership must be submitted by either providing the tax map parcel id in the dialog box or uploading a PDF of the most recent tax bill. A fiscal sponsor must upload a letter of support in a single PDF in Grants Gateway Pre-Submission Uploads.
2. **Project Size-**Is the applicant applying for practices which total 5 acres or more?
3. **Practice Type:** Please identify all eligible practices the project will implement for the 2023 Regenerate NY Forestry Cost Share Grant Program:
  1. Afforestation/Reforestation
  2. Forest Stand Restoration,
  3. Competing Vegetation Control, and/or
  4. Deer Exclosure Fencing.
4. **Project Description and Template(s)**
  - a. Project Descriptions: Concisely summarize the work proposed and the project goals. Describe the main tasks and objectives of the project and a general description of the location.
  - b. Project Template: Applicants are required to fill out the project template located in the Pre- Submission Uploads for all proposed practices. The template includes a project description and current forest stand data for areas where proposed practices will be installed. Practice details and specifications are required for each practice and need to follow specifications outlined in Section V.

### **5. Identification and mitigation of rare, threatened or endangered species.**

The applicant must accurately identify the presence of any rare, threatened or endangered species on the property and provide mitigation strategies in the project description and/or project template if impacted by the project. The Department's Environmental Resource Mapper is a resource landowners and foresters can use to identify the presence of any rare, threatened or endangered species on the property at <https://gisservices.dec.ny.gov/gis/erm/>.

**6. Other Funding:** Projects already receiving cost share funds or grants from another New York State or Federal assistance program such as Natural

Resources Conservation Services' Environmental Quality Incentives Program (EQIP) for the same activities as those being proposed in this application are not eligible to apply for funding under this RFA. Is the project already supported by funds from another New York State or Federal assistance program for the same activities as those being proposed? (NOTE: Claiming a 480(a) Forest Landowner property tax exemption is not direct assistance for these activities and is not applicable to this eligibility question.)

**7. Project Location Description Map and Photos:** What is the location of the project and overall condition of the site? Is the project entirely on private land? Describe the boundaries of the project area where all approved practices will take place and the site conditions of each distinct location. Applicants must also upload a map and photos identifying the project site or sites in PDF format. The map should be clearly labeled and/or referenced in a way to make it easy for application reviewers to identify the project site(s) described in your response to this question. Required elements of a map include property owners name, location, property acres, practice acres delineated on the map. Hand-drawn maps are not eligible. Include details about the photos and how they relate to the project. Please upload document in a single .pdf in Grants Gateway Pre-Submission Uploads.

**8. Competing Vegetation Control Practice Only: Herbicide** Are herbicides being applied under the Competing Vegetation Control Practice? Please complete the Herbicide Application Plan, in Pre-Submission Uploads as required. Please upload the document in a single .pdf in Grants Gateway Pre-Submission Uploads

**9. Project Cost Estimates:** Informal estimates are required; Request for Quotes or going to bid are not required. One estimate must be provided for any contractor service, material order, or equipment over \$2500. **Two estimates are required for equipment and supplies over \$5000.** Estimates should be on letterhead, in email format, or as a website screen capture. Please upload document in a single .pdf in Grants Gateway Pre-Submission Uploads.

**10. Time Frame:** Will the project be completed within a three-year time frame?

**11. Use of a Forester, Certified Arborist and Natural Resource Professionals.** Will the project be overseen, guided, administered, or completed by a forester, certified arborist or natural resource professionals?

a. A forester can be utilized for all Regenerate NY practices. A forester means an individual who has earned an associate's or higher degree in a program recognized by the Society of American Foresters, or who possesses qualifications for the practice of forestry essentially equivalent to those possessed by a graduate of a school of forestry in a degree program recognized by the Society of American Foresters. Foresters who are currently on DEC's Cooperating Forester List and/or who are qualified to write 480a plans and submit prescriptions are prequalified and do not need to upload additional qualifications. Please provide name of the forester in the dialog box below. For foresters not on the DEC Cooperating Forester List or who do not work with 480a, please upload a CV document into a

single .pdf in Grants Gateway Pre-Submission Uploads. The Cooperating Forester List can be found at:

[https://www.dec.ny.gov/docs/lands\\_forests\\_pdf/cooplist.pdf](https://www.dec.ny.gov/docs/lands_forests_pdf/cooplist.pdf).

b. A certified arborist or other natural resource professional can be used for establishing new forest areas under the Afforestation/Reforestation practice and for establishing deer protection around new forest areas under the Deer Exclosure practice. Qualified persons will need to have knowledge or experience in tree species selection and planting techniques for bare root and containerized. A certified arborist can be found at <https://nysarborists.com/for-everyone/find-an-arborist>. For other natural resource professionals, a Curriculum Vitae (CV) is required and should include relevant education and project experience to successfully guide, administer or complete a project to establish new forest areas. If using a certified arborist, please submit name and the International Society of Arboriculture Certification Number in text box. For other natural resource professionals, please upload a CV document in a single .pdf in Grants Gateway Pre-Submission Uploads.

**12. Field Evaluation:** A DEC Forester will visit the project location as part of the application evaluation. Confirm the DEC Forester is allowed access to project area(s).

**13. Work Plan:** Applicant should provide a robust description of project goals. A timetable for objectives, tasks and performance measures must be provided, including who is responsible for each task. Applicants should use information from project template and forester estimate to help build out the work plan. As a condition of contract, supporting forestry data may be requested. Also include a discussion of budget costs and estimates. Provide mitigation measures for protected streams, wetlands and/ or waterbodies and provide mitigation strategies in project design and implementation. Best Management Practices should be planned, installed, and maintained as part of project and contract agreement when necessary. A blank Work Plan Worksheet is available in Pre-Submission Uploads which can then be cut and paste to the text box in Grants Gateway. See Appendix 3 for a Sample Work Plan Worksheet, an example of Attachment C: Work Plan and Appendix 2 for a Sample Budget.

**14. Long Term Maintenance Plan:** The Applicant must describe in detail in the Work Plan how this project will be supported and monitored over the next 10 years including a monitoring schedule associated with upkeep? This information can be provided by your forester or natural resource supervisor and may include ground inspections for all projects, tree watering, tree tube maintenance, and replanting for afforestation/reforestation projects, re-treatment of competing vegetation as needed for competing vegetation projects, and/or replacing sections of fence or slash walls for deer exclosure projects.

**15. Sexual Harassment (Attachment S):** Applicants are required to sign and upload the Sexual Harassment Prevention Certification form or upload a signed statement with their application detailing the reasons why the certification cannot be made, into the pre-submission uploads folder. **If the applicant has no employees, certify the second section.** Locate the Certification form in Grants

Gateway Pre-Submission Uploads. Please upload document in a single .pdf in Grants Gateway Pre- Submission Uploads

**16.Executive Order No. 16:** This Order 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>. Vendors responding to this solicitation are required to complete and submit the form entitled “Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia”, attached hereto in Pre-Submission Uploads.

**17.Letter of Agreement:**

1. **Trusts.** Applications that are submitted by Trusts having more than an individual landowner need to write a Letter of Agreement and provide the name of the signatory for this application and contract that includes brief project description Scope of Work and Budget and state that all parties are agreed and able to move forward with a contract. The Letter of Agreement should be signed and dated by all parties and uploaded to Pre-Submission Uploads. See Appendix 4 for a Sample Trust Letter of Agreement.
2. **Quasi government entities (SWCD), not-for-profit (NFP), and other fiscal sponsors such as consulting foresters on behalf of private landowners.** Applications that are submitted by quasi government entities (SWCD), not-for-profit (NFP), and other fiscal sponsors must include a Letter of Agreement signed by the landowner that includes the project description acknowledging that the landowner supports the application for the project. Letters of Agreement should be uploaded to Pre-Submission Uploads. Please see Appendix 5 for a Sample Letter of Agreement.
3. If applicant is not a member of a partnership or trust, please indicate N/A.

2. **Eligibility Review Criteria (Pass/Fail- Yes=Pass, No=Fail)**

1. **Proof of Private Land Ownership:** Is the Applicant an eligible private forestland owner or a non-profit fiscal sponsor, or a member of a partnership or trust, and is proof of ownership or a letter of agreement uploaded? If applicable, is property owner support letter included? Pass/Fail
2. **Project Size:** Did the applicant describe eligible practices covering five acres or more? Pass/Fail
3. **Project Type:** Did the application address an eligible practice? Pass/Fail
4. **Project Description and Practice Template(s)** Did the applicant:
  1. Concisely summarize the project and give project goals in text box?



2. Fill out the practice template for all proposed practices and upload in Pre-Submission Uploads? Pass/Fail
5. **Identification and mitigation of rare, threatened or endangered species** Did applicant accurately identify the presence of any rare, threatened or endangered species on the property and provide mitigation strategies in the project description and/or project template if impacted by the project? Pass/Fail
6. **Other Funding:** The proposed project is not already receiving funds from another New York State or federal assistance program for the same activities as those being proposed in this application. Pass/Fail No=Pass, Yes=Fail
7. **Project Location Description, Map and Photos:** Did the Applicant upload a map (and photos if required) clearly identifying the project area on private land (no hand-drawn maps)? Please upload document in a single PDF in Grants Gateway Pre-Submission Uploads. Pass/Fail
8. **Competing Vegetation Control Projects Only: Herbicide.** Are herbicides being applied under the Competing Vegetation Control Practice? If Yes, has the Applicant uploaded a Herbicide Application Plan as a PDF in Pre-Submission Uploads in the Grants Gateway? Pass/Fail *If not applicable indicate N/A in the dialog box.*
9. **Project Estimates:** Has the Applicant uploaded estimates for this project? Please upload documents in a single PDF in Grant Gateway Pre-Submission Uploads. Pass/Fail
10. **Time Frame:** Will the project be completed within a three-year time frame? Pass/Fail
11. **Use of Forester, Certified Arborist, or Natural Resources Professional:** Will the Applicant utilize the services of a forester, certified arborist or natural resources professional as defined in the RFA? Did applicant provide name of DEC Cooperating Consulting Forester or forester working with RPTL 480a (Forest Tax Law) or a certified arborist in dialog box? If forester is not a DEC Cooperating forester or works with RPTL 480a, please upload proof of qualifications in the form of a CV in a single PDF in Grants Gateway Pre Submission Uploads. If a natural resource professional is working on the project, upload CV in a single PDF in the Grants Gateway Pre-Submission Uploads. Pass/Fail
12. **Field Evaluation:** Does the Applicant agree to give a DEC Forester access to the project location? Pass/Fail
13. **Work Plan:** Has the Applicant provided a robust work plan with clear objectives and tasks described in detail in Work Plan Summary and Work Plan Properties in Grants Gateway? Is a discussion of costs and cost estimates included? The work plan becomes part of the contract if funded, so providing a robust description is essential. Pass/Fail

14. **Long Term Maintenance:** Has the Applicant demonstrated in the Work Plan how the project/s will be supported and monitored over the next 10 years by acknowledging this responsibility and providing a monitoring schedule?  
Pass/Fail
15. **Sexual Harassment Prevention Certification:** Has the Applicant signed and uploaded the Sexual Harassment Prevention Certification form or uploaded a signed statement with their application detailing the reasons why the certification cannot be made into the pre-submission uploads folder? If the applicant has no employees, did they certify the second section? Locate the Certification form in Grants Gateway Pre-Submission Uploads-Pass/Fail
16. **Executive Order No. 16.** Has the applicant signed and uploaded the Executive Order No. 16? Locate the form in grants Gateway Pre-Submission Uploads, then download, complete and upload to Pre-Submission Uploads. Pass/Fail
17. **Letter of Agreement** - Has the applicant, as a member of a partnership or trust, uploaded a Letter of Agreement to Grants Gateway Pre-Submission Uploads?

## 7. Method of Award

Applications will be reviewed for eligibility and if successful, the applicant will be contacted by Regenerate NY program staff and a field visit will be organized to view the property and project area. If successful, the applicant will receive an Award letter by email.

In the event that funding for Regenerate NY Round 3 is exhausted, the final application to be awarded will be the earliest submitted by date and time.

## 8. Eligible and Ineligible Expenditures

### 1. Budget Costs Eligible for Reimbursement:

Personal Services: Salaries directly devoted to the project implementation are eligible for reimbursement or match. Landowner salary should only be listed in this category. Itemize salaries according to job title and roles/responsibilities on the project. Grantees will be required to document time worked, tasks, pay ratio and payment. Landowners of the property where project activity will be located may charge an amount equivalent to the general NYS hourly volunteer rate calculated and reported by the organization, Independent Sector. The current (2022) rate is \$29.95 as reported by Independent Sector – <https://independentsector.org/resource/value-of-volunteer-time/>. Applicants should anticipate some landowner effort, and administrative staff time related to grant contract administration and reporting. This is an eligible expense, however amounts are subject to DEC approval or substitution prior to grant award.

Contractual: Costs for services rendered to the project under a written agreement with the grantee, such as consultant forester, hired equipment operator, logging companies etc.

Forester Expenses: Expenses related to the preparation of practice plan are allowed post award and post contract date.

Equipment: Costs for equipment purchase or rentals are eligible but are subject to DEC approval or substitution prior to grant award. Purchase of heavy equipment such as tractors, skidders, bulldozers, etc. will not be approved for reimbursement. Rentals are the preferred substitute. Two estimates are required for equipment costs over \$5000; one estimate is required for costs between \$2500-\$4999.

(Other) Materials and Supplies: Costs for materials and supplies directly related to the work plan. As an example, tree shelter, fencing, fertilizer, tools and follow up spraying would be eligible costs. Two estimates are required for costs over \$5000; one estimate is required for costs between \$2500-\$4999.

## 2. Budget Costs Eligible for Match, but NOT Eligible for Reimbursement

Match of at least twenty-five percent (25%) of the grant amount is required. Any costs eligible for reimbursement are also eligible for match.

Donated labor, equipment usage, and/or other items: Costs that are not paid by the grantee, such as volunteer labor, are not eligible for reimbursement, but may be used as match. Sales Tax: NYS cannot reimburse sales tax for goods and services; however, sales tax can be used as match.

Contractual – cost incurred for practice planning and practice specification prior to the Contract Term date.

## 3. Budget Costs NOT Eligible for Reimbursement OR for Match

Indirect/Overhead: Costs including accounting fees, insurance, interest, legal fees, rent, water, repairs, telephone bills, space/property, utilities; contingencies, and grant application preparation.

Personal Services - Salary: Employee leave hours including vacation, sick, personal etc. are not project related expenses and therefore nor eligible.

Outside contract term: Costs incurred prior to an award or prior to a contract start date or after the contract end date. A contract term start and end date will be determined by DEC at the time of an official award. The Contract Term Start Date is generally the date the Award letter is sent to the applicant. The Contract Execution Date is the date the applicant signs the contract, usually 30-90 days after the Award letter is sent.

Other state or federal funding: Costs paid from other state or federal funding sources are not eligible for reimbursement or match.

## 9. Grant Program Payment

Advance payments of up to 25% of the awarded grant amount may be available **to not-for-profit grantees** once a Master Contract for Grants (MCG) has been fully approved by all applicable State agencies. Only not-for-profits are eligible to receive advance payments under State Finance Law.

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

Grantees submit the voucher package, or Fillable Payment Request as needed. Regenerate NY pays without withholding for supplies for the project, but items such as herbicide spraying, and tree planting may need to wait six months for regrowth or survivability inspection by the regional DEC forester. In this case, Regenerate NY pays the voucher minus a 15% withholding . Inspections may be dependent on practice tasks and season. Multiple regional DEC Forester inspections for tree planting and competing vegetation control are likely to be required for final approval. A period of up to 30 days is needed to schedule a regional DEC forester.

## 10. Grant Program Reporting

Semi-Annual Progress Reports must be submitted in Grants Gateway in narrative form, no later than 30 days from the end of the period. The reports will summarize how the project progressed toward meeting project objectives and deliverables during the respective period.

- The first progress report will be due six months after the Contract Term Start Date and will incorporate all activity from the MCG term date through the close of the first six months. Details of plans for the following six months can also be included.
- Projects already receiving funds from another NYS or Federal assistance grant program are not eligible to receive funding for the same project activities identified in this RFA.
- *Optional* - Expenditure Reports, detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, may accompany the semi-annual progress reports. These reports may correlate to vouchers submitted for payment. Approved project-required permits and permissions must be in place to submit a reimbursement request. See Grant Program Payment, above.
- Any project involving volunteer time as match will be required to report the number of volunteers and the number of volunteer hours in their expense reports, including landowner. The total number of volunteers and

volunteer hours for the entire project must be reported in the final report. IF volunteer time is used as match the RNY program will require liability insurance.

- A DEC inspection will be required to confirm all work was completed in accordance with the approved project work plan prior to the final payment.
- A final report must be submitted in Grants Gateway and approved by DEC prior to the release of the final grant payment to the Grantee. The Contractor (Grantee) must submit the final report no later than 60 days after the end of the contract term. The final report should detail all aspects of the program and summarize how the use of grant funds was utilized in achieving the goals set forth in the approved MCG or C Work Plan. Copies of appropriate documents and deliverables (i.e. inventory and/or management plan, photographs, outreach results) must be submitted and approved by DEC.

## 11. Eligible Practices

Regenerate NY practices must be one of the following four practices detailed below. Each practice has different requirements as reflected in standards and specifications. Applicants should carefully review the practice information below and the pass/fail eligibility criteria contained in this RFA to avoid disqualification. The project template form with basic stand information and practice specific information must be completed by the Applicant and uploaded to the Grants Gateway Pre-Submission Uploads under Eligibility question #2 to be considered for funding.

### 1. Afforestation/Reforestation

*The goal of this practice is to establish new forests, supplement regeneration in existing forest stands, and restore forests after a natural disturbance or harvest through the planting of trees. Planting is limited to the Regenerate NY Approved Trees Species List of species found in the Pre-submission uploads section of the Grants Gateway. This practice cannot be used to establish orchards, ornamental, nursery or Christmas trees farms.*

*NOTE: Applicant is required to complete the General Site Conditions and Afforestation/Reforestation Sections of the Project Template Form and upload it to the Pre-Submission uploads section of the Grants Gateway.*

#### **AFFORESTATION/REFORESTATION STANDARDS AND SPECIFICATIONS**

- This practice authorizes grant funds to be used for:
  - Establishing new forest areas
  - Reforestation of a previously forested area after a harvest or restore a forest after a disturbance
  - Supplement natural regeneration in an existing forest

- Materials and tasks that are approved for this practice include:
  - Purchase of bare root or containerized seedlings
  - Labor hours to prepare and plant seedlings on the site
  - Materials and labor for tree protection and survival (except deer fencing)
  - Rental equipment directly related to the planting and maintenance of tree seedlings
  - Purchase of tools
- Funding will be approved only for species on the Department's Regenerate NY Approved Tree Species List. The approved tree species list can be found at: <https://www.tax.ny.gov/research/property/assess/species.htm>. Substitutions may be allowed with Departmental approval. Plantings must consist of all trees; no shrub plantings are allowed.
- All hardwood plantings shall require protection which may include fencing or tree shelters.
- For plantings of 9 acres or more it may be more cost effective to use fencing than tree shelters on a per acre basis.
- **Establishing New Forest Areas or Reforestation after a harvest or disturbance:**
  - The minimum density trees can be planted is 500 trees per acre depending on the owners' goal and species, more trees per acre may need to be planted per acre. **Supplemental Planting in existing forest areas:**
    - Less trees per acre may be required for supplemental planting in forest openings. The Applicant will provide the number of trees or trees per acre required to adequately supplement existing regeneration. Site factors, current forest type, and light conditions are crucial for overall project success and will be used in the evaluation process.
- Afforestation/Reforestation practice cost estimates should be based on current USDA Natural Resource Conservation Service Environmental Quality Incentive Program (NRCS EQIP) rates for Federal Fiscal Year 2023 and local estimates. The NRCS EQIP rates can be found at <https://www.nrcs.usda.gov/sites/default/files/2022-11/New-York-EQIP-23-payment-rates.pdf>.
- The Department's list of acceptable tree species can be found at <https://www.tax.ny.gov/research/property/assess/species.htm>. Tree species must conform with the current forest type or desired future forest type. A number of factors should be considered when selecting trees for planting including:
  - Site factors such as soil type, drainage and aspect
  - Hardiness zone
  - Ability to perform future maintenance, such as thinning and pruning

- Landowner goals
- Growth rates and/or carbon sequestration rates
- Select only viable, high-quality, and adapted plant materials. Select planting stock that conforms to established seed transfer protocols within the State and complies with minimum standards accepted by the American National Standards Institute (ANSI). Do not plant any species on the Federal or State invasive species or noxious weed lists.
- Choose appropriate planting dates and handling methods to increase rates of survival. Select planting techniques and timing appropriate for soil and site conditions. A guide for tree planting can be found here at [https://www.dec.ny.gov/docs/lands\\_forests\\_pdf/tftplantmaint.pdf](https://www.dec.ny.gov/docs/lands_forests_pdf/tftplantmaint.pdf)
- Total seedling survival must be **65%** or greater during the three-year contract period to receive full reimbursement for this practice.
- Evaluate the site to determine if mulching, supplemental water or other cultural treatments (e.g., tree protection devices, shade cards, brush mats, etc.) are needed to assure adequate survival and establishment. Minimize the need for supplemental water and/or nutrients by choosing site-adapted plant materials, planting methods, and planting seasons.
- Protect tree, seeded areas, and naturally regenerated areas, from unacceptable adverse impacts of pests, wildlife, livestock, and/or fire. Protect from pests, as necessary, by applying integrated pest management techniques for pest prevention, avoidance, monitoring, and suppression.

## **OPERATION AND MAINTENANCE PLAN**

### ***Operation***

- Supplemental water will be provided as needed to plantings. Watering systems can be used as match but will not be funded.
- Select proper equipment to perform site preparation work.
- Control erosion and maintain water quality during site preparation activities.

### ***Maintenance***

- After the project is completed, the landowner is expected to maintain this practice at their own cost to reach the long-term goal of establishing tree regeneration within 10 years. This includes performing the proper cleaning and thinning of planted areas to reduce competition, pruning and replacement of species necessary to maintain forest cover.
- The landowner will develop a long-term maintenance and cost plan for the lifespan of the practice.

### ***Monitoring***

- Once implemented to the specifications listed above, the landowner will monitor this practice throughout its lifespan (10 years) to evaluate success. Frequently inspect the site within the first 3 years of practice establishment to address threats to tree survival (i.e., insects, disease, browsing, etc.).
- Monitoring records should be maintained by the landowner throughout the lifespan (10 years) of the practice and available upon request by DEC. These records should provide the necessary information needed to enable the DEC to evaluate the site. DEC may also conduct on site monitoring throughout the lifespan of the project to evaluate project and program success.

## 2. Forest Stand Restoration

*To regenerate and restore forest stands currently in a degraded or otherwise unproductive condition. Approved treatments may include silvicultural sound regeneration methods such as seed tree, shelterwood, overstory removal, strip or patch clear-cut, uniform clear-cut and group selection or a combination of these methods designed to renew degraded forest stands. Practice size for a single clear-cut practice is limited to 39 acres or less for each submitted application.*

*NOTE: Applicant is required to complete the General Site Conditions and Forest Stand Restoration Sections of the Project Template Form and upload it to the Pre-Submission uploads section of the Grants Gateway.*

### Standards and Specifications

- The landowner objective is stated to perform a silvicultural treatment to open up the forest canopy to allow for sufficient light to reach the ground, stimulating the growth and establishment of desirable tree regeneration. Prescriptions are to be developed by a forester using the project template. Additional forms can be accepted as supplemental information, but the template form must be correct and complete.
- This practice targets low quality stands with a high percentage of unacceptable growing stock (UGS) that needs to be removed to meet the acceptable forestry stocking guide requirements. These stands will also have a sufficient likelihood of regenerating to improved growing stock within the next 10 years if this practice is applied correctly.
- In general, this practice will not apply to timber stand improvement thinning's in pole timber sized stands for the purposes of residual stand volume growth. Stand prescriptions must detail desired outcome and purpose of treatments.
- Forest Stand Restoration practice cost estimates should be based on current USDA Natural Resource Conservation Service Environmental Quality Incentive Program (NRCS EQIP) rates for Federal Fiscal Year 2023 and local estimates. The NRCS EQIP rates can be found at <http://www.nrcs.usda.gov/sites/default/files/2022-11/New-York-EQIP-23-payment-rates.pdf>.



- Work Plans should describe the extent or size and orientation of treatment area(s). Identify and retain preferred tree and understory species to achieve all planned purposes. Use available guidelines for species and species groups to determine spacing, density, size-class distribution, number of trees, and amount of understory species to be retained. Describe the current and desired future condition of each stand that will be treated. Include the species, cover type, and size-class distribution. Stocking will be described in terms of basal area per acre, trees per acre, between-tree spacing, or by any other appropriate and professionally accepted density or stocking protocol.

- The following treatment or combination of treatments are eligible under this practice to establish regeneration:

Eligible Even-aged regeneration treatments

- Shelterwood systems
- Seed Tree system
- Overstory Removal
- Clear-cut (including Patch and Strip Cutting)

- Eligible Uneven-aged Treatments

- Group Selection

- Restoration forestry techniques consisting of silvicultural treatments documented in peer reviewed literature.

## **OPERATION AND MAINTENANCE PLAN**

### **Operation**

- Prescribed forest stand treatment is implemented to practice standards.

- Best Management Practices have been planned, installed and maintained to standards put forth in the New York State Voluntary Best Management Practice for Water Quality Guide-BMP Field Guide. Must be included in Work Plan.

### **Maintenance**

- After the project is completed, the landowner is expected to maintain this practice to reach the long-term goal of establishing tree regeneration within 10 years. This may include additional costs to the landowner with no reimbursement, if additional practices are needed to properly secure tree regeneration.

- The landowner will develop a long-term maintenance and cost plan for the lifespan of the practice.

### **Monitoring**

- Once implemented to the specifications listed above, the landowner will monitor this practice throughout its lifespan (10 years) to evaluate success. Frequently inspect the site within the first 3 years of practice establishment to address threats to tree survival (i.e., insects, disease, browsing, etc.).

- Monitoring records should be maintained by the landowner throughout the lifespan of the practice. These records should provide the necessary information needed to enable the DEC to evaluate the site. DEC may also conduct on site monitoring throughout the lifespan of the project to evaluate project and program success.

### **3. Competing Vegetation Control**

*To eradicate or limit the spread of native or exotic invasive plant species in forested environments which interfere with using management practices that support the forest owner's goals for regeneration. Funding can support mechanical removal or chemical control using herbicide registered in New York for targeted species. This practice is not for orchard, ornamental, nursery or Christmas tree purposes. Applicants are required to complete an Herbicide Application Plan to be considered for funding.*

*NOTE: Applicant is required to complete the General Site Conditions and Competing Vegetation Control of the Project Template Form and upload it to the Pre-Submission uploads section of the Grants Gateway.*

#### **STANDARDS AND SPECIFICATIONS**

- Practices are authorized to enhance the regeneration of a forest stand by eradicating or reducing the spread of native or exotic plant species in forested environments which interfere with natural and naturalized forest regeneration.
- To qualify for this practice the interfering vegetation must make up a least 30% of the understory as ocularly estimated.
- Project will be evaluated on the current light conditions and the desired tree species to be regenerated. Competing vegetation control may need to be paired with a silvicultural treatment and deer protection to be successful.
- Competing Vegetation Control practice cost estimates should be based on current USDA Natural Resource Conservation Service Environmental Quality Incentive Program (NRCS EQIP) rates for Federal Fiscal Year 2022 and local estimates. The NRCS EQIP rates can be found in the Pre- Submission Forms Section of the Grants Gateway.
- Work plans should describe the extent or size and orientation of treatment area(s) and clearly state the goals and objectives. Describe the current and desired future condition of each stand that will be treated. Include the species, cover type, and size-class distribution. Stocking will be described in terms of crop trees per acre, basal area per acre, trees per acre, between-tree spacing, or by

any other appropriate and professionally accepted density or stocking protocol. Maps and narratives detailing/ identifying areas to be treated, pattern of treatment (if applicable), and areas that will not be treated.

- Applicants must provide supporting documentation of control methods in the form of peer reviewed research or fact sheets by uploading them to the Pre-Submission uploads section of Grants Gateway.

- For mechanical treatments, plans should describe the type of equipment, techniques or procedures to be followed and timing of treatment to achieve best results.

- For chemical treatments, an Herbicide Application Plan is required and needs to be uploaded to Pre- Submission Uploads Section of the Grants Gateway.

- Plans should include:

- Acceptable chemical treatment references for containment and management or control of target species.
    - Evaluation and interpretation of herbicide risks associated with selected treatment(s).
    - Acceptable dates or plant growth stage at application to best effect control and reduce reinvasion.
    - Any mitigation, timing considerations or other factors that must be considered to ensure the safest, most effective application of herbicide.

- Application of herbicides must be done according to the label (labels attached) and manufacturer's safety instructions and in compliance with State regulations.

- Chemicals must be legally registered in NYS as an herbicide to be used as such under this grant opportunity.

- If the Grantee desires to contract for the herbicide application as part of this grant, the Grantee's Contractor must be a registered pesticide business that is currently registered with the NYS DEC and employs a certified applicator in the appropriate category (i.e.: Category 2). A pesticide applicator who is a holder of a N.Y.S. Commercial Applicator Permit (Category 2) must be present during the spraying operation.

## **Operation**

- As part of the project the applicant must evaluate post-treatment regrowth of target species to determine success of control. Length of evaluation periods will depend on the woody species being monitored, proximity of propagules (seeds, branches, and roots) to the site, transport mode of seeds (wind or animals) and methods and materials used. Follow up treatments may be needed to successfully complete practice.

- All of the designated area must be treated uniformly and after the herbicide application, at least 80% or more of the target vegetation stems must be dead. The effectiveness of the herbicide application will be evaluated by the DEC after June 15<sup>th</sup> during the following growing season using six-foot radius sample plots. Fern and woody species will be evaluated separately for effectiveness of the herbicide application.
- Competing Vegetation Management treatments shall be applied using approved materials and procedures in compliance with all local, state, and federal laws and ordinances.
- If herbicides are to be used as part of this practice, an Herbicide Application Plan will be submitted in the Pre-Submission Uploads Section within the Grants Gateway. A template for the Herbicide Application Plan is provided on the Grants Gateway. The plan can be developed by the forester or a contracted applicator working for the landowner.

### **Maintenance**

- After the project is completed, the landowner is expected to maintain this practice to reach the long-term goal of establishing tree regeneration within 10 years. This may include additional costs to the landowner with no reimbursement if additional practices are needed to properly secure tree regeneration.
- The landowner will develop a long-term maintenance and cost plan for the lifespan of the practice.
- Following initial application, some regrowth of competing vegetation may be expected. To improve effectiveness, spot treatment of regrowth of individual plants or areas needing re-treatment should be completed.
- Review and update the plan periodically in order to incorporate new Integrated Pest Management technology and avoid the development of plant resistance to herbicide chemicals.

### **Monitoring**

- Once implemented to the specifications listed above, the landowner will monitor this practice throughout its lifespan (10 years) to evaluate success. Frequently inspect the site within the first 3 years of practice establishment to address threats to tree survival (i.e. insects, disease, browsing, etc.).
  - Monitoring records should be maintained by the landowner throughout the lifespan of the practice. These records should provide the necessary information needed to enable the DEC to evaluate the site. DEC may also conduct on site monitoring throughout the lifespan of the project to evaluate project and program success.

## **4. Deer Exclosures**

*To protect recently established and planned regeneration of tree seedlings from herbivory by white-tailed deer by preventing access to tree seedlings and saplings. Practice authorizes the use of tree tubes and/or deer fencing as effective methods for protecting tree seedlings from deer.*

*NOTE: Applicant is required to complete the General Site Conditions and Deer Fencing of the Project Template Form and upload it to the Pre-Submission uploads section of the Grants Gateway.*

## **DEER FENCING STANDARDS AND SPECIFICATIONS**

- Work plans should describe the extent or size and orientation of treatment area(s). The materials, type and design of installed fence will meet the management objectives and site challenges. Based on objectives, fences may be permanent, portable, or temporary.
- Deer Enclosure fencing practice cost estimates should be based on current USDA Natural Resource Conservation Service Environmental Quality Incentive Program (NRCS EQIP) rates for Federal Fiscal Year 2023 and local estimates. The NRCS EQIP rates can be found at <https://www.nrcs.usda.gov/sites/default/files/2022-11/New-York-EQIP-23-payment-rates.pdf>.
- Slash Wall cost estimates may be determined using local sources.
- Fences shall be positioned to facilitate management requirements. Ingress/egress features such as gates shall be planned to meet management requirements. The fence design and installation should have the life expectancy appropriate for management objectives and shall follow all federal, state and local laws and regulations. To establish forest regeneration, the life expectancy of the fence should be at least 10 years.
- Fencing and gates for the purposes of property protection, aesthetics, or any other purposes other than for the protection of tree seedling from deer herbivory are not eligible
- Fences shall be designed, located, and installed to meet appropriate local wildlife and land management needs and requirements.
- Natural slash fences may qualify provided they meet the following specifications:
  - Fences must be designed to specific height and width to exclude deer access.
  - A gate allowing for the monitoring of the site must also be installed.
  - Deer inside the perimeter of the fence must be excluded.

## **Operation**

- Manmade fence or natural slash fences will be installed to specifications on the acres outlined on the project map.

## **Maintenance**

- After the project is completed, the landowner is expected to maintain this practice to reach the long-term goal of establishing tree regeneration within 10 years. This may include additional costs to the landowner with no reimbursement if additional practices are needed to properly secure tree regeneration.
- The landowner will develop a long-term maintenance and cost plan for the lifespan of the practice.
- Regular inspection of fences should be part of an ongoing maintenance program to ensure continuing proper function of the fence.

A schedule for regular inspections and inspection after storms and other disturbance events will provide for the following:

- Repair or replacement of loose or broken material, gates and other forms of ingress/egress
- Removal of trees/limbs
- Replacement of water gaps as necessary
- Repair of eroded areas as necessary
- Repair or replacement of markers or other safety and control features as required

## **Monitoring**

- A monitoring plan will be developed that identifies deliverables and the changes in the plant community that will be achieved.
- Once implemented to the specifications listed above, the landowner will monitor this practice throughout its lifespan (10 years) to evaluate success. Frequently inspect the site within the first 3 years of practice establishment to address threats to tree survival (i.e. insects, disease, browsing, etc.).
- Monitoring record and annual inspection reports should be maintained for the lifespan of the practice. These records should provide the necessary information needed to enable the DEC to evaluate the site. DEC may also conduct on site monitoring throughout the lifespan of the project to evaluate project and program success.

## **12. What to Expect If You Receive an Award**

- a. Notification of Award

Applicants selected to receive a grant award will be notified by email and in an official Department award letter. The NYS Grants Gateway will also provide you with an award status.

**IMPORTANT NOTE:** By accepting an award, applicant agrees to abide by all Master Contract for Grants (MCG) or purchase order terms and conditions. Any changes to the terms and conditions will not be accepted and may affect applicant's award.

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

Applicants selected to receive a grant award will be required to execute a MCG within 60 - 90 days from the time of their award notification. Failure to submit timely required MCG documents could cause a grantee to lose their grant award. Applicants should review and be prepared to comply with all MCG terms and conditions should grant funding be awarded. The MCG and attachments can be reviewed and/or downloaded in the Grants Gateway HRE application under the screen named 'Contract Document Properties'. The MCG and attachments include:

- MCG Grants Face Page
- Standard Terms and Conditions (NYS standard terms and conditions)
- Attachment A-1 Program Specific Terms and Conditions (Agency and Program specific terms and conditions)
  - Attachment A-2 Federally Funded Grant Terms and Conditions (optional)
  - Attachment B-1 Expenditure Based Budget (project expense categories and detail)
  - Attachment C Work Plan (project objectives, tasks and performance measures)
  - Attachment D Payment and Reporting Schedule (claims for reimbursement and grant reporting provisions)

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

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

I. Insurance Requirements

Contractor will be required to carry appropriate insurance as specified in the MGC or LOA, Attachment A-1 Program Specific Terms and Conditions, and agree that each project consultant, project contractor and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the contractor as an additional insured, with appropriate limits, covering contractor's public liability and property damage insurance, contractor's contingency liability insurance, "all-risk" insurance and workers compensation/disability benefits coverage for the project.

## II. Permit Requirements (if applicable)

Contractors agree to obtain all required permits, including but not limited to, local, state and federal permits prior to the commencement of any project related work. The Contractor agrees that all work performed in relation to the project by the Contractor or its agents, representatives, or contractors will comply with all relevant federal, state and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.

## III. State Environmental Quality Review (SEQR) Documentation

With respect to the project, the Contractor certifies that it has complied, and shall continue to comply with all requirements of the State Environmental Quality Review Act (SEQRA). The Contractor agrees to provide all environmental documents as may be required by the DEC. The Contractor has notified, and shall continue to notify, the DEC of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

### d. Vendor Responsibility Questionnaire

Not-For-Profit contractors and/or subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions, or log in at <https://onlineservices.osc.state.ny.us>.

### e. Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. By entering into a Contract, the Contractor certifies that it is not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the MCG, Attachment A-1 Program Specific Terms and Conditions.

### f. Minority and Women Business Enterprise (MWBE) and Equal Employment Opportunity (EEO) Requirements

The Department is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (MWBE Regulations) for all State contracts with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.



Applicants subject to executing a future NYS Master Contract for Grants (MCG) agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to the Department, to fully comply and cooperate with the Department in the implementation of New York State Executive Law Article 15-A. These requirements include Equal Employment Opportunities (EEO) for minority group members and women and contracting opportunities for certified Minority and Women Owned Business Enterprises (MWBEs). Contractor's demonstration of Good Faith Efforts (GFEs) pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the "Human Rights Law") or other applicable federal, state or local laws.

Failure to comply with MWBE and EEO requirements may result in a Department finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds or such other actions, liquidated damages, or enforcement proceedings.

Please refer to the NYS MCG - Article IV (J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review MWBE and EEO requirements.

- The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.

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

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

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

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

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

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

Construction/Engineering – up to 0%  
Commodities – up to 0%

Services/Technologies –up to 0%

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

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

The Department is required to implement the provisions of New York State Veteran's Law Article 3. The contractor must make Good Faith Efforts to subcontract a goal of 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 is required to complete and submit a SDVOB Utilization Plan detailing how the contractor intends to meet the SDVOB goal. In addition, the contractor must complete and submit quarterly compliance reports detailing the amount spent on SDVOBs in the previous quarter. Please upload all required forms to the Grants Gateway. In addition, all forms and guidance can be located at; [Division of Service-Disabled Veterans' Business Development Compliance and Reporting | Office of General Services \(ny.gov\)](#). Please contact the Department's SDVOB compliance staff with any questions at:

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

h. Procurement of Contractors/Subcontractors

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

i. Americans With Disabilities Act

In the event the monies defined herein are to be used for the development of facilities, outdoor recreation areas, transportation or written or spoken communication with the public, the Contractor shall comply with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act, and relevant sections of the New York State Uniform Fire Prevention and

Building Code. Standards for certain Recreation Facilities are found in the 2010 ADA Standards for Accessible Design while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas <https://www.access-board.gov/guidelines-and-standards>.

j. Signage

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

k. Diesel Emissions Reduction Act 2006

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

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

## APPENDIX 1 – NYS DEC Service Foresters

The following people can provide professional guidance and provide work plan assistance in a geographic area.

Contact telephone numbers and regional maps:

Forester	Email	Phone	Office
<b>Region 1</b>			
John Wernet	<a href="mailto:john.wernet@dec.ny.gov">john.wernet@dec.ny.gov</a>	(631) 444-0285	Stony Brook
<b>Region 2</b>			
Tim Wenskus	<a href="mailto:timothy.wenskus@dec.ny.gov">timothy.wenskus@dec.ny.gov</a>	(718) 482-7087	Long Island City
<b>Region 3</b>			
Bob Mackenzie	<a href="mailto:robert.mackenzie@dec.ny.gov">robert.mackenzie@dec.ny.gov</a>	(845) 256-3078	New Paltz
Matt Paul	<a href="mailto:matthew.paul@dec.ny.gov">matthew.paul@dec.ny.gov</a>	(845) 256-3156	New Paltz
Timothy Yeatts	<a href="mailto:timothy.yeatts@dec.ny.gov">timothy.yeatts@dec.ny.gov</a>	(845) 256-3084	New Paltz
<b>Region 4</b>			
Tyler Levy	<a href="mailto:tyler.levy@dec.ny.gov">tyler.levy@dec.ny.gov</a>	(518) 357-2351	Schenectady
Don Guest	<a href="mailto:donald.guest@dec.ny.gov">donald.guest@dec.ny.gov</a>	(607) 652-3607	Stamford
<b>Region 5</b>			
Seth Thomas	<a href="mailto:seth.thomas@dec.ny.gov">seth.thomas@dec.ny.gov</a>	(518) 863-4545 X3005	Northville
Rich McDermott	<a href="mailto:rich.mcdermott@dec.ny.gov">rich.mcdermott@dec.ny.gov</a>	(518) 623-1270	Warrensburg
Christi Barber	<a href="mailto:christi.barber@dec.ny.gov">christi.barber@dec.ny.gov</a>	(518) 897-1358	Ray Brook
<b>Region 6</b>			
Dan Welc	<a href="mailto:dan.welc@dec.ny.gov">dan.welc@dec.ny.gov</a>	(315) 866-6330 X125	Herkimer
Tony Sparacino	<a href="mailto:tony.sparacino@dec.ny.gov">tony.sparacino@dec.ny.gov</a>	(315) 376-3521 X210	Lowville
Rachel Hillegas	<a href="mailto:rachel.hillegas@dec.ny.gov">rachel.hillegas@dec.ny.gov</a>	(315) 376-3521 X212	Lowville
Steve Sherwood	<a href="mailto:steve.sherwood@dec.ny.gov">steve.sherwood@dec.ny.gov</a>	(315) 274-3335	Potsdam
<b>Region 7</b>			
Daniel Sawchuck	<a href="mailto:dan.sawchuck@dec.ny.gov">dan.sawchuck@dec.ny.gov</a>	(315) 298-7467	Altmar
Matt Swayze	<a href="mailto:matthew.swayze@dec.ny.gov">matthew.swayze@dec.ny.gov</a>	(607) 753-3095 X220	Cortland
John Graham	<a href="mailto:john.graham@dec.ny.gov">john.graham@dec.ny.gov</a>	(607) 753-3095 X221	Cortland
Nate Funk	<a href="mailto:nathan.funk@dec.ny.gov">nathan.funk@dec.ny.gov</a>	(607) 775-2545 X121	Kirkwood
Paul Romanenko	<a href="mailto:paul.romanenko@dec.ny.gov">paul.romanenko@dec.ny.gov</a>	(607) 674-4017 X606	Sherburne
<b>Region 8</b>			
Gary Koplun	<a href="mailto:garrett.koplun@dec.ny.gov">garrett.koplun@dec.ny.gov</a>	(585) 226-5314	Avon
Vacant		(585) 226-5330	Avon
Pat Lafler	<a href="mailto:patrick.lafler@dec.ny.gov">patrick.lafler@dec.ny.gov</a>	(607) 622-8283	Bath
Cody Lafler	<a href="mailto:cody.lafler@dec.ny.gov">cody.lafler@dec.ny.gov</a>	(607) 622-8262	Bath
<b>Region 9</b>			
Chris Enser	<a href="mailto:chrisenser@dec.ny.gov">chrisenser@dec.ny.gov</a>	(716) 372-0645 X751	Allegany
Ricky Silvestro	<a href="mailto:richard.silvestro@dec.ny.gov">richard.silvestro@dec.ny.gov</a>	(716) 372-0645 X754	Allegany
Nate Morey	<a href="mailto:nate.morey@dec.ny.gov">nate.morey@dec.ny.gov</a>	(716) 851-7048	Buffalo

# APPENDIX 2- EXPENDITURE BASED BUDGET

## SUMMARY

PROJECT NAME:

Name of project e.g. Regenerate NY Round 3 Afforestation/Reforestation, Forest Stand restoration, Competing Vegetation, Deer Fence Enclosure

CONTRACTOR SFS PAYEE NAME:

John Smith

CONTRACT PERIOD:

From: 12/01/2023

To: 11/30/2026

CATEGORY OF EXPENSE	GRANT FUNDS	MATCH FUNDS	MATCH %	OTHER FUNDS	TOTAL
1. Personal Services					
a) Salary	\$23,015.00	\$3,135.00	13 %	\$0.00	\$26,150.00
b) Fringe	\$0.00	\$0.00	0 %	\$0.00	\$0.00
Subtotal	\$23,015.00	\$3,135.00	13 %	\$0.00	\$26,150.00
2. Non Personal Services					
a) Contractual Services	\$7,425.00	\$2,405.00	32 %	\$0.00	\$9,830.00
b) Travel	\$0.00	\$0.00	0 %	\$0.00	\$0.00
c) Equipment   Add information here if being requested for funding or match	\$0.00	\$3,420.00	0 %	\$0.00	\$3,420.00
d) Space/Property & Utilities	\$0.00	\$0.00	0 %	\$0.00	\$0.00
e) Operating Expenses	\$0.00	\$0.00	0 %	\$0.00	\$0.00
f) Other	\$19,560.00	\$4,890.00	25 %	\$0.00	\$24,450.00
Subtotal	\$26,985.00	\$10,715.00	39 %	\$0.00	\$37,700.00
<b>TOTAL</b>	<b>\$50,000.00</b>	<b>\$13,850.00</b>	<b>27 %</b>	<b>\$0.00</b>	<b>\$63,850.00</b>

## APPENDIX 2-EXPENDITURE BASED BUDGET

### PERSONAL SERVICES DETAIL

SALARY					
POSITION TITLE	ANNUALIZED SALARY PER POSITION	STANDARD WORK WEEK (HOURS)	PERCENT OF EFFORT FUNDED	NUMBER OF MONTHS FUNDED	TOTAL
Landowner	\$26,150.00	15	100	12	\$26,150.00
Subtotal					\$26,150.00
TOTAL FRINGE					
PERSONAL SERVICES TOTAL					\$26,150.00

APPENDIX 2 - EXPENDITURE BASED  
BUDGET

*NON-PERSONAL SERVICES DETAIL*

CONTRACTUAL SERVICES - TYPE/DESCRIPTION	TOTAL
Contract - qualified for tree marking and tree planting	\$9,830.00
TOTAL	\$9,830.00

SAMPLE

EQUIPMENT - TYPE/DESCRIPTION	TOTAL
Landowner equipment for tree removal and mechanical vegetation control	\$3,420.00
TOTAL	\$3,420.00

SAMPLE



OTHER - TYPE/DESCRIPTION	TOTAL
Tree planting and Deer Exclosure materials	\$24,450.00
TOTAL	\$24,450.00

SAMPLE



tree seedlings should be planted to add diversity throughout the stand.

Stand 6 (0.9-acre 'oak northern hardwoods' stand) has a preponderance of white ash (57% of the composition) and has poor-quality trees of other species. An appropriate management strategy would be to remove most of the overstory to a low-density shelterwood/seed tree cut (to remove competition for seedling establishment), control any potential interfering species in the midstory and understory using mechanical means (same precautions as earlier), and plant tree seedlings with individual tree protection.

Stand 7\_plant (2.0-acre field) can support additional tree planting of 436 stems/ac, with herbaceous plant cover that should be controlled using a mechanical (tilling) approach, with tree mulching after planting. As this area is contiguous with Stand 4, a fence/slash wall contiguous with that stand would be appropriate to maximize the deer enclosure area and minimize the associated costs.

Specifically, all 4 practices are broken out as specific tasks below:

1) Competing Vegetation Control:

a. Mechanical treatment for all stands utilizing brush saws, chainsaws, weed trimmers, flail mowers, and/or brush hogs (repeated annually for 3 years, as required based on site conditions).

b. Ground tilling (2.0-acre field) followed by mulching and/or weed mats

2) Forest Stand Restoration:

a. Create group openings in Stand 1 (0.8 acres) (approximately 4-6 group openings with a total of 3.5 acres),

b. Clearcut/seed tree cut in Stand 2 (1.1 ac), with some residual hardwoods species left

c. High-density shelterwood (5.8 acres) in Stand 4, residual BA of approximately 70-80 sqft BA/ac, although some sections may be lower.

d. Clearcut/seed tree cut in Stand 6 (0.9 ac), with some residual hardwoods species left

e. Follow all relevant BMPs

3) Deer Enclosure/Fencing:

a. Use approximately 2645 feet of 8' tall polypropylene fencing with a guy wire at the top and approximately 0.5' apron with material to weigh it down at the bottom, covering 7.4 acres in stands 4 and 7\_plant. Alternatively, a 10' slash wall would be created in its place, with potential for a combination of the two, as feasible.

4) Reforestation:

a. Plant 436 hardwood stems/ac on approximately 1.0 acre in Stand 1, 0.2 acres in Stand 3, 1.1 acres in Stand 2, 0.9 acres in Stand 6, and 2.0 acres in Stand 7\_plant (total of 5.2 acres). In Stand 4, plant 250 trees/ac to supplement the natural regeneration that is likely to develop over 5.6 acres with additional trees to be protected using tree shelters in the remaining 0.2 acres.

b. Species to plant in addition to natural regeneration will include northern red oak, white oak, black walnut, butternut, black cherry, black oak, chestnut oak, black locust, hickory spp., tulip poplar, scarlet oak, sugar maple, and white pine. Total planted area is approximately 11 acres.

Budget - Cost for mechanical invasive/interfering species on 14 acres over a continuous 3-year period is \$9,800.00. A chemical foliar price for potential subsequent treatment is \$3,000.00

Deer fence installation cost over 2645 feet in stands 4 and 7\_plant (fenced area) is \$21,000.00, including material and labor.

The costs associated with timber, boundary marking, and overstory removal over 14 acres are \$12,000.00.

Planting costs for 3.2 acres (stands 1,2,3 and 5) using tree shelters at a density of 436

seedlings/acre (1400 seedlings) is \$14,000.00, planting 436 stems/ac over 2 acres (880 seedlings) using the fence as protection in stand 4 for \$2,700.00, and 1450 trees

(at 250 stems/ac) in stand 5 using fence as protection at a cost of \$4,350.00. Total planting costs are \$21,050.00. Total costs associated with the project are

\$63,850.00

## APPENDIX 3 – Sample Work Plan & Objective Worksheet cont.

### DETAIL

#### Objective

- 1 Promote regeneration of hardwoods - Promote regeneration of hardwoods/mixed forest

#### Tasks

- 1.1 Competing Vegetation Control - Hire mechanical treatment contractor. Contractor is hired. Performance Measures
- 1.1.1 Initial mechanical treatment buckthorn/other invasives/herbaceous - 14 acres of buckthorn/other invasives/herbaceous species is treated in stand. 2 of these acres are tilled to reduce weed pressure.
  - 1.1.2 Subsequent mechanical treatment buckthorn/other invasives/herbaceous - 14 acres of buckthorn/other invasives/herbaceous species is treated in stand using mechanical means in year 2.
  - 1.1.3 Final mechanical treatment buckthorn/other invasives/herbaceous - 14 acres of buckthorn/other invasives/herbaceous species is treated in stand using mechanical means in year 3. Assess for effectiveness and potential future chemical treatment.

#### Tasks

- 1.2 Forest restoration - Hire forester to lay out the removals, and overstory removal contractor. Contractor is hired. Performance Measures
- 1.2.1 Remove overstory per the silvicultural prescriptions - Mark stands/property boundary and trees to be cut. Removal of overstory over 8.6 acres (adherent to specific silvicultural prescriptions elsewhere).

#### Tasks

- 1.3 Install deer enclosure - Hire fence/slash wall contractor. Contractor is hired Performance Measures
- 1.3.1 Install deer enclosure - Install fence (8' tall), using posts in open field area, trees in forested areas, while possibly using the available woody material to install a slash wall (10' tall)

Monitor fence/slash wall 2-3 times a year - Monitor to ensure that no deer are getting inside. Fix breaks/tears.

Tasks

1.4 Reforestation - Plant tree seedlings. Hire a contractor  
Performance Measures

1.4.1 Plant tree seedlings - Plant tree seedlings over 14 acres, with 7.5 acres protected via deer exclosures, and the remaining 6.5 acres protected via tree shelters. Achieve 65% survival rate.

1.4.2 Mulch seedlings - Mulch seedlings in field (2.0 acres). Optionally, mulch seedlings in other stands

Tasks

1.5 Long term maintenance - Ensure seedling survival via monitoring, watering, etc. over 10 years  
Performance Measures

1.5.1 Long term maintenance - Ensure seedling survival via monitoring, watering, etc. Replant if survival is below 65%.

Tasks

1.6 DEC Inspections - DEC Forester will inspect and approve after most major work/practice is completed and ready for payment

Performance Measure

1.6.1 DEC Forester will inspect and approve after most major work/practice is completed and ready for payment

## APPENDIX 3 - WORK PLAN

### **ORGANIZATIONAL CAPACITY**

Describe the staffing, qualifications and ongoing staff development/training activities, and relevant experience of the provider organization to support the project.

The owner will hire a consulting forester to delineate and carry out the treatment of the project area . In addition, if the mechanical treatment does not adequately control the interfering vegetation, consulting forester is a registered pesticide business that is currently registered with the NYS DEC and employs a certified applicator in Category 2 (CXXXXXX). Additional staff will be provided by consulting arborist including pesticide technicians and other forest management technicians.

Land owner will supply in-kind labor including but not limited to the following: support with clearing at group cuts, mechanical removal of understory, tree planting and tube installation, and installing fencing and gates.

## APPENDIX 4 – Letter of Agreement -Trusts

### SAMPLE – Letter of Agreement –Trusts

Name of Applicant Landowners or Trust:

\_\_\_\_\_

Trust Email: \_\_\_\_\_

Name of Project: \_\_\_\_\_

Project address and Tax Parcel id # \_\_\_\_\_

\_\_\_\_\_

*Applications that are submitted by Trusts having more than an individual landowner need to write a Letter of Agreement and provide who is the signatory for this application and contract that includes brief project description Scope of Work and Budget and state that all parties are agreed and able to move forward with a contract. The Letter of Agreement should be signed and dated by all parties and uploaded to Pre-Submission Uploads.*

Name of Applicant submitting this application to DEC in Grants Gateway: \_\_\_\_\_

Name of Contract Signatory if the application is awarded: \_\_\_\_\_

**Type** a brief description of the Scope of Work (list the practices being applied for in the application) and basic budget details (amount to be spent on Contractual, Equipment, Other {supplies, trees etc}). Use a second page if needed.

\_\_\_\_\_  
\_\_\_\_\_

We, the undersigned, are members of (Trust Name) (include a second page if more than six (6) trustees).

We are collectively agreed upon, and in full support of, the practices described, the contractor's estimate of work to be provided and the Work Plan procedures for completing the work.

As such, all Trust members are in agreement that the project may be implemented if awarded by Regenerate NY.

Trust member name, email and signature \_\_\_\_\_

\_\_\_\_\_

Trust member name, email and signature \_\_\_\_\_

\_\_\_\_\_

Trust member name, email and signature \_\_\_\_\_

\_\_\_\_\_

Trust member name, email and signature \_\_\_\_\_

\_\_\_\_\_

Trust member name, email and signature \_\_\_\_\_

\_\_\_\_\_

Trust member name, email and signature \_\_\_\_\_

\_\_\_\_\_

SAMPLE



## Application Appendix 5

**SAMPLE – Letter of Agreement – Landowner and Fiscal Sponsor Grantee such as Consulting Forester, Soil and Water Conservation District, Cornell Co-operative Extension**

Name of Landowner:

\_\_\_\_\_

Landowner Email: \_\_\_\_\_

Name of Project: \_\_\_\_\_

(Landowner Name) is in full support of the above referenced project. I/We understand that (Name of Fiscal Sponsor Grantee) is applying to the New York State Department of Environmental Conservation on my/our behalf for a project under the 2023 Regenerate NY Round 3 Grant Program for (Names/of practices – Afforestation/Reforestation, Forest Stand restoration, Competing Vegetation/ Deer Fencing).

Project activities to be performed are located at (Address of project property), a site located within the operating area or territorial jurisdiction of (Name of Fiscal Sponsor Grantee).

As such, (Landowner Name) hereby gives approval/endorsement for (Name of Fiscal Sponsor Grantee), and any consultants working on behalf of their efforts related to the above referenced project, access to (property address) for project plan development purposes; all that area described by Tax Map# (Tax Map #). The Fiscal Sponsor has informed me of the implementation work that will occur as well as the long-term maintenance responsibilities and monitoring requirements related to this grant. In the event that this project is awarded grant funding, I agree to make a good faith effort to enter into any legal agreement that may be necessary to support the Fiscal Sponsor's successful completion of the project.

(Please check bullet with an X or check mark)

- A. Requirement: landowner agrees to allow access for fiscal sponsor and their contractor(s) to perform work on the land.
- B. Landowner agrees to support the project and the long-term maintenance goals and agrees not to conduct any activity for a period of 10 years that would impair the project in any way.
- C. Who will be responsible for long term maintenance. Check one of the following:
  - i. Fiscal sponsor agrees to perform long term maintenance. Landowner agrees to provide access to fiscal sponsor for long term maintenance.
  - ii. Landowner agrees to perform long term maintenance
- D. Landowner agrees to provide access to NYS DEC to inspect activity and to monitor project effectiveness for a period of 1- years.
- E. Fiscal sponsor will be responsible for semi-annual progress reports and possible interim questions from the RNY program staff and regional DEC foresters. Landowner agrees to provide accurate and up to date information to fiscal sponsor and photos as needed for reporting.

Signed (Landowner Name) \_\_\_\_\_

Dated \_\_\_\_\_

Signed (Grantee representative/title) \_\_\_\_\_

Dated \_\_\_\_\_

Grantee – Print Name \_\_\_\_\_