

**NYS Department of State**  
**Office of Planning, Development and Community Infrastructure**  
**BROWNFIELD OPPORTUNITY AREA PROGRAM (BOA)**  
**2025-2026 REQUEST FOR APPLICATIONS**  
**RFA #25-BOA-10**

*The responses to questions included herein are official responses by the Department of State (DOS) to questions submitted by potential applicants and are hereby incorporated into the Request for Applications RFA #25-BOA-10 issued on May 19, 2025. In the event of any conflict between the Request for Applications and these responses, the requirements or information contained in these responses will prevail.*

**DATE POSTED. July 11, 2025**

**Questions & Answers**

**Q1. Are nonpublic schools eligible to apply for this grant?**

A1. In accordance with Section II (Eligible Applicants) of the RFA non-public schools are not eligible to apply for Brownfield Opportunity Area Program funds.

**Q2.**

- **Can applicants combine multiple sites into one grant funding application? If multiple sites are allowed, how do we adapt the application and supporting materials, would separate site assessment supplements and budgets just be required?**
- **The minimum funding request is \$100,000 and based off past Phase 2 ESAs done, most of the sites we have determined as eligible would not exceed that cost individually. We noticed Amsterdam and Ogdensburg have received funding for SAs at multiple locations, so we just wanted to confirm if that is a possibility.**

A2. Applicants may request Site Assessment funding for more than one site within a single BOA Phase II Site Assessment (SA) application. In accordance with Section VII Pre-Submission Requirements, A completed [BOA Site Assessment Supplement](#), including related attachments, must be included for each site for which funding is requested. Substantially incomplete Site Assessment Forms will not be accepted. For the Site Assessment Supplemental form, please see the “BOA Site Assessments: Guidance for Applicants” in the “Grant Application Resources” section on the 2025-2026 Brownfield Opportunity Area Program funding page here: <https://dos.ny.gov/2025-2026-brownfield-opportunity-area-program>. Your budget should include a professionally informed cost estimate of the proposed Phase II Environmental Site Assessment work. The minimum State assistance request for each grant award is \$100,000, and multiple sites may be included in a request for grant award.

**Q3. Can non-contiguous parcels be considered a “site”? As an example, we have some City owned properties that are separated by former railroad ROWs (single line typically 50 feet wide) that are now privately owned. If so, would the privately owned ROW also have to be included in the Phase 2 ESA (pending owner permission) as well, or can they be left out?**

- A3. Non-contiguous parcels would be identified as separate sites unless all areas between were included in the "site". The site should be defined for the purposes of an ESA around one or more areas of concern and may include one or more tax parcels. The site should have clear and identifiable boundaries. The SA report will normally present findings for the site, not each tax parcel when multiple parcels are included. Separate sites require a Site Assessment Supplement to be completed and submitted for each site with the Phase II application for funding. The Site Assessment Supplement is found on the DOS website within the "BOA Site Assessments: Guidance for Applicants". Multiple parcels or sites may be included in one Phase II Site Assessment application for BOA grant funding. Privately owned ROW would not be included unless authorization was obtained from the property owner.
- Q4. If existing Phase 1 ESAs have been previously prepared, is there a cut-off limit on how old the document is?**
- A4. There is no identified time limit on the validity of the Phase 1 ESA, but if additional known activity or land use on the site may have altered the previous findings of a Phase 1 ESA, an updated Phase 1 ESA should be completed.
- Q5. Can grant money be used towards completing Phase I ESAs only? What if the Phase 1 Environmental Site Assessment (ESA) prepared for a site as part of the Phase 2 ESA grant application comes back with no further investigation warranted?**
- A5. Phase I Environmental Site Assessments (ESAs) may be funded with a BOA Predevelopment Activities grant. The site(s) identified for Phase I environmental site assessment(s) must be located within a State Designated BOA. If a Phase I ESA is completed as part of an awarded BOA Environmental Site Assessment and the findings of the Phase I ESA do not warrant additional environmental investigation, the project would be complete.
- Q6. Are there any timeline specifications for completion of Phase I reports?**
- A6. Completion of Phase I ESA reports as part of a funded BOA grant must be completed within the executed contract period.
- Q7. Does site rank contribute to grant approval? What is the protocol if the established BOA does not have site rankings?**
- A7. An applicant is not required to rank the sites submitted for Phase II Site Assessment as part of the application process. Please review [BOA Site Assessments: Guidance for Applicants](#) on the DOS Funding and Bid Opportunities webpage for additional information.
- Q8. What if the submitted cost estimate prepared for the grant funding application comes in lower once proposals are received, would revised budgets just need to be submitted with appropriate schedules?**
- A8. The grant is awarded based on the budget and budget justification in the application. If a grant is awarded and final project costs are less than the award, the remaining amount will be forfeited by the grant recipient.

The budget estimate for the total project cost, should take into account the cost to complete each task included in the project scope of work, which may include costs associated with project management and grant administration. For additional guidance, example DOS generic work plans and sample budgets are available at: <https://dos.ny.gov/funding-bid-opportunities>. Applicants are highly encouraged to obtain multiple project quotes from consultants with relevant professional experience and background to help the applicant better estimate the total project cost.

**Q9. If the municipality's 10% match is eligible services (i.e. project management, grant administration, etc.), is this cost added to the Site Assessment Contractual Budget Schedules 1(a) & 1(b) as well as the "BOA BUDGET SUMMARY & DETAIL" excel sheet? Or is the match cost only show in the excel sheet?**

A9. Eligible costs for the match include both personal services and non-personal services, as well as project management and grant administration activities. All eligible costs should be clearly identified in the BOA Budget Summary & Detail attachment (excel spreadsheet) with your BOA application package. Project management and grant administration costs should not be included in the Site Assessment Supplement Site Assessment Contractual Budget Schedules 1(a) & 1(b).

**Q10. The Town is currently going through the courts for eminent domain of the property. As part of the application, the Town must fill out the Site Assessment Supplement form, since the site is not officially Town property yet does the current site owner need to fill out and sign the Non-Applicant Site Owner and Access Certification?**

A10. Yes. The legal owner of the property, must be the municipality, or for sites where the applicant is not the legal site owner at time of application, then a Non-Applicant Site Owner and Access Certification Form must be completed. The Non-Applicant Site Owner and Access Certification Form includes a certification that the site owner will allow access to the properties for testing. A property deed and a BOA Non-Applicant Site Owner and Access Certification form for each site owner of every tax parcel that is part of the site and must be submitted with the BOA application. Please refer to the BOA Site Assessment Supplement on the Department of State's website at <https://dos.ny.gov/funding-bid-opportunities>.

**Q11. Where can I find information about how to develop a BOA Plan?**

A11. BOA plans set the stage for the revitalization of neighborhoods or areas affected by one or more known or suspected brownfields and other vacant or abandoned properties, and should include in-depth analyses of existing economic and other conditions and articulate redevelopment opportunities for brownfield sites and surrounding areas. Information and guidance for the [Development of a BOA Plan](#) are available on the DOS website.

**Q12. Can I start my BOA project before grant awards are announced?**

A12. Project costs incurred prior to April 1, 2025, will not be eligible for reimbursement. In accordance with Section XI. Contract Requirements, Expenses incurred before receipt of an executed

contract are incurred at the grantees risk and, to be reimbursed, must be eligible and consistent with the contract workplan.

**Q13. Can I apply for BOA Predevelopment activities or Phase II Environmental Site Assessment for an area or project not in a State-Designated BOA?**

A13. No, projects submitted for BOA Predevelopment Activity or Phase II Environmental Site Assessment funding must be located within a State-Designated BOA, or within an area submitted for BOA designation to the Department of State prior to June 1, 2025.

**Q14. We are a small municipality with a 450-acre state-designated BOA in the center commercial area. A single site with confirmed soil contamination is now owned by the town and was identified as a strategic site in the BOA plan. Redevelopment of the site has not progressed since the BOA designation 5 years ago. We are looking for additional information on the site. Is a NYS DEC Brownfield Cleanup Program (BCP) application eligible to be funded with BOA program grant funds?**

A14. Yes. As stated in Section V (Eligible Activities) of the RFA, the preparation of a NYS BCP application for municipally owned parcels are eligible for funding as a BOA predevelopment activity. However, any applicable BCP application fee is not eligible to be BOA-funded.

**Q15. As a Regional Planning Council (RPC), are we an eligible applicant, and what items are required to be submitted with the grant application?**

A15. Yes. Regional planning council's (RPC) are eligible to apply as the primary applicant, on behalf of a city, village, town or county. The municipality (city, village, town or county) must be part of a collaborative agreement with the RPC as identified under General Municipal Law, Article 12B, Section 239-h. For additional information, please refer to the [RFA](#), page 4, Section II. Eligible Applicants.

An Application submitted by a RPC, the Council is required to include with the application, a resolution or letter (see [General Municipal Law, Article 12-B, Section 239-h](#)) from each eligible county, city, town, and village participating in the project which demonstrates the community's consent and support for the RPC to submit a BOA grant application on their behalf.

Please note, if The RPC submits an application for the same project as one submitted by a municipal eligible applicant, the applications will not be evaluated. The eligible village, town, city or county must decide prior to grant application whether to advance their own application or the RPC application. The Department shall have the sole discretion of determining if a proposed project is the same for multiple applications.

**Q16. If we submitted our BOA Plan for Designation by June 1, 2025, are we able to apply for BOA Predevelopment activities and Site Assessment funding in this CFA round?**

A16. Yes, applicants with a pending application for designation submitted to DOS prior to June 1, 2025 are eligible to apply for BOA Predevelopment activities and Site Assessment funding. However, any such funding may only be awarded if the designation is made by the Secretary of State on or prior to October 1, 2025.

**Q17. Is there a maximum or minimum amount of State funding assistance that can be requested per BOA application, and/or awarded per contract?**

A17. There are assigned maximum and minimum requests per application. The maximum State assistance request for each BOA Predevelopment activities grant award is \$400,000. The maximum State assistance request for each BOA Pre-planning, BOA Planning, and Phase II Environmental Assessments (SA) grant award is \$300,000.

The minimum State assistance request for each grant award is \$100,000. For additional information, please refer to Section IV (Funding Opportunity) of the [RFA](#).

**Q18. We are a non-profit organization applying jointly with a local municipality for a BOA Planning grant. Do we need to complete and submit the Certification under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses or Conducting Business in Russia?**

A18. Yes. As stated in Section VII (Pre-Submission Requirements) of the RFA, all non-municipal applicants or co-applicants need to complete and submit the certification under Executive Order No. 16. The applicant's name and CFA# should be included in the subject line. Completed [Certification forms](#) should be submitted no later than October 1, 2025, via email to [BOA@dos.ny.gov](mailto:BOA@dos.ny.gov). The applicant's name and CFA# should be included in the subject line.

**Q19. Can two municipalities apply jointly for BOA funding?**

A19. As stated in Section III (Joint Applications) of the RFA, two or more eligible applicants are encouraged to work in partnership to jointly apply for funding for an area of mutual interest or concern. Joint applicants should identify the municipality, community-based organization, or community board that the Department should recognize as the primary applicant for all purposes, including the contract award.

**Q20. We are a County Planning department. As a municipal applicant, the county is looking to identify potential areas that would be appropriate for the Development of a Brownfield Opportunity Area (BOA) Plan but has very little background information on these known or suspected brownfields and the impact of vacant parcels in the county. Is a Pre-Planning Grant activity that is funded in the 2025-2026 RFA an appropriate grant for us to apply for to gain more information about brownfields in the county?**

A20. Yes. The pre-planning activity will provide the county greater information on the number and extent or potential brownfields, including detailed inventory, relevant mapping and preliminary analysis of identified known or suspected brownfield, underutilized, vacant, and abandoned property, and the identification of smaller areas demonstrating a concentration of suspected brownfields or underutilization, within the study area that are recommended for future BOA planning and predevelopment activities.

**Q21. Are we able to apply for multiple projects for different types of BOA activities within one BOA funding application?**

A21. An application for funding should only include one activity. Eligible applicants wishing to apply for more than one grant activity should submit a separate application for each as described in Section V. Eligible Activities of the RFA. As an example, an application may include more than one pre-development project, but it may not include different BOA activities such as Phase II site assessment (SA) and pre-development activities. Eligible applicants wishing to apply for more than one type of activity should submit separate applications, one for each activity type.

**Q22. Our grant application for phase II environmental site assessment includes three sites. Are we required to submit a Phase II Environmental Site Assessment Supplemental application for each of the three sites?**

A22. Yes, applicants requesting funding for Phase II Environmental Site Assessments within a State-Designated BOA must submit a Site Assessment Supplement form, completed in its entirety, and related attachments for each site for which funding is being requested. Substantially incomplete Site Assessment Forms will not be accepted.

**Q23. Must a grant application include a resolution from the applicant's governing authority?**

A23. Yes. All applicants must submit a resolution adopted by the applicant's governing authority that authorizes submission of the application and identifies the title of the applicant's authorized representative. A standard resolution template is available on the DOS website at <https://dos.ny.gov/funding-bid-opportunities>.

**Q24. Our Community-Based Organization (CBO) is submitting a BOA application. Do we need to submit a resolution from the municipality where the proposed BOA is located?**

A24. Applications from Community-Based Organizations requesting funding to develop or update a BOA Plan must include a resolution of support from the city, town or village with planning and land use authority over the proposed BOA. If the CBO and proposed BOA is in New York City, the resolution of support must be from the community board or boards for the district or districts in which the proposed BOA is located.

**Q25. Where can I find a list of BOAs that have been designated by the Secretary of State?**

A25. Designated BOAs can be found under [Designated Brownfield Opportunity Areas](#) at the bottom of the DOS webpage.

Final applications are due by 4:00 pm, July 31, 2025