



**Northern Border  
Regional Commission**

# **Local Development District Training**

**Summer Session: July 2023**

**[www.nbrc.gov](http://www.nbrc.gov)**





# Northern Border Regional Commission

## Agenda

### Welcome!

- **New NBRC Staff** -Andrea Smith
  - Sarah Demers, Program Coordinator*
  - Malana Tamer, Program Specialist*
  - Elizabeth “Liz” Cross, Rural Health Coordinator*
- **NBRC’s LDD Capacity Work** –Andrea Smith
- **NBRC’s Programmatic Updates** – Andrea Smith
- **NEPA Review/Process**-The Clark Group
- **Partial Notice to Proceed (PNTP) and Full Notice to Proceed (NTP) Requirements**-Andrea Smith
- **Listening Session**
- **Helpful Hints, Resources, and Q&A**-Andrea Smith





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## *LDD Capacity Work*

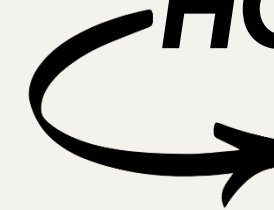
### **WHAT?**



#### **LDD Partnership Program.**

- Intentional relationship building with our partners in the region to ensure local capacity and equitable access
- NBRC & LDDs will be held accountable to a higher standard of service to applicants of our programs, with special attention for our historically underserved communities

### **HOW?**



#### **Phase I: Opting in as an LDD**

- *NEW* Opt-in process. LDD's who opt in are required to:
  1. Attend training (including this one!)
  2. Continue to be listed as a grant resource
  3. Maintain capacity

#### **Phase II: Quarterly Training**

Required quarterly trainings on specific topics and “sticky points” will help you better serve your community!

**Note:** The opt-in step will be conducted annually



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## *LDD Capacity Work*

## 2023 Trainings

September 2023

### ***Build America Buy America Act (BABA)***

- Requirements and Procurement

**Note:** LDD specific training will be held in addition to the 2023 Catalyst Program New Grantee Training, which LDDs are encouraged to attend.

December 2023

### ***“There is a form for that!”***

- Review of various forms across all programs
  - LOI submission requirements
  - Application submission requirements
  - Grant administration forms utilized throughout performance period

***Questions?***



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## NBRC Programmatic Updates

### Forest Economy Program (FEP)

- The purpose of this program is to support the forest-based economy, and to assist in the industry's evolution to include new technologies and viable business models across the 4-state NBRC region.
- The Forest Economy Program is distinct from Catalyst in two important ways:
  - The Forest Economy Program emphasizes the potential for impact across the entire NBRC region.
  - Infrastructure projects (defined by Congress in NBRC's authorizing language to be inclusive of transportation, water and wastewater, telecommunications, and energy) must directly support the forest industry.

**\$7MM in**

**funding**

**2 rounds to apply!**



Paul Smiths School of Logging Interns 2020-21



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## NBRC Programmatic Updates

### Forest Economy Program (FEP)

#### Fall 2023 Application Timeline

- Forest Economy Program Information Sessions..... August 2023
- Letters of Interest (required)..... September 22, 2023 by 5pm EST
- Responses to LOIs including invitations to apply..... Week of October 10th
- Applications Due (by invite only)..... November 3, 2023 by 5pm EST
- NBRC Selection Meeting..... January 2024
- NBRC notice of awards..... by January 31, 2024

#### Spring Round 2023:

17 LOIs received

6 projects invited to apply requesting \$4.5MM

5 applications received

3 projects awarded \$2.5MM, remainder carries to Fall Round



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## NBRC Programmatic Updates

### Catalyst

- Maximum grant amount for **construction in support of infrastructure** is **\$1,000,000**
- Consideration for **up to \$3,000,000** for projects including multiple categories of infrastructure or located within multiple jurisdictions

**Congress defines public infrastructure projects as “transportation”, “basic public,” “telecommunications,” and “energy”**

- Maximum grant amount for **non-infrastructure** is **\$500,000**
- NBRC utilizes applications received through the Catalyst Program, to fund projects selected by the States for our EDA (\$750K/per state) and USDA (\$712,500/per state) partnership programs.



**\$11MM per  
state!**



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## ***NBRC Programmatic Updates***

### ***Catalyst***

#### ***2023 Application Timeline***

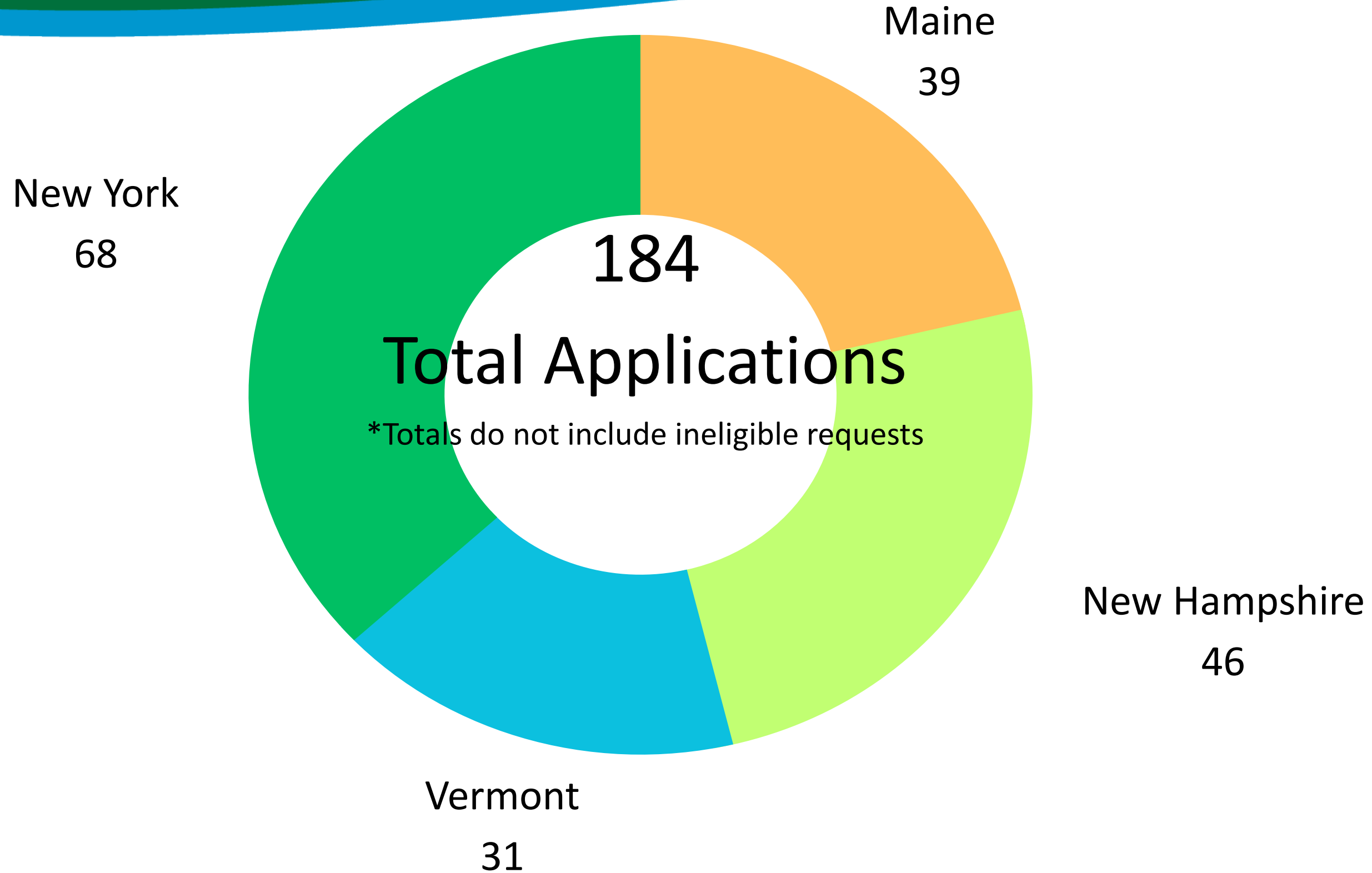
- NBRC notice of awards..... August 31, 2023
- Catalyst New Grantee Training..... September 2023
- Issuance of Grant Agreements..... September-October 2023
- EDA & USDA notice of awards..... October 2023

***\$44MM Program  
184 applications  
received in  
2023!***





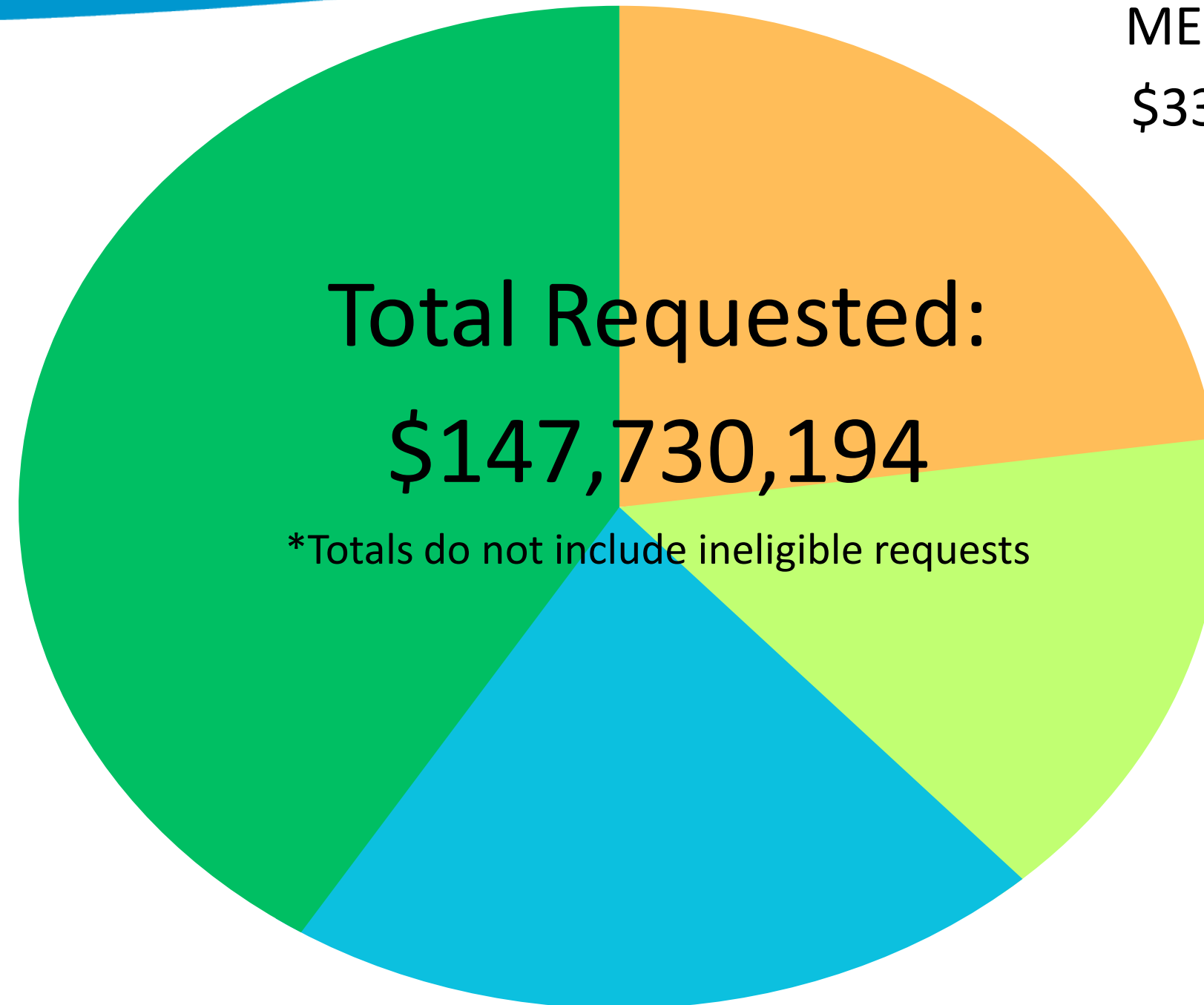
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NY Requests  
\$60,733,143



ME Requests  
\$33,689,309

NH Requests  
\$22,886,955

VT Requests  
\$30,420,787

\*Totals do not include ineligible requests



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## NBRC Programmatic Updates

### Catalyst



**Program timeline  
&  
dates to remember!**

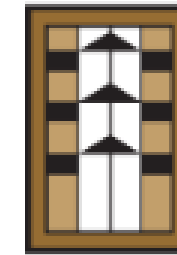
Phase 1	Phase 2	Phase 3	Phase 4	Phase 5
<p><b>February/March</b> Federal Budget approved with appropriation for NBRC</p> <p><b>March</b> NBRC posts Letter of Interest and application information on website</p> <p><b>March</b> NBRC hosts LOI info sessions</p> <p><b>April</b> LOIs and waivers due</p> <p><b>May</b> NBRC responds to LOIs, applicants invited to apply</p>	<p><b>May</b> NBRC hosts info sessions</p> <p><b>May</b> Application portal open</p> <p><b>June</b> Applications due</p> <p><b>June/July</b> States review and score applications</p> <p><b>August</b> Commissioners votes on State recommended projects</p> <p><b>By end of August</b> NBRC notice of awards and unsuccessful applicants</p>	<p><b>September</b> New grantee/ LDD training</p> <p><b>August-October</b> Grantees submit executed documentation to obligate federal funds</p>	<p><b>Pre-NTP</b></p> <ul style="list-style-type: none"><li>- Grantees complete NEPA process and document same to NBRC</li><li>- Grantees secure documentation necessary to receive a Notice to Proceed and submit same to NBRC</li><li>- NBRC issues a Notice to Proceed. From the date of the Notice to Proceed the grantee can commit and expend matching funds and NBRC funds</li></ul>	<p><b>Post-NTP Ongoing Work</b></p> <ul style="list-style-type: none"><li>- Grantees submit reimbursements</li><li>- Grantees submit quarterly reporting</li><li>- Grantees reach out to NBRC if they need budget modifications or changes in scope</li><li>- Grantee submit annual financial reports</li><li>- At the end of the grant grantee submit close out materials</li></ul>

**Questions?**



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- The Clark Group – Environmental Consultants
  - Work on behalf of NBRC



THE CLARK GROUP, LLC



**Lisa Mahoney**

President



**Austin Rizzo, Ph.D.**

Associate



**Patrick Blanchard**

Associate

- Ensure NBRC and grantees are compliant with environmental regulations
  - Primarily the NEPA Statute
  - NEPA compliance is necessary for ALL NBRC-funded projects



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## What is NEPA?

- National Environmental Policy Act (NEPA) – 1970
  - Promote the protection, preservation, and enhancement of the environment.
  - Growing concerns about the environmental impacts of large-scale development projects
- Purpose:
  - Requires federal agencies to consider the environmental impacts of their actions and decisions before they act.
- NEPA does not dictate an agency's decisions or actions.



*Look before you leap.*

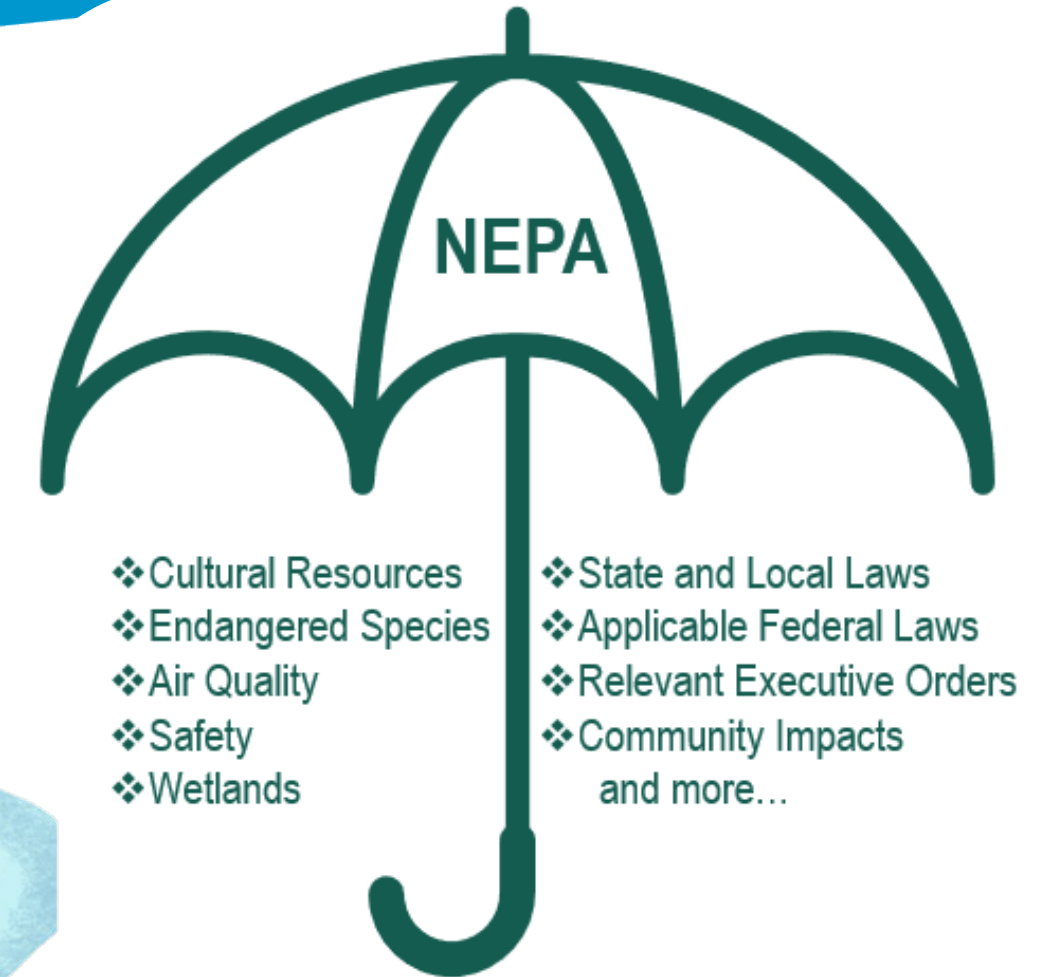
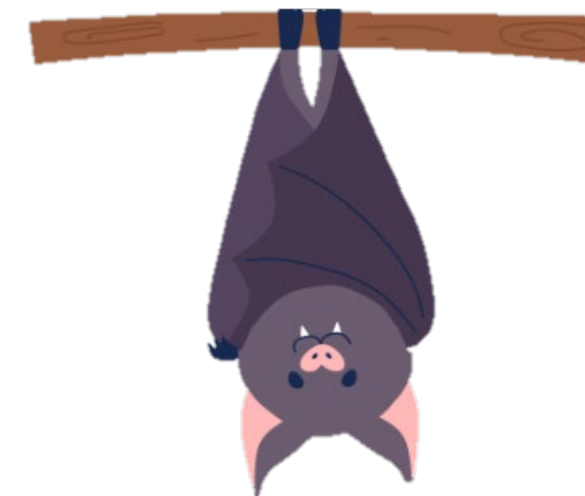


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## Umbrella Statute

- Other Federal Requirements

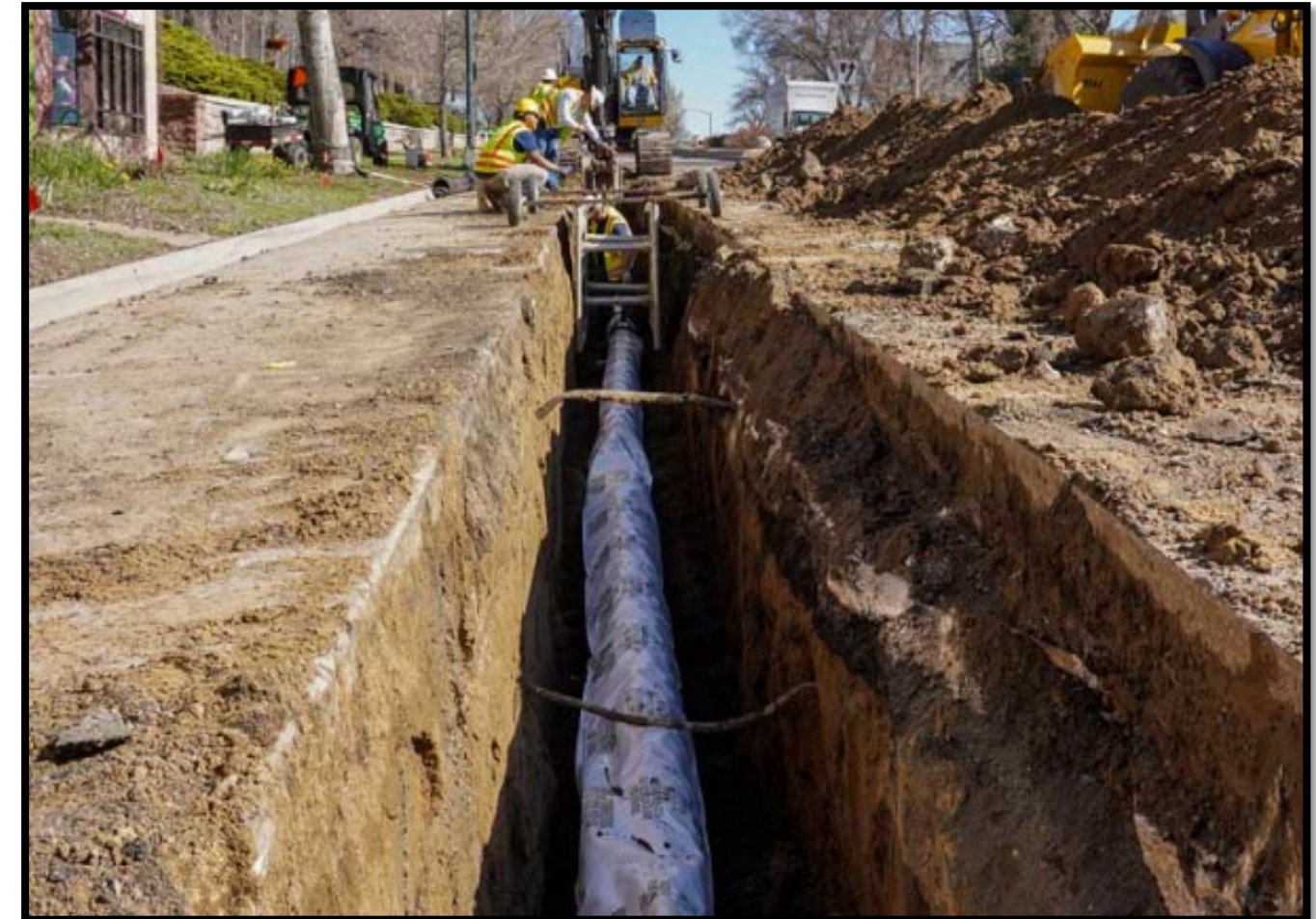
- Floodplain – 8-step required
- Wetlands – 8-step required
- Endangered Species – Section 7  
USFWS Consultation
- Cultural Resources – Section 106  
Consultation





## What triggers NEPA?

- Federal agencies must consider the potential impacts of **major federal actions** and reasonable alternatives on the human environment
- **Major Federal Actions** – Activities that are undertaken, funded, authorized, or approved by a federal agency.
- NEPA applies to NBRC-funded projects



# Impacts on the Human Environment







## Levels of NEPA analysis

- **Categorical Exclusion (CATEX)**: The project is pre-determined by the federal agency not to have a significant impact on the human environment.
- **Environmental Assessment (EA)**: The project impact is unknown or does not have a reasonably foreseeable significant effect on the quality of the human environment.
- **Environmental Impact Statement (EIS)**: The project has a reasonably foreseeable significant effect on the quality of the human environment.



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## **Categorical Exclusion (CATEX)**

- Maintenance
  - (e.g., repaving streets)
- Renovations
  - Change in capacity <20%
- Repair/Replacement
  - Change in capacity <20%

## **Environmental Assessment (EA)**

- New Construction
  - (e.g., buildings, trails)
- New Infrastructure
- Renovations
  - Change in capacity >20%
- Repair/Replacement
  - Change in capacity >20%



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## **Categorical Exclusion (CATEX)**

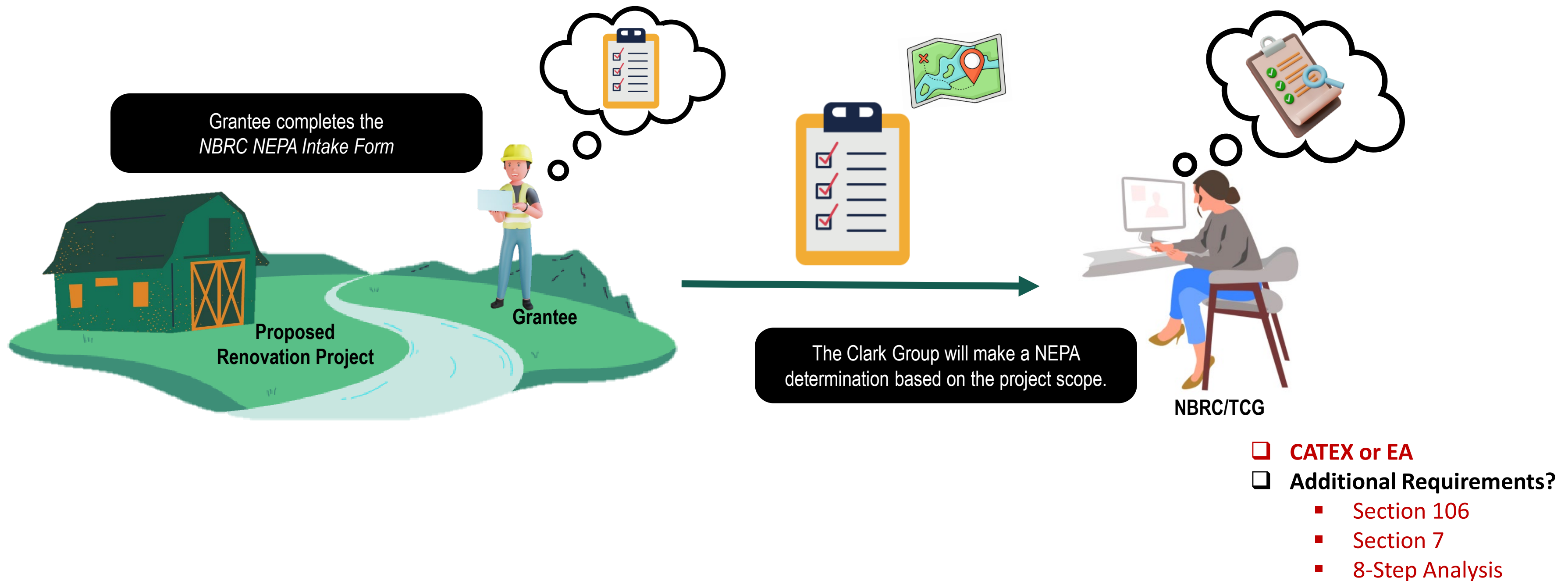
- Brief review
- No public comment period
  - (unless another federal requirement is triggered)

## **Environmental Assessment (EA)**

- Robust review
  - 6-12 + months to develop
- 30-day public comment period



## Making the NEPA Determination for a project





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## CATEX Determination



NBRC/TCG

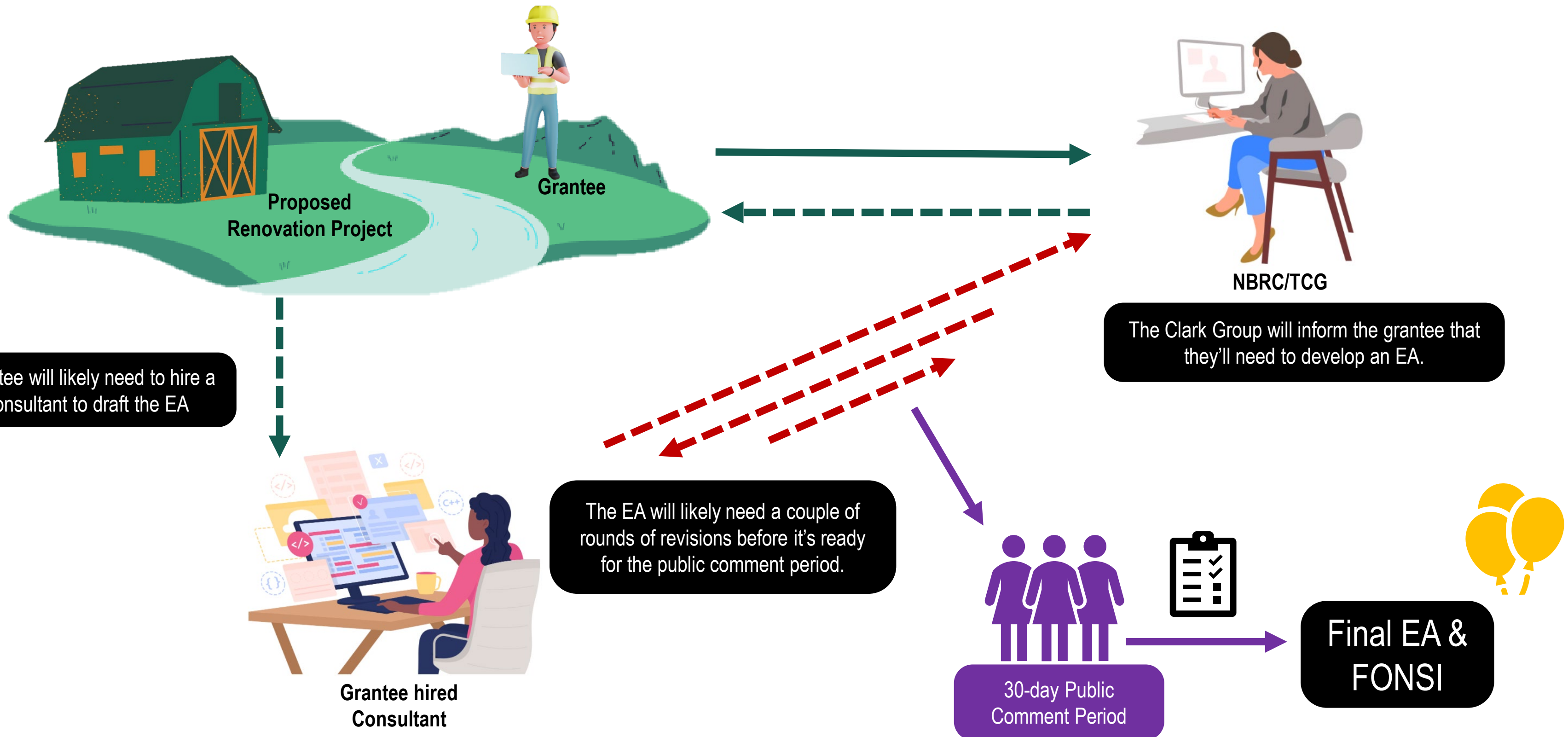


The Clark Group will complete a CATEX Determination Form for the project.



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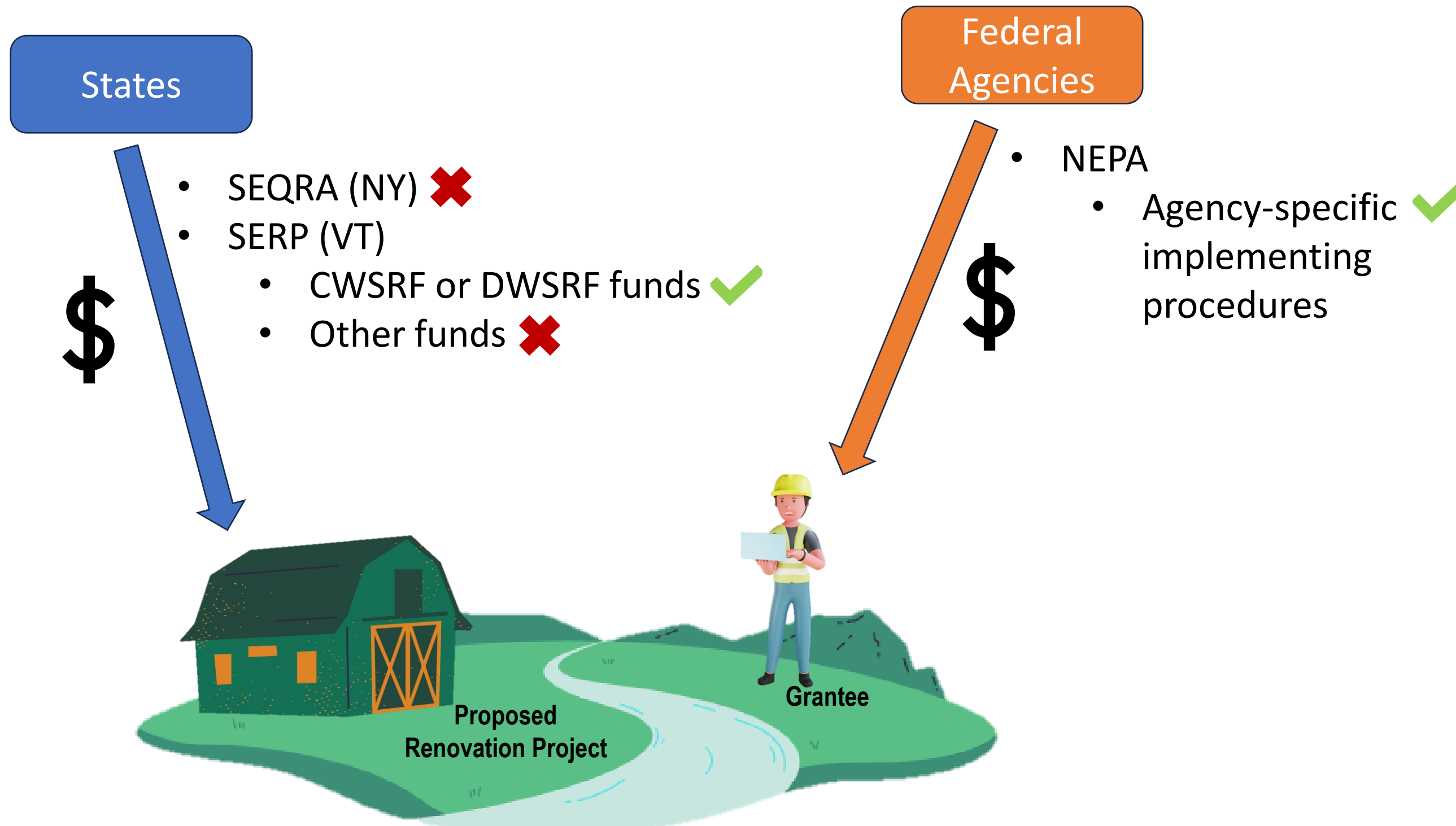
## EA Determination





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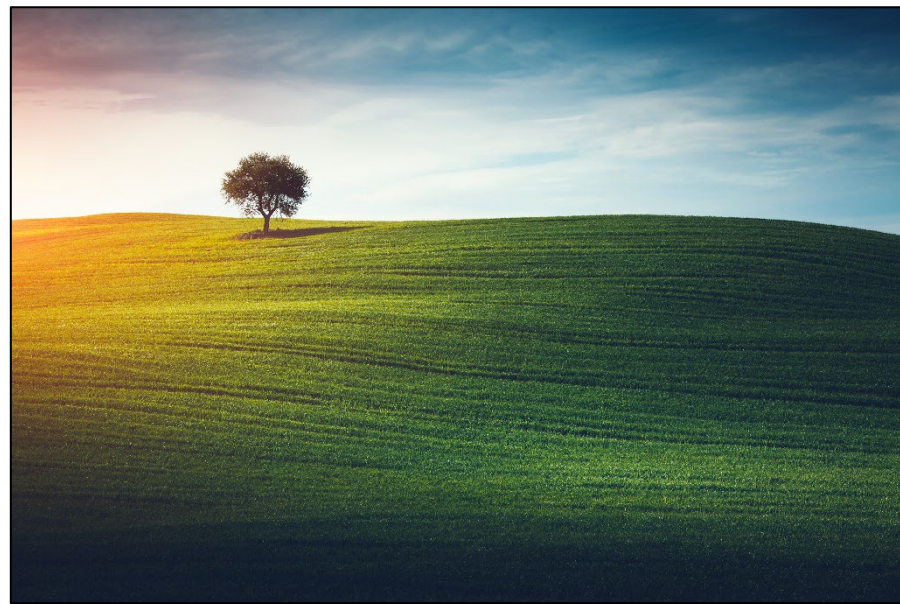
## Other Funding Agencies & NEPA-like Requirements



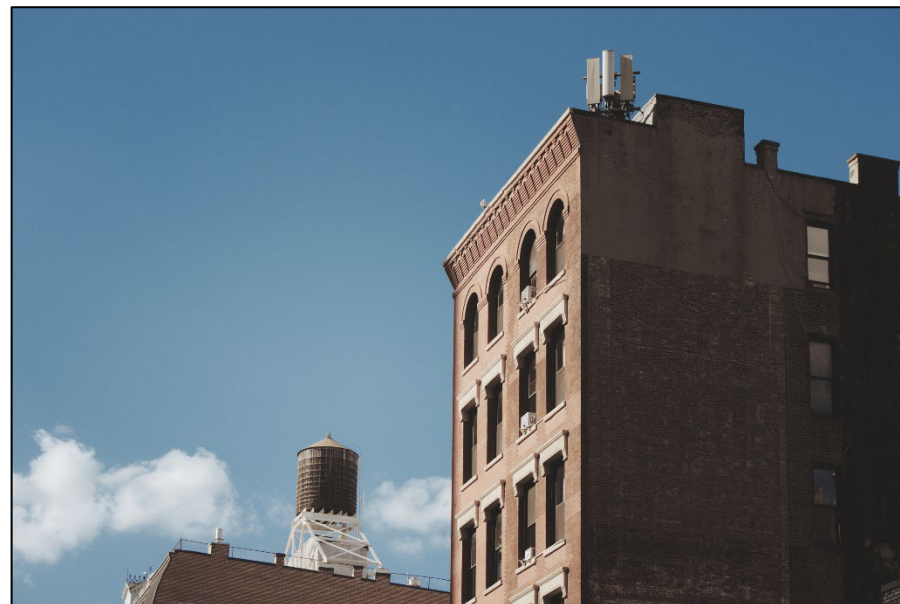


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- NEPA must be complete before the grantee makes an irrevocable commitment to resources



**Land**



**Property**



**Equipment**



**Services**





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# QUESTIONS





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## *Partial Notice to Proceed*

- Primarily utilized to provide grantees access to NBRC funds specific to LDD costs and funds to complete NEPA
  - Documentation of scope of work to be completed, budget for that work, and timeline for completion of NEPA
  - Reviewed by NBRC and The Clark Group (NBRC's Environmental Consultant)
  - PNTP is issued with details of NBRC funding available and specific activities authorized
    - Real property acquisition – can be utilized if downpayment on property is required and needs to occur prior to project securing a full Notice to Proceed
    - Documentation of downpayment requirement and amount of downpayment



***Other than eligible activities approved under a Partial Notice to Proceed (PNTP), no other project work may begin on an NBRC grant award until an official Notice to Proceed is issued by NBRC. Further, no documented non-federal matching or invoices generated by the recipient will be considered valid project expenses, either for reimbursement by NBRC or to be counted as match/cost share, until the Notice to Proceed is issued by NBRC.***

## *Notice to Proceed*

1. Fully Executed NBRC Grant Agreement
2. Executed SF-3881 ACH Form (EFT)
3. Executed NBRC Grant Administration and Compliance Manual Acknowledgment of Receipt Form  
Items A-C are required for NBRC to obligate federal funds for the project, and are not required to be resubmitted
4. Documentation of non-NBRC matching funds form (NBRC Form 1002) listing the total amount of match/cost share for the project together with a list of each funding source and the amount from each source. NBRC Form 1002 must be submitted together with letters of commitment/documentation for each funding source listed.
5. Signed contract with LDD for grant administration services or documentation of approved LDD waiver from NBRC.  
(N/A State Government or an LDD)
6. Documentation of satisfactory completion of NEPA



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Rutland VT – 2020 SEID Project Photo

## Listening Session

Future Trainings?

Sharing of Catalyst LOIs? Helpful?

Ongoing challenges and opportunities.



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## ***LDD Helpful Hints!***

- Be familiar with NBRC's Grant Administration & Compliance Manual (next edition will be released by September 1, 2023)
- Make sure all employees of LDD involved in grant administration are on NBRC's Constant Contact List
- Understand the federal interest requirements of projects utilizing NBRC funds to purchase both personal and real property
  - Personal Property (equipment over \$5,000)
  - Acquisition and improvements to real property (Requires Notice of Federal Interest (NFI) to protect federal investment for a period of 20 years
    - \*If an NFI is required, must be recorded in the Registry of Deeds in the County where project is located before requesting a reimbursement of NBRC funds for activities other than those covered by a Partial Notice to Proceed.*

- Be aware of NBRC programmatic deadlines, as well as reporting deadlines (quarterly and annual) as these are extremely busy times for NBRC and requests for extensions, assistance, etc. may be delayed
- Familiarize yourself with NBRC's **Amendment Processes**
  - Extensions of time
  - Budget adjustments
  - Change in Project Scope
  - Refer to Amendment Checklist in Compliance Manual
- Understand NBRC's **Close-out Processes**
  - Documentation requirements
  - Refer to Closeout Checklist in Compliance Manual
- Know the various dates associated with the projects for which you are assisting and put those dates on your calendar (we encourage grantees to do the same)
  - Quarterly Report dates (commence from October 1st of the year the project is funded through close-out)
  - Annual Reporting (Federal Fiscal Year of October 1 – September 30th, due 30 days after end of fiscal year)
  - Performance Period End Date (three years following grant award, on September 30th)
  - *Helpful to know in the event a grantee will need assistance in completing their closeout documentation or need to request an extension of time (amendment)*



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**Save me for  
reference!**

## Resources!

### [www.nbrc.gov](http://www.nbrc.gov)

- Tutorials
  - Reimbursements (Available)
  - Quarterly Reporting (SFPPR) (Available)
  - Reimbursement documents (Coming soon)
  - Annual Reporting (SF425) (Coming soon)
- 2 CFR 200 link
- New templates and forms
  - Budget Narrative (FEP and Catalyst Programs LOI and Application)
  - Organizational Capacity (FEP and Catalyst Programs LOI and Application)
  - Volunteer and In-Kind Match Spreadsheet
- Updated Compliance Manual (by September 1, 2023)

## NEPA

- Updated NEPA Intake Form for 2023 (due at time of application)
  - Will be updated again for 2024
- Environmental Assessment Guidance Document and Template
- Notice of Availability Template
- LDD Training for NEPA (we are here!)
- In process:
  - Creation of NBRC NEPA forms
  - 8-Step Process

- NBRC website – [www.nbrc.gov](http://www.nbrc.gov)
- NBRC Grant Administration and Compliance Manual available to view and download from [www.nbrc.gov/content/administration](http://www.nbrc.gov/content/administration)
- 2 CFR 200 <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>
- [40 USC Subtitle V. Regional Economic and Infrastructure Development](#)
- State Program Manager –[ME](#), [NH](#), [VT](#), [NY](#)
- [Your Local Development District](#)
- [Resources \(including\):](#)
  - [SF-270](#) and Supporting Document Summary Sheet
  - [SF-PPR](#)
  - [SF-425](#)
  - Tutorials on how to fill out the above forms



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**Thank you for all you do!**

Bay View Housing Groundbreaking  
Photo Credit: Cathedral Square