



Homeland Security and Emergency Services

FY2015

Local Sub-Recipient Program Guidance

State Homeland Security Program

State Law Enforcement Terrorism Prevention Program



NYS Division of Homeland Security and Emergency Services (DHSES)

April 2015

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Section I: Program Overview

Program Descriptions

The FY2015 State Homeland Security Program (SHSP) and the State Law Enforcement Terrorism Prevention Program (SLETPP) are the two core homeland security grant programs in New York State. Every county in the State, along with the City of New York, receives funding under these programs. The SHSP and SLETPP are designed to build and sustain critical homeland security capabilities across the State.

While the Federal Emergency Management Agency (FEMA) and the NYS Division of Homeland Security and Emergency Services (DHSES) do identify key programmatic priorities for the SHSP and SLETPP grants, New York State has also made a concerted effort to allow sub-recipients some flexibility in determining their own unique priorities for these programs. This allows counties to tailor their grant projects to meet their own unique risk profiles and to ensure that funds are used to build and sustain their most critical capabilities. To ensure statewide coordination, all funding must be spent in support of the State's new Homeland Security Strategy and must be allowable per Federal and State guidelines.

Activities implemented under the SHSP and SLETPP must support terrorism preparedness, by building or sustaining capabilities that relate to terrorism prevention, protection, and/or response activities. However, many of the capabilities that support terrorism preparedness simultaneously support preparedness for other hazards. Sub-recipients must demonstrate this “dual-use” quality for any activities implemented under these grants that are not explicitly focused on terrorism preparedness. **Also, please note that ALL SLETPP funding must be used in support of law enforcement terrorism prevention-oriented planning, organization, equipment, training, and exercise activities.**

Application Process

To complete this application for FY2015 SHSP and SLETPP funds, sub-recipients should first review this Program Guidance document. Next, all budgetary and programmatic information must be entered onto the Excel-Based Application Worksheet provided by DHSES. **This information must be submitted to DHSES by May 1, 2015 in order to receive funding.** Completed applications must be sent to the Grants Inbox (grants@dhSES.ny.gov).

Sub-recipients will not have to enter information directly into the E-Grants System; rather, staff from DHSES will enter application materials into E-Grants for sub-recipients after the Application Worksheet is submitted. Once this information is entered, DHSES will contact the sub-recipient's authorized Point of Contact to accept the certified assurances within E-Grants.

Please note that the Period of Performance for the FY2015 SHSP and SLETPP grants is now 36 months; the anticipated performance period is estimated to be from 9/1/2015 through 8/31/2018. When you develop your applications for these funds, please be sure to select critical projects that can be implemented within a 36 month period. FEMA has indicated that they are generally not willing to issue grant extensions at this time.

As you develop your application for these funds, DHSES strongly recommends that your jurisdiction carefully consider what projects you prioritize and select this year. DHS has dramatically increased the level of project detail required from sub-recipients and it is becoming increasingly difficult to change projects during the grant period.

To assist with your application development process, DHSES has developed a **“Project Linkages Standardization Form”** for your use. This form can guide you through how projects should be linked back to the NYS Homeland Security Strategy, NYS Critical Capabilities List, FEMA NIMS Typing Standards, etc.

Important Funding Reminders

Drawdown of Funds/Interest: This is a reimbursement program; however, sub-recipients may request an advance of funds (if needed). If DHSES approves such a request, sub-recipients must drawdown funds for up to 120 days prior to expenditure/disbursement. Advanced funds must be placed in an interest bearing account and are subject to the rules outlined in 2 C.F.R. Part 200. Sub-recipients must account for this interest earned. Local units of government may keep interest earned on Federal grant funds up to \$500 per fiscal year. This maximum limit is not per award; rather, it is inclusive of all interest earned as a result of all Federal grant programs received per year. Interest earned in excess of \$500 must be remitted to DHSES.

Notice of Waiver for FY2015 SHSP/SLETPP Grants: Jurisdictions may choose from the following options if they do not want to accept their FY2015 SHSP/SLETPP award:

1. Jurisdictions may request that the State retain the local unit of government’s allocation of grant funds and spend it on their jurisdictions’ behalf; or
2. Jurisdictions may refuse an allocation for their jurisdiction with the understanding that the allocation will be expended by the State of New York in direct support of other local homeland security efforts in accordance with FY2015 grant guidelines.

If your jurisdiction wishes to exercise either of the above options, please contact DHSES at (866) 837-9133.

NIMS Implementation: All sub-recipients must ensure and maintain adoption and implementation of the National Incident Management System (NIMS). Emergency management and incident response activities require carefully managed resources (personnel, teams, facilities, equipment, supplies) to meet incident needs. Information on FEMA’s NIMS Resource Typing can be accessed online: <http://www.fema.gov/resource-management>. **DHSES will engage sub-recipients in the near future to collect basic information required for NIMS certification.** If you have any initial questions regarding NIMS, please contact DHSES.NIMS@dhses.ny.gov.



East Harlem Building Explosion (March 2014)



Flash Flooding in Suffolk County (August 2014)

Section II: FY2015 State Priorities for the SHSP/SLETPP

Overview

New York State is committed to ensuring that SHSP/SLETPP funds are used effectively to build and sustain the critical capabilities that are needed to address the diverse risks that the State faces. New York State has been the target of over 20 terrorism plots since 9/11 and the State has more Federal Disaster Declarations than all but four other states. In the past four years alone, the State has endured the catastrophic impacts of Superstorm Sandy (2012), Hurricane Irene (2011), and Tropical Storm Lee (2011), as well as other major incidents ranging from natural disasters (i.e. Western NY Record Snowfall in November 2014) to cyber attacks. The increased frequency and scope of these events has been coined the “**New Normal**” in New York State by Governor Cuomo. Given these risks, it is imperative that SHSP/SLETPP funds are leveraged effectively to build capabilities based on the State’s risk profile and in support of the State’s new Homeland Security Strategy.

2014-2016 NYS Homeland Security Strategy

In early 2014, New York State released the 2014-2016 State Homeland Security Strategy. This Strategy was developed in conjunction with hundreds of local, State, and Federal stakeholders, and other partners from the “Whole Community”. The Strategy includes 10 major goals (ranging from Citizen Preparedness to Cyber Security). Each Goal has supporting Objectives and each Objective has associated Targets and Measures. **All SHSP/SLETPP funding must be spent in direct support of the 2014-2016 State Homeland Security Strategy.** The Strategy is available online: <http://www.dhSES.ny.gov/planning/>

NYS Critical Capabilities List

In 2012, DHSES developed the NYS Critical Capabilities List to provide a capabilities-based framework for the State’s homeland security and emergency management efforts. The Critical Capabilities List includes 28 distinct capabilities that address the five primary mission areas identified by FEMA (prevent, protect, respond, recover, mitigate). These capabilities were developed in conjunction with State Agency Partners, the NYS Emergency Managers Association (NYSEMA), and other key local stakeholders. The Critical Capabilities List includes the functions that State and local governments actually do in terms of homeland security and emergency management (in contrast to FEMA’s Core Capabilities List, which is not intuitive and does not address many key functions that the State and locals do). **All SHSP/SLETPP funding must be spent in direct support of the NYS Critical Capabilities List.** This list is available online: <http://www.dhSES.ny.gov/grants/forms-egrants.cfm> and in Appendix B of this Program Guidance.

County Emergency Preparedness Assessment (CEPA) Program

In 2014, DHSES launched the County Emergency Preparedness Assessment (CEPA) Program. The CEPA is a framework and tool to help State and local stakeholders assess risk, capabilities, and the potential need for support and resources during emergencies or disasters. To date, more than 30 counties from across the State have worked collaboratively with DHSES to conduct a CEPA. **Counties that have already completed their CEPA assessments are strongly encouraged to use the results to inform their priorities under the FY2015 SHSP/SLETPP grant programs.** It is important to note that the CEPA program does not impact how much funding counties receive under the SHSP/SLETPP grants (this is determined by the DHSES Risk Formula); rather, the CEPA results may inform how a county chooses to allocate their SHSP/SLETPP funding. In addition to CEPA, DHSES maintains the right to request (at any time during the life of the grant contract) information related to the nature and extent of any threats/hazards faced by the sub-recipient and the status of a sub-recipient's capabilities related to these threats/hazards.



CEPA Session conducted in May 2014

Statewide Engagement in Critical Programs

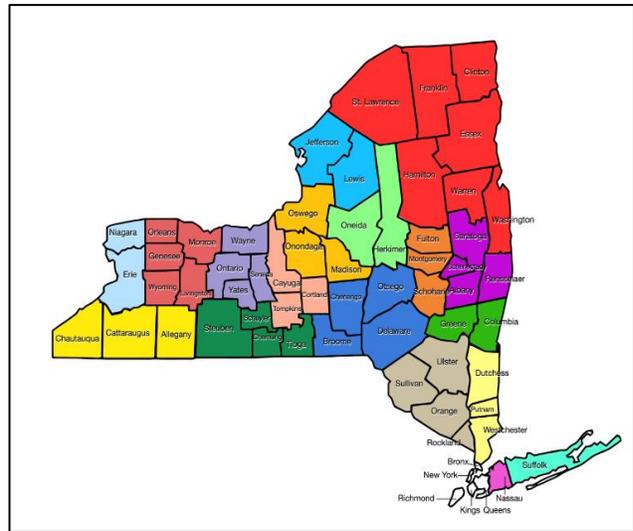
DHSES is committed to engaging key stakeholders across New York State in our preparedness efforts. **Funded recipients (and sub-recipients) must agree to attend and participate in any DHSES-sponsored conferences, training, workshops, or meetings (excluding those identified by DHSES as voluntary) that may be conducted by, and at the request, of DHSES during the life of the grant contract.** This includes county participation in initiatives such as the County Emergency Preparedness Assessment (CEPA) Program and the Emergency Management Certification and Training (EMC & T) Program. Additionally, pursuant to Article 26 of NYS Executive law, DHSES is authorized to undertake periodic drills and simulations designed to assess and prepare responses to terrorist acts (or threats) and natural disasters. These efforts will generally involve local stakeholders.

Specific FY2015 NYS SHSP/SLETPP Priorities

New York State has identified a series of specific priorities for the FY2015 SHSP/SLETPP grants:

- **Advancement of Regional Partnerships:** DHSES continues to promote the advancement of multi-disciplinary, multi-jurisdictional regional partnerships across New York State. These partnerships allow capabilities to be developed in a coordinated and cost-effective way. Over the past 5-10 years, effective regional partnerships have been developed in a number of different areas, including regional Counter Terrorism Zones (CTZs), HazMat Partnerships, Interoperable Communications Consortia, Tactical Team Partnerships (formalized via Inter-municipal Agreements), Bomb Squad Regional Coordination efforts, etc. **Under the FY2015 SHSP/SLETPP grants, support for these (and other) regional partnerships and programs are strongly encouraged.**
- **Maturation of Citizen Preparedness Efforts:** The presence of an active, engaged citizenry is a critical component of the State's preparedness posture. **While several jurisdictions in the State have developed innovative citizen preparedness programs, the CEPA Program (along with other capability assessments) has found that this remains one of the lowest rated capabilities across the State.** Under Governor Cuomo's leadership, the State has worked to address this issue through the State's Citizen Preparedness Training Program, however, there is still additional work that local jurisdictions can do, building on and in support of existing models in the State. SHSP funds can be used for a variety of Citizen Preparedness projects, including the development (or sustainment) of citizen preparedness campaigns, training/outreach efforts involving Citizen Corps Councils and Community Emergency Response Teams, and for citizen preparedness kits and supplies.
- **Development of Effective Cyber Security Programs and Policies:** All levels of government, the private sector, and the general public have been impacted by the dramatic increase in cyber attacks over the past five years. The proper detection, interdiction, and remediation of cyber vulnerabilities is critical. Through the CEPA program, DHSES has found that counties tend to be very concerned about the threat of cyber attacks, however, their capabilities to prevent and address these attacks are often underdeveloped. As such, DHSES is emphasizing the importance of cyber security in the FY2015 SHSP and SLETPP grant programs. Grant funds can be used for cyber security planning, cyber security enhancement equipment (including encryption software, malware protection, intrusion/detection prevention systems, and vulnerability scanning), cyber security training (which may require pre-approval; please consult with your Program Representative at DHSES); and cyber security exercises.
- **Enhancement of Law Enforcement Information-Sharing Capabilities:** Since 9/11, the enhancement of law enforcement information-sharing capabilities has been a top priority in New York State. The importance of this mission remains unchanged this year, **as jurisdictions are encouraged to sustain and enhance their information-sharing efforts with the New York State Intelligence Center (NYSIC) and their local CTZ.** Within this area, support for major outreach programs is prioritized, including participation in the Field Intelligence Officer (FIO) Program, Operation Safeguard activities and taskings, and the engagement of Fire/EMS personnel in information-sharing activities through the Intelligence Liaison Officer (ILO) Program.

- **Continued Coordination of Emergency Management Planning Efforts:** Proper Emergency Management planning provides the foundation for effective response, recovery, and mitigation activities. Jurisdictions are encouraged to utilize their grant awards to maintain and update critical plans including **Comprehensive Emergency Management Plans (CEMPs), Hazard Mitigation Plans, HazMat Response Plans, Community Emergency Response Plans** (which are HazMat plans developed under the Emergency Planning and Community Right to Know Act, Section 303), **COOP/COG plans, and Fatality Management Plans.** Planning gaps identified during your county’s CEPA process can often be addressed by leveraging SHSP (or SLETPP) funding.
- **Sustainment of Effective Programs and Existing Capabilities:** In the last decade, New York State has effectively leveraged homeland security grant program funds to build critical programs to enhance our prevention, protection, response, recovery, and mitigation capabilities. **Under the FY2015 SHSP/SLETPP grants, the sustainment and advancement of effective programs is a top priority, in order to ensure that core capabilities are maintained statewide.** Emphasis will be placed on building and maintaining sustainable programs, rather than simply purchasing disparate pieces of equipment.
 - **FY2014 Baseline Priority Preparedness Objectives for the SHSP/SLETPP:** Under the FY2014 SHSP/SLETPP grant, DHSES identified 10 Priority Preparedness Objectives that local jurisdictions were required to meet as a condition of receiving FY2014 funds. Given that the FY2014 period of performance is still open, the Priority Preparedness Objectives from last year remain a requirement. No new signatures or certifications are required under the FY2015 programs. A copy of the FY2014 objectives are included in Appendix A for your reference.
 - **Reminder on Vehicle Purchases:** The purchase of vehicles, especially mobile command vehicles, is strongly discouraged and applications will not be approved without a very clear and convincing justification. The Commissioner of DHSES must review and approve all requests for vehicles.



NYS Citizen Preparedness Corps Training on Long Island

Map Depicting HazMat Regional Partnerships

Section III: FEMA Priorities for the FY2015 SHSP/SLETPP

Overview

In FY2015, FEMA outlined very limited priorities for the HSGP (e.g. Planning, Fusion Centers); this was done purposefully, as they wanted to allow states greater flexibility to address their own priorities and gaps. The identified FEMA priorities for FY2015 are outlined below.

Reminder - Mutual Aid Requirements

All new capabilities supported in part (or entirely) with FY2015 SHSP/SLETPP funding must be readily deployable to support emergency or disaster operations, per existing Emergency Management Assistance Compact (EMAC) agreements. In addition, funding may be used to sustain critical capabilities that may not be physically-deployable, but would support national response capabilities (e.g. interoperable communications systems).

FY2015 FEMA SHSP/SLETPP Priorities

FEMA's overarching priority for the FY2015 SHSP/SLETPP grants is the alignment of these programs to the **National Preparedness System**. Detailed information on the National Preparedness System can be accessed online at: <http://www.fema.gov/national-preparedness-system>. Specific priorities identified by FEMA in support of the National Preparedness System include:

- **Identifying and Assessing Risk and Estimating Capability Requirements:** To address this requirement, FEMA is requiring that the State and all Urban Areas Security Initiative (UASI) regions complete a Threat/Hazard Identification and Risk Assessment (THIRA) by December 31, 2015. **Aside from the New York City UASI region, individual SHSP/SLETPP sub-recipients in New York State are not required to develop their own THIRAs;** rather, information collected via the County Emergency Preparedness Assessment (CEPA) process will be used to inform the overarching State THIRA submission. If you have any questions regarding this process, please contact the State THIRA Team at feedback@dhses.ny.gov.
- **Building and Sustaining Capabilities:** FEMA expects that FY2015 SHSP/SLETPP funds will be used to sustain critical capabilities developed through prior years' grant funding. **New capabilities should not be developed at the expense of maintaining current capabilities.** Any new capabilities developed must be deployable regionally or nationally to other jurisdictions.
- **NIMS Implementation:** FEMA continues to emphasize the importance of the National Incident Management System (NIMS) and NIMS compliance is a requirement in order to receive funding under the SHSP/SLETPP.

- **Planning to Deliver Capabilities:** FEMA emphasizes the important of emergency planning, particularly given the increasing complexity and decreasing predictability of the future operating environment. To address this federal requirement, New York State is required to update its Emergency Operations Plan (more commonly called the State’s Comprehensive Emergency Management Plan) every two years and to ensure that the plan is consistent with planning guidelines outlined in Comprehensive Preparedness Guide 101 (CPG 101). This requirement is handled by the DHSES Office of Emergency Management (OEM); that said, local Emergency Management Planning is a DHSES priority for jurisdictions under the FY2015 SHSP/SLETPP as well.
- **Validating Capabilities:** To validate capabilities, FEMA is highlighting the importance of developing training and exercise plans.
- **Reviewing and Updating Capabilities:** FEMA recommends that capabilities, resources, and plans be reviewed on a recurring basis to ensure that they remain relevant. In New York State, the County Emergency Preparedness Assessment (CEPA) provides an excellent forum to assess your county’s risks, your capabilities, your capacity in terms of response capabilities, and what resources you might need in the context of certain hazards.
- **Fusion Centers:** Support for Fusion Centers remains a priority identified by FEMA under the FY2015 SHSP/SLETPP grants. The New York State Intelligence Center (NYSIC) serves as the Governor’s designated Fusion Center in New York State. The NYSIC participates with the Department of Homeland Security’s Office of Intelligence and Analysis (DHS I&A) to conduct an annual assessment of their capabilities, in accordance with FEMA grant guidelines.



Record Snowfall Over Western NY (November 2014)



Smithfield Tornado in Madison County (July 2014)

Section IV: Authorized Program Expenditures

SLETPP Reminder

All SLETPP funding must be used in support of allowable law enforcement terrorism prevention-oriented planning, organization, training, exercise, equipment activities, and/or management and administration (M&A) costs.

Personnel Cap Reminder

Per the PRICE Act, there is a 50% cap on personnel-related costs associated with your FY2015 SHSP/SLETPP awards. Based on guidance from FEMA, the following costs count towards the 50% personnel cap:

- Organizational Costs:
 - Operational overtime, salaries, and personnel costs for Operational Packages (OPACKS).
 - Overtime to participate in information-sharing activities, and salaries and personnel costs for intelligence analysts.
- Salaries and personnel costs for planners, equipment managers, training coordinators, exercise coordinators, etc.
- Salaries and personnel costs (up to 5% of your award amount) for Management and Administrative (M&A) costs
- Overtime/backfill to participate in approved training and/or exercise deliveries
- Contractor costs associated with performing the above duties. Note: A Contractor that is procured for a set period of time to produce a defined product or deliverable (i.e. the development of a HazMat Plan, installation of equipment items) does not count towards the personnel cap. However, if a Contractor is hired to do general support activities (i.e. a Training Director), then this expense would count towards the cap.

Maintenance and Sustainment Reminder

The use of FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and users' fees are allowable under all active and future grant awards, unless otherwise noted. With the exception of maintenance plans purchased incidental to the original purchase of the equipment, the period covered by a maintenance or warranty plan must not exceed the period of performance of the specific grant funds used to purchase the plan or warranty.

As outlined in Information Bulletin #336, FEMA allows preparedness grant funds to be used to sustain and maintain equipment that has previously been purchased with both Federal grant funding and equipment purchased using other funding sources. Sub-recipients still need to ensure that eligible costs for maintenance and sustainment be an allowable expenditure under applicable grant programs.

Differentiating maintenance and sustainment costs (vs. new costs) in your budget for FY2015 SHSP/SLETPP funding is important (as FEMA requires different information depending on what type of project is being funded). As you are completing your application for FY2015 SHSP/SLETPP funding (in the Excel template provided), please keep the following guidelines in mind:

<p>As you complete your application, it is important to distinguish the type of investment you are making. DHS has identified two project types:</p> <p>1) Build Capabilities - building refers to activities that start a new capability or increase a capability; 2) Sustain Capabilities - sustaining refers to activities that maintain a capability at its current level.</p> <p>When assessing the project type, if your project is both sustaining and building capabilities, please select the project type that best represents the majority of your project.</p>	<p>Sustain a Current Capability: Applicants who are utilizing a resource to sustain a capability previously developed through homeland security grant funding or local revenues should select “Sustain” from the drop-down. An example would be purchasing Personal Protective Equipment (PPE) to replace PPE that was purchased several years ago and is no longer safe to use at an incident.</p>
	<p>Increases a Current Capability: Applicants who are utilizing a resource to improve a capability previously developed through homeland security grant funding or local revenues should select “Build” from the drop-down menu. An example of improving a current capability would be the purchase of communications equipment for first responders, in order for them to communicate off of an interoperable communications system previously developed by the sub-recipient.</p>
	<p>Builds a New Capability: Applicants who are utilizing a resource to build a new capability should select “Build” from the drop-down menu. An example of a new capability would be a sub-recipient developing an explosive detection canine team to enhance explosive device response operations capabilities in their jurisdiction, where they presently have no ability to perform this capability and/or currently rely on regional or State partners to perform the capability in their jurisdiction.</p>

Planning

Planning activities are central to both the FY2015 SHSP/SLETPP grants. Funding can be used for a variety of allowable costs related to planning, including hiring part or full-time consultants and/or staff to develop and maintain critical homeland security plans.

Organizational– SLETPP only¹

Under the SLETPP grant, up to 50% of your award may be spent on allowable organizational activities (outlined below). Please keep in mind that all organizational activities, including Operational Packages (OPACKS) also count towards the 50% personnel cap as well.

1. **Overtime Costs:** Overtime costs are allowable for personnel to participate in information, investigative, and intelligence sharing activities specifically related to homeland security and specifically requested by a Federal Agency. Allowable costs are limited to overtime associated with federally-requested participation in eligible fusion activities, including Anti-Terrorism Task Forces, Joint Terrorism Task Forces, Area Maritime Security Committees, DHSES Border Enforcement Security Task Forces, and Integrated Border Enforcement Teams. Grant funding can only be used in proportion to the Federal man-hour estimate, and only after funding for these activities from other Federal sources (e.g. FBI JTTF payments to State and local agencies) have been exhausted. **Under no circumstances should FEMA grant funding be used to pay for costs already supported by funding from another Federal source.**
2. **Intelligence Analysts:** SLETPP funds may be used to hire new staff and/or contractor positions to serve as Intelligence Analysts to enable information/intelligence-sharing capabilities, as well as to support existing Intelligence Analysts funded with previous years' SLETPP funding. In order to be hired as an Intelligence Analyst, staff and/or contract personnel must meet at least one of the following criteria:
 - a. Successfully complete training to ensure baseline proficiency in intelligence analysis and production within six months of being hired; and/or
 - b. Previously served as an Intelligence Analyst for a minimum of two years either in a Federal Intelligence Agency, the Military, or a State or Local Law Enforcement Intelligence Unit.

All fusion center analytic personnel must demonstrate qualifications that meet or exceed competencies identified in the *Common Competencies for State, Local, and Tribal Intelligence Analysts*, which outlines the minimum categories of training needed for intelligence analysts. **A certificate of completion of such training must be kept on file with DHSES and made available to FEMA upon request.**

3. **Operational Packages (OPACKS):** SLETPP funding may be utilized to pursue Operational Package (OPACK) funding for Canine Teams, Mobile Explosive Screening Teams, and other Anti-Terrorism Teams. OPACK funding can be used to build new capabilities or it can be used to sustain existing OPACKS. Applicants must commit to minimum training standards set forth by the federal Department of Homeland Security (DHS) for all federally-funded security positions. Applicants must also ensure that the capabilities are able to be deployable, through EMAC, outside of their community to support regional and national efforts. When requesting funding for new OPACKS, applicants must demonstrate the need for developing a new capability (at the expense of sustaining an existing capability). As a reminder, personnel-related activities associated with OPACKS will count towards the 50% personnel cap. **Any sub-recipient who would like to pursue funding for an OPACK must contact their Program Representative at DHSES as soon as possible, as DHS has established special terms and conditions related to OPACKS.**

¹ SHSP funds cannot be used for organizational costs. This is allowable only under the SLETPP grant.

4. **Operational Overtime:** Operational overtime costs are allowable for increased security measures at critical infrastructure sites – only upon prior approval provided in writing from the FEMA Administrator. FY2015 SLETPP funds may be used to support select operational expenses associated with increased security at critical infrastructure sites in the following authorized categories:
- a. Backfill and Overtime Expenses (as defined in this guidance) for staffing State or Major Urban Area Fusion Centers
 - b. Hiring of contracted security for Critical Infrastructure Sites
 - c. Public Safety Overtime (as defined in this guidance)
 - d. Title 32 (or State Active Duty) National Guard deployments to protect critical infrastructure sites, including all resources that are part of the standard National Guard deployment package. (Note: Consumable costs, such as fuel expenses, are not allowable except as part of the standard National Guard deployment package).
 - e. Increased Border security activities, in coordination with the US Customs and Border Protection (CBP) – as outlined in Information Bulletin #315

Equipment

FY2015 SHSP funds may be used for equipment acquisition from the 21 equipment categories lists on the FY2015 Authorized Equipment List (AEL). Please note that the eligible use of SLETPP funding is more limited and does not apply to all 21 equipment categories on the AEL; so please refer closely to the AEL for specific details and contact your Program Representative with any question. For more information on the AEL, please visit FEMA’s website at the following link: <http://www.fema.gov/media-library/assets/documents/101566>

Training

To support training activities, FY2015 SHSP/SLETPP funds can be used for OT/Backfill costs, for travel costs, and for the hiring for full-time or part-time staff or consultants to support training activities. **Training conducted using SHSP/SLETPP funds should address a performance gap identified through an After Action Report/Improvement Plan or contribute to building a capability that will be evaluated via an exercise.** Any training gaps should be identified in the AAR/IP and addressed in the State or Urban Area’s training cycle. All training and exercises conducted with SHSP/SLETPP funds should support the development and testing of the jurisdiction’s Emergency Operations Plan (EOP), or specific annexes, where applicable.

If you have questions regarding training, please contact the Training and Exercise Section at DHSES’s Office of Emergency Management (OEM) at OEM.Training@dhses.ny.gov or call 518-292-2351.

Exercises

All exercises conducted using SHSP/SLETPP funds should be designed in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP) guidance. HSEEP highlights include:

- **Basic Guidelines:** HSEEP policy and guidance can be obtained online at the following link:
<https://www.fema.gov/media-library/assets/documents/32326>
- **HSEEP Courses:**
 - **Mobile Courses:** HSEEP mobile courses are scheduled periodically, as requested, throughout the State to help increase understanding of HSEEP guidelines. For more information, please refer to DHSES's Training Calendar: <http://www.dhSES.ny.gov/training/calendar/>
 - FEMA's Emergency Management Institute (EMI) also offers *Course # K0146 – Homeland Security Exercise Evaluation Program (HSEEP) Basic Course*, a distance learning (on-line) course.
- **Exercise Notification:** When an exercise is scheduled, it must be reported to DHSES through the Master Exercise & Training Information System (METIS). All exercises must be posted to METIS for review by the DHSES Office of Emergency Management (OEM) Training and Exercise Section **sixty days** prior to the start of each exercise supported with SHSP/SLETPP funds, including any exercise supported by the county through a sub-allocation of its award. The Master Exercise & Training Information System (METIS) can be accessed at: <https://metis.nj.gov/>. DHSES will place exercise information on the National Exercise Schedule, in accordance with HSEEP guidelines.
- **Exercise Evaluation:** HSEEP requires all exercises to be evaluated. Within **sixty days** of the completion of an exercise, a jurisdiction must submit an After Action Report/Improvement Plan (AAR/IP) to the DHSES OEM Training and Exercise Section for review and identification and initiation of any necessary state-level activity. Sub-recipients must submit the AARs/IPs to Exercises@dhSES.ny.gov.
- **Exercise Assistance:** The DHSES OEM Training and Exercise Section is available to provide exercise assistance to jurisdictions. Please contact the OEM Exercise Section at Exercises@dhSES.ny.gov or at 518-292-2351 if you are interested in conducting an exercise using FY2015 SHSP/SLETPP funds.

Management and Administration (M&A)

Up to 5% of the award amount may be used to support Management and Administrative costs associated with the implementation of the grant award. Examples of allowable M&A costs include:

- Hire of full or part time staff to administer grants
- Travel costs
- Meeting related expenses
- Authorized office equipment
- Leasing or renting of space for newly hired personnel during the period of performance for the grant program.

Construction and Renovation

Use of FY2015 HSGP funds for construction and renovation is generally prohibited except as outlined below. Such construction and renovation shall be strictly limited and allowable only when it is a necessary component of a security system at critical infrastructure facilities.

Project construction and renovation not exceeding \$1,000,000 or 15% of the grant award is allowable, as deemed necessary. Written approval must be provided by FEMA prior to the use of any HSGP funds for construction or renovation. The following types of projects are considered to constitute construction and renovation, and must be submitted to FEMA for compliance review under federal environmental planning and historic preservation (EHP) laws and requirements prior to initiation of the project:

- Construction of and renovation to guard facilities which are intended to provide enhanced security at sub-recipient-designated critical infrastructure sites
- Renovation of and modifications, including the installation of security and communications equipment, to buildings and structures that are 50 years old or older
- Any other construction or renovation efforts that change or expand the footprint of a facility or structure, including security enhancements to improve perimeter security
- Physical security enhancements, including, but not limited to:
 - Lighting
 - Fencing
 - Closed-circuit television (CCTV) systems
 - Motion Detection Systems
 - Barriers, doors, gates, and related security enhancements.

In addition, the erection of communication towers that are included in a jurisdiction's interoperable communications plan is allowed, subject to all applicable laws, regulations, and licensing provisions. Communication tower projects must be submitted to FEMA for EHP review.

Construction Approval Process for SHSP, SLETPP, and UASI

In order for sub-recipients to draw down funds for construction and renovation costs under SHSP, SLETPP, and UASI grants, sub-recipients must provide through DHSES to FEMA:

- A description of the asset or facility, asset location, whether the infrastructure is publicly or privately owned, and the construction or renovation project.
- Certification that a facility vulnerability assessment has been conducted.
- An outline addressing how the construction or renovation project will address the identified vulnerabilities from the assessment.
- Consequences of not implementing the construction or renovation project.

- Any additional information requested by FEMA to ensure compliance with Federal environmental and historical preservation requirements.

Projects that were initiated or completed before an EHP review was concluded are unallowable for reimbursement using SHSP and SLETPP funds. For more information on FEMA's EHP requirements, sub-recipients should refer to FEMA's Information Bulletin #329 "Environmental Planning and Historical Preservation Requirements for Grants" available online at: <http://www.fema.gov/pdf/government/grant/bulletins/info329.pdf>

Supplanting

Grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose.

Grant Contracting Process

Any resulting contract or agreement is contingent upon the continued availability of funding and will be effective only upon approval by the New York State Office of the Comptroller and the Office of the Attorney General.

Sub-recipients must agree to DHSES terms and conditions included in DHSES grant contracts. Sample grant contract language, including but not limited to Appendices A-1 and C are available for review on the DHSES website at <http://www.dhSES.ny.gov/grants/>.

Minority and Women-Owned Businesses

Pursuant to New York State Executive Law Article 15-A, New York State Division of Homeland Security and Emergency Services recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of New York State Division of Homeland Security and Emergency Services contracts.

Consistent with 2 CFR §200.321, non-Federal contracting entities must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

Affirmative steps must include:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

For purposes of this solicitation, applicants and sub-recipients are hereby notified the State of New York has set an overall goal of **30% for MWBE participation** or more, **15% for Minority-Owned Business Enterprises (“MBE”)** participation and **15% for Women-Owned Business Enterprises (“WBE”)** participation, based on the current availability of qualified MBEs and WBEs for your project needs.

Uniform Administrative Requirements, Costs Principles, and Audit Requirements

The Department of Homeland Security adopted 2 C.F.R. Part 200. Now that DHS has adopted 2 C.F.R. Part 200, these new regulations will apply to all new Federal Emergency Management Agency (FEMA) grant awards that are made on or after December 26, 2014. The new regulations will supersede 44 C.F.R. Part 13, and the Office of Management and Budget (OMB) Circulars A-21, A-87, A-89, A-102, A-110, A-122, A-133, and sections of A-50 for all FEMA awards made on or after December 26, 2014. This means that recipients of HSGP funding must follow new administrative requirements and Cost Principles codified in 2 C.F.R. Part 200 instead of the previous regulations in 44 C.F.R. Part 13.

Appendix A: FY2014 NYS Priority Preparedness Objectives

As noted previously in this Program Guidance, no new Priority Preparedness Objectives are being introduced for FY2015; however, the list of FY2014 Objectives still stand given that the performance period for this funding year is still open. In FY2014, each jurisdiction that received SHSP/SLETPP funds certified that they would meet these objectives during the FY2014 performance period. DHSES will continue to monitor these objectives and will engage counties, as needed, in regards to them.

- 1. Ensure the lead law enforcement agency in the County/City maintains active participation in Counter Terrorism Zone (CTZ) activities, including the Operation Safeguard Program. The County's/City's lead law enforcement agency must attend at least one (1) CTZ meeting per quarter and support Operation Safeguard related taskings and reporting. *(Continuation from FY2011)*
- 2. Maintain participation in the Field Intelligence Officer (FIO) Program. He/she will help to ensure information sharing between the New York State Intelligence Center and the local law enforcement/public safety agencies within your jurisdiction. *(Continuation from FY2011)*
- 3. Maintain participation in the Intelligence Liaison Officer (ILO) Program. He/she will help to ensure information sharing between the New York State Intelligence Center and the local Fire and Emergency Medical Service agencies within your jurisdiction. *(New for FY2014)*
- 4. Develop and maintain a Comprehensive Emergency Management Plan or basic emergency plan in accordance with Article 2-B of Executive Law. The plan should be reviewed annually and submitted by December 31 each year to the DHSES Office of Emergency Management. *(Continuation from FY2011)*
Note: CEMPs should be submitted to both OEM headquarters and to OEM Regional Office in your area.
- 5. Participate in the County Emergency Preparedness Assessment (CEPA) Program, including the initial assessment and regular updates thereafter. *(New for FY2014)*
- 6. Participate in the Emergency Management Certification and Training (EMC & T) Program, to include the County Chief Elected Official (Tier 1) and the County Emergency Manager (Tier 2). *(New for FY2014)*
- 7. Develop and maintain both a County Fire Mobilization and Mutual Aid Plan and a County Hazardous Materials Response Plan, in accordance with Article 10 of the General Municipal Law. The County Fire Mobilization and Mutual Aid Plan should be updated every 5 years and the County Hazardous Materials Response Plan should be updated every 2 years; both plans should be submitted to the DHSES Office of Fire Prevention and Control (OFPC). *(Continuation from FY2011)*
- 8. Identify a County Interoperability Coordinator, to oversee radio communications interoperability efforts and be a member of a regional Interoperable Communications Consortium. *(New for FY2014)*
- 9. Ensure that radio communications projects/investments supported by SHSP/SLETPP funding utilize open-standard/vendor-neutral technologies. *(New for FY2014)*
- 10. Conduct or participate in at least one (1) Homeland Security Exercise and Evaluation Program (HSEEP) compliant exercise during the FY2014 SHSP grant period to test the capabilities being supported with SHSP funding. The After Action Report and Improvement Plans must be submitted to DHSES within 60 days after completion. *(Continuation from FY2011)*

Appendix B: 28 Critical Capabilities in New York State

Common Capabilities (5)

Planning: *The ability to develop, validate, and maintain plans to address identified threats and hazards.*

Interoperable and Emergency Communications: *The ability to ensure public safety agencies and other community partners can communicate with one another on demand, in real time, when needed, and when authorized.*

Public Information and Warning: *The ability to deliver coordinated, prompt, and actionable information to the public through the use of clear, consistent approaches and leveraging multiple delivery methods.*

Citizen Awareness and Preparedness: *The ability to ensure citizens are fully aware, trained, and practiced on how to prevent, protect, prepare for, respond to, and recover from any threat or hazard.*

Continuity of Operations/Continuity of Government (COOP/COG): *The ability to develop and implement plans and programs to maintain essential operations and government services during an emergency.*

Private Sector/Non-Governmental Organizations (NGO): *The ability to coordinate with the private sector and other non-governmental organizations to leverage their resources and subject-matter expertise.*

Prevention and Protection Capabilities (5)

Information-Sharing and Intelligence Analysis: *The ability to receive, analyze and distribute accurate, timely, and actionable information and intelligence to agencies and key stakeholders, including the private sector.*

Critical Infrastructure/Key Resources Protection: *The ability to identify and protect critical infrastructure and key resource sites through risk management and by improving protections against all threats and hazards.*

Cyber Security: *The ability to protect cyber networks and services from damage, unauthorized use, and exploitation and restore systems that are compromised.*

CBRNE Detection and Interdiction: *The ability to detect and interdict CBRNE materials at points of manufacture, transport, and use.*

Law Enforcement Counter-Terrorism Operations: *The ability to support the range of activities taken by law enforcement to detect, investigate, and conduct operations related to potential terrorist activities.*

Response Capabilities (16)

EOC Management: *The ability to establish and operate an Emergency Operations Center to support onsite incident management activities during an event.*

Onsite Incident Management: *The ability to establish a unified and coordinated operational structure at the scene of an incident.*

CBRNE Response and Decontamination: *The ability to assess and manage the consequences of a hazardous materials release, either accidental or intentional.*

Search and Rescue Operations: *The ability to deliver search and rescue capabilities and assets to affected communities, with the goal of saving the greatest number of endangered lives in the shortest time possible.*

Law Enforcement Response Operations: *The ability to leverage law enforcement assets and specialty teams (e.g. Bomb Squads, SWAT Teams, Dive Teams) to support site security and response to terrorist attacks and other hazards.*

Firefighting Support and Operations: *The ability to coordinate and implement fire suppression operations and support mutual aid within the fire service.*

Mass Care and Sheltering: *The ability to provide life-sustaining services to communities in need, with a focus on evacuating, sheltering, hydrating, and feeding the individuals most impacted during an event, including special needs populations.*

Transportation: *The ability to prioritize transportation infrastructure restoration to provide for the efficient movement of citizens, responders, and goods into and out of areas impacted during an event through the utilization of various transportation systems and routes.*

Health Emergency Preparedness: *The ability to support health emergency preparedness by developing and maintaining the ability to identify public health threats, provide medical countermeasures, and surge the hospital system to manage large numbers of sick or injured during any incident.*

Emergency Medical Services (EMS) Operations: *The ability to appropriately dispatch EMS and provide suitable pre-hospital treatment and support to healthcare facilities.*

Fatality Management: *The ability to provide effective, efficient mass fatality services to communities in need, including body recovery and victim identification, the development of temporary mortuary solutions, and coordination with victims' families.*

Logistics and Resource Management: *The ability to identify, inventory, mobilize, and dispatch available critical resources (including those obtained via mutual aid and donations) and human capital throughout the duration of an incident.*

Damage Assessment: *The ability to conduct damage assessments in conjunction with partners at multiple levels of government to help inform resources needed to ensure an efficient recovery from an incident.*

Debris Management: *The ability to develop and maintain debris management plans to restore public services and ensure public health and safety in the aftermath of a disaster.*

Restoration of Infrastructure and Critical Services: *The ability to initiate and sustain the restoration of critical services to affected communities, including drinking water, wastewater, electricity, transportation services, and economic services through effective planning and other related efforts.*

Disaster Recovery/Mitigation Capabilities (2)

Recovery: *The ability to provide ongoing support to communities after a major incident occurs to help re-build affected areas and to increase their resiliency to face future incidents to include long-term housing and infrastructure replacement.*

Mitigation: *The ability to, through traditional mitigation programs and other efforts build and sustain resilient systems, communities, and infrastructure to reduce their vulnerability to any threat or hazard.*