



ENERGY AND MINERAL IMPACT ASSISTANCE FUND PROGRAM GRANT APPLICATION GUIDELINES

Adopted May 18, 2021

The following guidelines are designed to assist potential applicants in applying to the Energy and Mineral Impact Assistance Fund (EIAF or Impact) program. Any organization applying for a grant in this program will be required to describe how the project for which funding is being requested has been well planned, evaluated, and supported by the local governing body.

Potential applicants are required to contact their respective [Regional Manager](#) prior to applying for funding. Please visit the Department of Local Affairs (DOLA) [website](#) where contact information for Regional Managers can be found.

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EIAF Grant Program Purpose

The Department of Local Affairs' Energy and Mineral Impact Assistance Fund program was created to assist political subdivisions that are socially and/or economically impacted by the development, processing, or energy conversion of minerals and mineral fuels. Funds are derived from the state severance tax on energy and mineral production and from a portion of the state's share of royalties paid to the federal government for mining and drilling of minerals and mineral fuels on federally owned land. The creation of the fund is outlined in C.R.S. 34-63-102 (Federal Mineral Lease [FML]) and C.R.S. 39-29-110 (Severance Tax Fund). Grant dollars are awarded for technical assistance and planning, construction of community capital assets, and maintenance of public facilities, and for the provision of public services.

DOLA's intent in administering this grant program is to manage it as outlined in State statutes utilizing a philosophy of supporting rural local governments that need financial and technical resources to promote sustainable community development, and to increase the livability and resilience of communities through strategic investments in asset-building activities. The most successful applications are those that:

- demonstrate urgency;
- demonstrate local commitment to complete the project;
- show that the project is a high priority for the community;
- are ready to start work on the project;
- demonstrate a relationship to, and address, energy and mineral industry impacts;
- demonstrate alignment with resiliency criteria; and
- demonstrate financial need.

The following parameters are taken into consideration when assigning severance tax and FML dollars:

- Local governments must disclose whether they can receive severance tax funds without impacting their TABOR limits. If severance funds cannot be used, DOLA may assign FML dollars.
- Counties will not receive FML dollars due to the impact of those dollars on the organization's Payment in Lieu of Taxes (PILT) payments.
- Statewide locations with FML production in the area and enterprise operations are prioritized when assigning FML dollars.
- An enterprise fund may request severance dollars, however, the local government must evaluate the impact of these dollars to the enterprise status before these funds will be assigned by DOLA.

Eligibility

Political subdivisions of the State of Colorado (local governments) and regional Councils of Governments are eligible to apply for grants through this program. Local governments must be in compliance with all laws and provisions governing their operations as well as in compliance with all Department of Local Affairs programs prior to receiving an award.

Educational Institution Eligibility

Given the demand from local governments for limited grant funds, applications from higher education institutions and school districts (K-12) are generally not successful when reviewed

with local government applications as there are other grant sources available specifically to them. Prior to any application, requests from K-12 school districts should consider the parameters below:

- School districts should seek funding for design and construction through the Colorado Department of Education or, in the case of energy efficiency projects, the Colorado Energy Office, or other funding sources before applying to this program.
- DOLA will give preference to support facility improvements that create a needed community asset available for broad public use. Collaboration with local governments in the development of these types of project applications is strongly encouraged and an inter-governmental agreement must be in place before grant contract execution. For example, school buildings may function as community centers for social events, as recreational centers, and as community libraries or service centers for outreach assistance for the elderly or at-risk families. The use of the building as a community asset must be formally agreed to by the local government and the school district.
- Applicants requesting support for capital facilities to be used exclusively for K-12 or higher education activities (classrooms, administration buildings and sport complexes) are not competitive.

State Agency Eligibility

State agencies are eligible to apply for and receive assistance from a portion of the Energy and Mineral Impact Fund derived from Federal Mineral Leasing revenues as found in C.R.S. 34-63-102(7). State agencies must have legislative spending authority if an FML grant award is made. However, per statute (C.R.S. 34-63-102(7)(b)), state-supported institutions of higher education that provide job training or facilities related to energy development for counties or communities with energy impacts may expend moneys from the Local Government Mineral Impact Cash Fund without separate legislative authority.

State agency requests must have the support of benefiting local governments and meet one or more of the following conditions:

- The project must have a direct benefit or service to local governments and, if an award is made, an inter-governmental agreement must be in place before grant contract execution;
- The project addresses the impacts of energy and mineral development at the local, regional, or statewide level;
- The state coordinates efforts related to the planning or implementation of mitigation activities that relieve the impacts of energy/mineral development; and
- Communities have identified the need for state involvement in the solution of local problems that may extend beyond municipal, county, or regional jurisdictional boundaries.

Discretionary Grant Opportunities

Local governments applying for a grant are **required** to consult with their [Regional Manager](#) and communicate their intent to seek DOLA funding support prior to the submittal of any application. Please see Table 1 on page 7 for application information, match requirements and an outline of the review and award process.

Discretionary Grants

1. Administrative Planning Grants

(up to \$25,000; 50/50 match; total project cost not to exceed \$100,000)

- Applications for administrative planning grants are accepted and approved administratively as long as funds are available. Project types include preliminary design, engineering or feasibility studies.
- To apply, a letter of request signed by the Chief Elected Official is required that addresses the following five areas:
 - The project scope;
 - A budget and timeline;
 - Financial need;
 - Project urgency and readiness to begin work; and
 - The energy and mineral impact.
- Administrative grant requests must be sent directly to the [Regional Manager](#). Do not apply for Administrative Grants through the DOLA Grants Portal.

2. Tier I Grants

(Application limit announced at notice of funding availability; 50/50 match)

- Eligible applications for Tier I grants may be used for the planning, construction and maintenance of public facilities and for the provision of public services. Please check the [DOLA website](#) for application deadlines and all applications are made through the DOLA grants portal.

3. Tier II Grants

(Application limits announced at notice of funding availability; 50/50 match)

- Eligible applications for Tier II grants may be used for the planning, construction and maintenance of public facilities and for the provision of public services. Please check the [DOLA website](#) for application deadlines and all applications are made through the DOLA grants portal.

4. Emergency Grants

Colorado communities experiencing disasters may request emergency grant funding through this program. A local emergency may include the unexpected or early closure of energy and mineral extraction activities. Requests for emergency funds must detail the applicant's financial conditions and be provided to the respective [DOLA Regional Manager](#) prior to completing an application in the DOLA Grants Portal. Requests must

include a letter from the Chief Elected Official requesting the funding and must be in reaction to and address one or more of the following situations:

- Significant negative impact on public health, safety, and/or welfare that the requested funding will address;
- A description of the emergency situation resulting from the disaster and the number of people affected;
- Unforeseen or unanticipated circumstances;
- The need for funding is time-sensitive and/or an opportunity to mitigate a future emergency will be missed (not merely delayed) without these funds;
- Local resources to address the emergency have been exhausted; and/or
- Details on a federal, state, or locally declared disaster.

If approved, funding will be provided only up to the amount necessary to address the immediate threat or alleviate the immediate crisis. This allows the local government time to develop a more comprehensive plan to address the situation as well as access other funding resources that may be used to implement project elements outside of the immediate emergency response.

5. Supplemental Grants

Supplemental grant requests seek to add funds to an existing contract. Supplemental funding is not intended to change the original scope of the contract or the number of activities undertaken. Across all EIAF funded contracts, no more than one-half of the original award amount may be requested for a supplemental award and any additional funding will only be made on a dollar for dollar match basis except in cases of extreme financial hardship. Exceptions to the 50% limit request are identified in each Initiative as applicable. Supplemental funding may be suspended in times of significant EIAF program revenue declines or availability.

Requests for supplemental funding must be sent to the respective DOLA Regional Manager with the following information:

- detail the applicant's financial conditions, and
- be in reaction to and address one or more of the following situations:
 - unforeseen, unanticipated, extraordinary circumstances;
 - funding need is exacerbated by regionalized contractor/supplier access barriers;
 - will mitigate an emergency or hardship;
 - need is time-sensitive;
 - applicant has no other funds available to complete project; and
 - applicant has exhausted all other remedies to complete project.

Table 1: Summary of Discretionary Grant Processes

The application process for the five main discretionary grant programs is summarized in the Table that follows. For the Review/Award Process column, those steps are in the order of their occurrence. For the timing of each Posted Cycle, please visit the [DOLA website](#).

Table 1: EIAF Discretionary Grant Application & Review Process

RM = Regional Manager

N/A = Not Applicable

SME = Subject Matter Expert

NOFA = Notice of Funding Availability

Energy Impact Program Discretionary Grant Summary and Review/Award Processes					
Discretionary Grant Type	Description	Apply to - Due Date	Maximum Request	Minimum match to DOLA Grant Award*	Review/Award Process
1. Administrative Planning Grant	Design, engineering, planning, feasibility studies	RM - Year round	\$25,000	1:1	Regional Manager Program Manager DLG Director DOLA Executive Director
2. Tier I	Planning, construction and maintenance of public facilities and the provision of public services	Grants Portal - Posted Cycle	Announced in each NOFA	1:1	SME (as applicable) All Regional Managers/Assistants EIAF Advisory Committee recommend DLG Director DOLA Executive Director
3. Tier II	Planning, construction and maintenance of public facilities and the provision of public services	Grants Portal - Posted Cycle	Announced in each NOFA	1:1	SME (as applicable) All Regional Managers/Assistants EIAF Advisory Committee Review/Rec. DLG Director DOLA Executive Director
4. Emergency	Funding to address an immediate threat or alleviate an immediate crisis	Grants Portal - Year round	N/A	N/A	Tier I or II award process based on amount of request
5. Supplemental	Request for additional funding on an existing contract	Grants Portal - Year round	50% of original award	1:1	Tier I or II award process based on amount of request and original award

* The required minimum match to a DOLA grant award. For example if DOLA grant = \$100, applicant match must equal at least \$100 in cash or approved in-kind.

Statewide Program or Initiatives

The requirements for special statewide programs or initiatives are based upon current program criteria and additional criteria that may be established to meet the initiative's intent. Typically, a set-aside of funds is made and criteria for the initiative are posted on the [DOLA website](#) and all initiatives are reviewed by the Energy Impact Assistance Advisory Committee before they are adopted. Please see Table 2 on page 12 for Statewide Program or Initiative application dates, match requirements and an outline of the review and award process.

For information on current initiatives, please visit the [DOLA website](#) or contact a [Regional Manager](#) for more information. Current programs and initiatives include:

6. Administrators/Managers

This initiative works to promote the professional local government management field and to increase the management capacity of local governments in Colorado through the placement of professional managers in organizations who have not employed one in the past. These jurisdictions must work with their [Regional Managers](#) to determine the most appropriate path forward to hire a professional manager. Grant funding for local government administrators/managers will constitute a three-year commitment by DOLA to the jurisdiction. This commitment could include salary, benefits, and new operational expenses incurred in establishing a new position. In the first year, DOLA will provide 75% to a local 25% match; the second year is a 50% DOLA and 50% local match; and the third year is a 25% DOLA and 75% local funding match. Successful grantees must work with their [Regional Manager](#) to establish a plan to move to a 100% locally funded position in year four.

7. Best and Brightest Management Internship and Fellowship Program

This program combines classroom studies with the real world experience of working in the public sector. To do this, the program will support the following:

- Paid summer or semester internships for high school seniors
- Paid summer or semester internships for undergraduate students
- Two-year paid fellowship for Master of Public Administration & Master of PPA students studying at partner universities.

DOLA Regional Managers will identify potential jurisdictions and work with local managers to determine participation. Each jurisdiction will determine its own needs and job requirements for an intern or fellow. Local governments considered for the program must develop a work plan and job description, including job duties and mentorship plans are required for the 2-year fellowship program. For fellowships, the initial grant award is limited to \$46,000 while internship awards will vary in the initial amount. In the event a student is unable to complete the Fellowship and leaves the jurisdiction, supplemental funding requests to place a new student will be reviewed by the DOLA Regional Manager and are not limited to the 50% of original award provision for supplemental grants. Each jurisdiction, student, University partner and the DOLA Regional Manager will also sign a four-party roles and responsibilities document.

8. Broadband Planning and Infrastructure Set Aside

This Initiative supports local government efforts to provide public institutions, private businesses, and local citizens with access to reliable broadband service at affordable costs.

Applications for Broadband planning and implementation projects may be submitted at any time. Funding opportunities and considerations include regional interconnectivity and planning as well as middle-mile infrastructure. Applicants must contact their Regional Manager prior to submitting any application and may be required to work with the DOLA lead for Broadband as well as subject matter experts during the application process.

9. Colorado Main Street Program

This program strengthens local governments and downtown organizations through a nationally proven process that implements community needs and ideas to create a downtown revitalization strategic plan. If accepted into the [Main Street Program](#), communities are eligible for financial and technical support. While the program focuses on the participating Main Street communities, other communities may benefit by joining as Affiliates or attending trainings to learn the methodology and lessons learned from other communities.

Funding opportunities include: Mini-grants offered to communities participating in the Main Street program based on their annual work plan. Through a prequalified consultant pool, financial assistance is offered for extensive technical expertise and assistance.

10. Councils of Government

Regional Councils of Government (COG's) may apply in any discretionary EIAF program cycle as posted on the DOLA website or to a special statewide program or initiative grant opportunity with the understanding that they are competing in those cycles against communities statewide. COG activities must align with EIAF general policies, eligibility requirements, etc. and funding is **not** available for general administration or operations of COG's. Eligible applications may include the following:

- Mini-grant programs on a cost-sharing basis between local governments and COG's;
- Technical assistance projects or programs such as: GIS services, organizational facilitation, retreat facilitation, special project staff, support for planning efforts such as Broadband Local Technology Planning Groups, and project-specific support (e.g., grant writing, project development, and documentation);
- Regional studies and plans; and
- Applications for a special statewide program initiative grant (e.g. Broadband).

11. Early Childhood Education (ECE)

The purpose of this program is to incentivize eligible entities with a reduced match requirement on grants to improve access to early childhood education. Projects considered will be those that respond to needs and opportunities identified by the local government. Examples of projects include planning, design, engineering or construction for ECE projects including those in a community center. Applications follow the discretionary grant application cycles, amounts and timelines.

12. Fiscal Stability Initiative

This initiative supports local government efforts in implementing financial management best practices. Applications follow the discretionary grant application cycles, amounts and timelines and for communities in this initiative, a match of 25% is required. Local government funding opportunities include:

- Five-year capital project planning
- Financial capacity analysis
- Financial checkup
- Asset inventory and management
- Fiscal health diagnostic tool
- Program costing

13. Renewable and Clean Energy Initiative

This Initiative supports both planning and implementation projects in the renewable energy field. Energy efficiency and energy conservation projects should develop innovations in renewable energy; achieve multiple objectives and/or serve communities with the greatest need. Strong applications will be those that respond to needs and opportunities as identified by the local government.

DOLA will support efforts by local governments and regional collaborations to engage in strategic planning that will advance the goal of 100% renewable energy. Activities should identify opportunities, infrastructure needs, and potential partnerships among public, private and non-profit entities to achieve renewable energy goals.

Applications for Renewable and Clean Energy planning projects must assess the current needs of the community and include an analysis of how the proposed project will help move the community or region towards 100% renewable energy. Any plan should also include prioritization of needs and identify implementation options.

Applications for implementation grants should consider the following in project development:

- How does the project advance the governor's 100% renewable energy by 2040 goal?
- What specific, measurable outcomes will the project achieve? For example:
 - Energy reduction over baseline (energy efficiency) in kwh, therms,
 - Energy offset over baseline (renewable energy generation) in kwh, therms, or
 - Greenhouse gas reduction over baseline in total CO2 equivalent.
- How innovative is the project?
- Is it multi-jurisdictional?
- Does it achieve multiple objectives?

Renewable and Clean Energy implementation grants are not intended for energy efficiency projects where, for example, solar panels or upgraded windows are part of a building or renovation project. While helpful in lowering a utility bill, that work does not meet the goal of a large-scale demonstration project. Additionally, the upgrade of older HVAC equipment to modern, more efficient systems should be part of a normal facility maintenance plan and is not a Renewable and Clean Energy implementation project. Requests in the energy efficiency and facility system maintenance/upgrade areas are not competitive applications in this Initiative.

14. Saving Coloradans Money on Health Care

In 2019, Colorado launched a new initiative to lower the costs of healthcare for residents of the state. DOLA, through EIAF, has a role in reducing those costs with the funding of improvements to hospitals and clinics. DOLA will also work with other partners to keep existing healthcare facilities operating and reduce costs for citizens. While there is no dedicated

funding set aside for these projects, a reduced match requirement is available to incentivize eligible activities. Applications follow the discretionary grant application cycles, amounts and timelines.

15. University Technical Assistance Program

In collaboration with the University of Colorado, the University Technical Assistance (UTA) program provides rural local governments with community development services. The UTA program engages higher education interns in real-world projects that benefit rural communities and provide students with valuable work experience. All projects and interns are supervised by university professionals. Local governments interested in assistance must contact the University of Colorado Technical Assistance group through their [DOLA Regional Manager](#). Project types include:

- public engagement;
- planning and preliminary project development assistance; and
- completion of preliminary plans and designs that can be used to apply for project implementation grants.

16. Uranium Mill Tailings Remediation

Per 39-29-110 (1)(b)(III)(C), up to \$50,000 is made available each state fiscal year to political subdivisions that include mill sites designated for cleanup pursuant to federal Public Law 95-604 for reimbursement of actual, documented costs related to the cleanup of uranium mill tailings. Applicants for these funds must submit an application through the DOLA Grants Portal. Applications are open year-round for this fund and are reviewed on an ongoing basis. All documented costs related to the cleanup must be provided as an attachment to the application.

17. Special Initiatives

A Special Initiative may be created by the DOLA Executive Director based on a growing trend or issue in communities across Colorado or through direction from the Governor or Colorado legislature. Initiatives may include direction to fund a specific project type (renewable energy, healthcare, water quality, etc.) and include requirements for review and award of those funds. In the absence of additional direction on review and award processes and depending on the source of the additional funds, applications to any Special Initiative will be per the adopted EIAF Program Guideline process that best matches the nature of that Initiative.

Table 2: Summary of Discretionary Grant Program & Initiative Processes

The application process for the twelve program or initiative discretionary grant programs is summarized below. For the Review/Award Process column, those steps are in the order of their occurrence. For the timing of each posted cycle, please visit the DOLA website.

Table 2: Statewide Programs or Initiatives

RM = Regional Manager
SME = Subject Matter Expert

UTA = University Technical Assistance
UMTRA = Uranium Mill Tailings Remediation

N/A = Not Applicable
NOFA = Notice of Funding Availability

TBD = To be decided

Statewide Programs or Initiatives

Discretionary Grant Type	Description	Apply to - Due Date	Maximum Request	Minimum match to DOLA Grant Award	Review/Award Process
6. Administrators & Managers	Three-year commitment to place professional managers - includes funding plan for additional year	Grants Portal - Posted Cycle	Varies	1:1	Tier I process
7. Best & Brightest	Internships for high school & undergrad students; two year fellowship for master's students	Grants Portal - Posted Cycle	\$46,000	Varies	Regional Manager for Best & Brightest Program Manager DLG Director DOLA Executive Director
8. Broadband	Broadband Planning or Middle Mile Implementation projects	Grants Portal - Year round	Up to \$200,000 Tier I - Over \$200,000, Tier II	25% planning 1:1 implementation	SME (as applicable) (3) Regional Managers Program Manager EIAF Advisory Committee (Tier II only) DLG Director DOLA Executive Director
9. Colorado Main Street Program	Support downtown revitalization with mini-grants, technical assistance	Program - N/A	N/A	N/A	DOLA Main Street Manager Program Manager DLG Director DOLA Executive Director
10. Council of Government	Collaborative technical assistance, mini-grants	Grants Portal - Posted Cycle	Tier I or II application limits per NOFA	1:1	Tier I or II award process based on amount of request
11. Early Childhood Education	Improve access to early childhood education	Grants Portal - Posted Cycle	Tier I or II application limits per NOFA	25%	Tier I or II award process based on amount of request
12. Fiscal Stability Initiative	Support financial mgmt. best practices in communities	Grants Portal - Posted Cycle	Tier I or II application limits per NOFA	25%	Tier I or II award process based on amount of request
13. Renewable and Clean Energy Initiative	Planning and implementation projects that advance the statewide goal of 100% renewable energy	Grants Portal - Posted Cycle	Tier I or II application limits per NOFA	25%	Tier I or II award process based on amount of request
14. Saving Coloradans Money on Healthcare	Reducing healthcare costs in Colorado	Grants Portal - Posted Cycle	Tier I or II application limits per NOFA	25%	Tier I or II award process based on amount of request
15. University Technical Assistance	Planning and preliminary design assistance using University interns & professionals	Program - N/A	N/A	N/A	Regional Manager tri-party agreement
16. Uranium Mill Tailings Remediation	Reimbursement for mill tailings cleanup	Grants Portal - N/A	\$50,000	N/A	Tier I process
17. Special Initiatives	DOLA Initiatives for special purposes	TBD	TBD	TBD	Per Special Initiative or Program Guidelines as applicable

Adopted May 18, 2021

Matching Dollar Requirements

Most grant requests require dollar for dollar matching funds from applicants unless extreme financial hardship is demonstrated or another allowance is made by project or initiative type. For example, matching requirements may be reduced for statewide initiatives based on the program purpose. Projects that provide more matching funds receive a higher score during review and may be more successful in receiving grant funding. Matching funds are considered to be any cash and/or approved in-kind dollars brought to the project by the applicant. For further information, review the scoring criteria table on page 18 of this document.

While a cash-only match is considered most competitive, DOLA recognizes the need for in-kind contributions. Any proposed in-kind match must be discussed with your [Regional Manager](#) prior to submittal of an application to ensure that what is being proposed is eligible. Any in-kind contributions must be included in the project application and have a documentable value. Additionally, an applicant must demonstrate financial need and a significant project savings achieved by using in-kind rather than cash match. Labor costs which are part of regular employee activity and any administrative time managing the grant **will not** be considered as in-kind match.

In order for in-kind match to be considered:

- The request must be part of the application.
- The in-kind match must be included in the contract between the grantee and DOLA.
- The applicant must provide a fee schedule for the activity (staff wage rate, etc.).
- Any in-kind work claimed must be clearly documented and must correspond with the fee schedule.
- Donated or discounted professional services may be considered if the pledge is documented in the application.

Tangible property as in-kind match:

- Land purchased within the previous 12 months may be used as in-kind matching funds. Land purchased more than 12 months prior to a grant application cannot be used as in-kind match, but will be considered in the project's "local effort" score. Applicants are encouraged to note land purchases completed in advance of a project to ensure they are ready to complete work, should funding be awarded.
- Indefeasible right of use (IDU) which is a legal agreement for the assignment of property such as strands of fiber optic lines, may be used as a match if purchased within the previous 12 months from the date of application.

Application

Applications to this program are made through the Division of Local Government [Online Grants Portal](#). Local governments must create an account on this system and in the event of a grant award; the Grants Portal will be used for contracting, reporting and reimbursements during the life of the contract. DOLA staff will be responsible for placing Administrative applications in the DOLA Grants Portal.

Applications to the discretionary grant cycles for this program will generally be open on the DOLA Grants Portal for a one-month timeframe. For example, an application cycle may open

on September 1st and remain open through midnight October 1st. Applications can be worked on and “in progress” during that month but applications do need to be submitted by the application closing date/time. Applicants will receive a verification email that the application has been submitted and another email message when the application has been accepted into the portal after the application closing date. If you have not received a confirmation email after submitting the application, please contact your [Regional Manager](#).

Editable versions of the most current applications for this program are on the [DOLA website](#). Because the application is routinely revised, applicants should first download the Word version of the application from the [DOLA website](#) and review it prior to working in the Grants Portal. It is recommended that applicants complete the majority of your application in this downloadable version then copy and paste your work into the Grants Portal.

Application Development, Review and Rating Program Staff and Regional Managers

It is a requirement to contact your area’s [Regional Manager](#) in the early stages of any project for which you expect to submit a grant application and before a grant application is submitted. DOLA Regional Managers are available to assist in project development and application preparation. Upon receipt of an application, the Regional Manager and DOLA staff may meet with the applicant to discuss the project and assist in preparing an evaluation of the application against program rating criteria.

Energy Impact Assistance Advisory Committee

The Energy Impact Assistance Advisory Committee reviews recommendations for Tier I applications and conducts a review of Tier II applications at a public hearing. At Tier II hearings, applicants may present their grant request and respond to questions from the Committee. Following all presentations, the Committee will make its recommendation to DOLA’s Executive Director who is responsible for the final funding decision.

The Committee is an advisory body. Applicants should not assume a grant is awarded or denied solely based on the Committee’s recommendation. The Executive Director makes all final funding decisions taking into consideration the recommendation from the Committee and DOLA staff.

By statute, the Committee consists of:

- Executive Director, Colorado Department of Local Affairs (Chair) or designee;
- Colorado Commissioner of Education or designee;
- Executive Director, Colorado Department of Transportation or designee;
- Executive Director, Colorado Department of Natural Resources or designee;
- Executive Director, Colorado Department of Public Health and Environment or designee; and
- Seven residents of areas impacted by energy conversion or mineral resource development.

The residents of impacted areas are appointed by and serve at the pleasure of the Governor for terms not exceeding four years. Members are eligible for one reappointment. State

department directors serving on the Committee may designate agency representatives to act on their behalf.

Grant Program Rating Criteria

All applications are summarized by DOLA staff with applicant input, into a project summary that evaluates the merits of the grant request in line with the project scoring criteria. Applications for Tier II grants are evaluated and scored by the Energy Impact Assistance Advisory Committee and DOLA staff based on alignment with program criteria.

Applications are rated on the following criteria and on a 100-point scale:

- **Demonstration of Need Available points = 20**

The problem is clearly identified and a quantifiable need is adequately described and documented.

- **Priority, Community Goal, Outcome Available points = 10**

The project is clearly a priority of the applicant, has been well planned, and has well-defined outcomes. It addresses an identified community need or problem and is specified in documents such as a capital improvement plan, community master plan, engineering report, annual budget, and/or other related planning and development resource publications adopted or otherwise approved by the local governing body. The applicant has reviewed the goals of the community at-large and has identified the project as a highly-ranked need against other initiatives.

- **Local Effort Available points = 20**

The amount of local government cash contribution and/or revenue generated from debt financing is of primary importance in demonstrating the importance of the project to the applicant. In addition, the amount of funding confirmed versus pending from all sources is considered. While dollar-for-dollar cash match from the local government applicant is strongly encouraged to improve the application's success, the minimum local match requirement is generally 50% of the total project cost unless modified by project type or initiative. If a 50% match cannot be committed, the applicant must provide appropriate documentation and justification for its current fiscal constraints that limit the ability to meet the program's minimum matching requirements. Up to 5 points are assigned based on the amount of cash match.

Up to 15 points are assigned based on whether: 1) the cash match is reasonable based on review of the applicant's financial information; 2) in-kind match is appropriately leveraged given the low unrestricted fund balance; 3) the applicant attempted to or succeeded in raising rates, fees, or has a voter initiative to raise revenues; 4) the applicant has made every effort to contribute as much as possible to the project; 5) if applicable, how the rank of applicant water and sewer rates or fees compares to statewide averages; 6) the applicant has exhausted all matching partner options (when applicable); and 7) the project was deferred due to lack of funding.

- **Readiness Available points = 15**

The project can be implemented in a reasonable period of time, i.e., within 6 months following grant award. Funding sources beyond the Impact Assistance grant are pledged and ready for expenditure. The applicant has demonstrated through past performance that it possesses the appropriate professional and technical capacity to initiate and complete the project successfully and within the planned implementation schedule. Preliminary engineering has been completed and plans and permits (as applicable) are approved and the plan is ready for bid. In the case of design/build projects, a project contractor has been selected by the applicant.

- **Resiliency Criteria Available points = 10**

In 2018, the Colorado Legislature passed [HB 18-1394](#), an update to the Colorado Disaster Emergency Act, which was signed into law on May 24, 2018. Section 24-32-122(1)(a)(V) Duties and Powers includes the requirement to “Integrate Resilience Criteria into Existing Competitive Grant Programs”. Section VII of that citation also includes language to “Develop Metrics and Targets to measure the short and long-term success of resilience efforts and actions”.

As a competitive grant program, the Energy and Mineral Impact Assistance Program is required to integrate resilience criteria into the competitive grant program. By integrating resiliency considerations into project planning and implementation, projects should be better poised to see benefits across a number of sectors (economy, health, infrastructure, etc.), minimize long-term risks, and anticipate or be better prepared to respond to changing conditions faced by Colorado communities.

The 2020 [Colorado Resiliency Framework](#) provides nine resiliency criteria that can be used by communities to develop a focused approach to incorporate these measures into all, or most projects. The criteria below are meant to serve as a guide to better understand how a project can be planned, developed and strengthened to enhance its long-term resilience. The criteria are:

- **Adaptive capacity:**
Include flexible and adaptable measures that consider future unknowns of changing climate, and economic and social conditions.
- **Co-benefits:**
Provide solutions that address problems across multiple sectors including the community, economic, health and social, housing, infrastructure, and watersheds and natural resources sectors to create maximum benefit.
- **Economic benefit-cost:**
Make financial investments that can sustain changes and have the potential for economic benefit to the investor and the broader community through both direct and indirect returns.
- **Harmonize with existing activity:**
Expand, enhance, or leverage work being done to build on existing efforts. Engage relevant stakeholders to maximize these efforts and reduce potential conflicts.
- **High risk and vulnerability:**
Ensure that strategies identify risk and vulnerability and directly address the reduction of risk to human well-being, physical infrastructure, and natural

systems. Strategies should consider impact to those who most experience marginalizing.

- **Innovation:**
Advance creative approaches and techniques that provide new solutions and encourage continual improvement and advancement of best practices – serving as models for others in Colorado and beyond.
- **Long-term and lasting impact:**
Create long-term gains to the community with solutions that are replicable and sustainable, creating benefits for present and future generations.
- **Social equity:**
Provide solutions that are inclusive, with consideration to populations that are often most impacted by disruptions. Address inequities, remove barriers, and benefit populations by providing access or meeting functional needs. Equitably distribute economic benefits. For more information on social equity and justice resources, see the Colorado Department of Public Health and Environment website at [CDPHE Health Equity Resources](#).
- **Technical soundness:**
Identify solutions that reflect best practices that have been tested and proven to work in similar regional context. Identify measurable indicators to assess performance and success.

For clarification or further guidance on how the Resiliency Prioritization Criteria can be incorporated into projects, visit the Resiliency Prioritization Criteria section of the [Colorado Resiliency Playbook](#). The [Colorado Resiliency Framework](#) site can also be used by communities to develop a focused approach to incorporate these measures into all, or most projects. Project scoring for this criteria is based on whether or not the project proposes to incorporate these long-term resiliency measures into the planning, development and implementation of the project.

- **Energy and Mineral Impact Available points = 25**
The applicant’s energy and mineral relationship is reviewed in two criteria looking at the degree to which the applicant is socially or economically impacted by the development, processing, or energy conversion of fuels and minerals. The first criteria (10 points available) is based on current energy and mineral impacts as determined by agreed-upon metrics (energy worker residency, permits issued and mineral production levels).
The second criteria (15 points available) looks at whether or not the project directly addresses or mitigates industry impacts, or helps to diversify the local economy in order to prepare for a post-industry future.

EIAF Application Review and Scoring Criteria

Criteria	Committee* or Pre-score (pts. avail.)	Description
Demonstration of Need	Committee Scored (20)	<ul style="list-style-type: none"> • Problem, opportunity or challenge is clearly identified • A quantifiable need is well described and documented • Urgency and severity of need may increase the score • Health and safety projects may increase score • Project is a mandatory priority that must be completed
Priority, Community Goal, Outcome	Committee Scored (10)	<ul style="list-style-type: none"> • The project is identified in comprehensive plan or other plans • Project is the local priority • Completing the project solves the problem • Expected outcomes are identified
Local Effort	<i>Pre-scored (5)</i>	<ul style="list-style-type: none"> • Cash match is worth up to 5 points: (50% match required, unless financial circumstance warrants reduction or specific program has different match requirement) • % are rounded to nearest whole number <ul style="list-style-type: none"> ○ Less than 25% match, 1 point ○ 25% - 35% match, 2 points ○ 36% - 49% match, 3 points ○ 50% - 74% match, 4 points ○ 75% or higher match, 5 points
	Committee Scored (15)	<ul style="list-style-type: none"> • Cash match is appropriate given unrestricted fund balance • In-kind match is appropriate leverage given the low unrestricted fund balance and has been approved by DOLA • Attempted/succeeded to raise rates, fees or voter initiative to raise revenues • Have made every effort to contribute as much to the project as possible • Applicable rates are higher than statewide average • Exhausted all matching partner options (when applicable) • Has been deferred due to lack of funding
Readiness	<i>Pre-scored (15)</i>	<p>Pre-scored based on:</p> <ul style="list-style-type: none"> • Project financing secured • Preliminary engineering, plans, permits, zoning, final design etc. has been or are being completed, has not begun at all, etc.
Resiliency Criteria	Committee Scored (10)	<ul style="list-style-type: none"> • Project incorporates long-term resiliency measures into planning, development and implementation of the project
Energy/Mineral Impact	<i>Pre-Scored (10)</i>	<ul style="list-style-type: none"> • Pre-scored using industry impact metrics
	Committee Scored (15)	<ul style="list-style-type: none"> • Project directly addresses or mitigates industry impacts (current or historic) • Project diversifies economy or prepares for post industry economy

Maximum Possible Score = 100

*** Note:** Committee for Tier I applications: DOLA Regional and Program Staff
 Committee for Tier II applications: Energy and Mineral Impact Assistance Advisory Committee

Funding Decisions

An award letter from the DOLA Executive Director announcing a decision to provide project funding is not a formal obligation of funds by the State, but rather it is an offer to enter into a grant contract for the dollar amount and project specified. Conditions, such as the formation of a taxing district, increased local government matching funds, or the development of necessary plans may be stated as a contingency in the letter. Such conditions must be met either prior to, or during the project performance period at the discretion of DOLA.

The grant award offer is valid for *up to one year*. In unforeseeable circumstances when the grantee is unable to execute the contract within the one year period, the grantee *must request an extension of the award prior to its expiration through the respective [Regional Manager](#)*. There is no guarantee that an extension request will be granted, and if denied, the award offer will be withdrawn. Applicants are notified of award decisions via letter to the Chief Elected Official and staff of the applicant jurisdiction.

For application requests that are not limited to submittal as part of the discretionary grant program cycles including Administrative, Supplemental, Emergency, Broadband and Special Initiative applications; review processes and any award decisions will be made as expeditiously as possible.

NOTE: Grantees cannot begin work on a project that has been awarded grant funds until after receiving an executed contract from DOLA. An executed grant contract is one that has been signed by the State Controller.

Appendix A: EIAF policies related to project type

Alternative Fuels

An Alternative Fuels application supports local government efforts in the use of alternative fuel vehicles and the construction of alternative fueling stations. Before submitting an application, local governments are required to consult with DOLA partner agencies including the Colorado Energy Office and the Regional Air Quality Council regarding fueling stations and the purchase of alternative fuel vehicles. DOLA partners with the Colorado Department of Transportation (CDOT), the Colorado Energy Office (CEO) [Clean Energy Programs](#), and the Regional Air Quality Council (RAQC) [RAQC](#) to support the use of alternative fuel vehicles throughout the state by assisting with the purchase of alternative fuel vehicles and fueling station infrastructure.

Applications will follow the regular discretionary grant amounts, cycles, and timelines.

Funding opportunities include:

- Increment upgrade on the replacement of a vehicle to one that is alternative fuel.
- Alternative fueling station infrastructure for publicly-owned fleets.
- Matching fund requirements for alternative fuel vehicles are the primary replacement cost. In the case of fueling stations, matching funds required are 50% unless an applicant can show that their financial conditions are such that only 25% match is available.
- School districts are generally not competitive applicants when reviewed with local government applications as other grant sources are available specifically to them.

Municipal and county governments wishing to diversify fleet fuels, build aggregated demand for private investment in fueling stations, or that have adopted fleet sustainability goals may request funding for the increment upgrade costs associated with replacement of fleet vehicles to alternative fueled vehicles (AFV). AFV's may include compressed natural gas (CNG), CNG bi-fuel, propane, or plug-in electric vehicles. The local government is required to provide a financial match that is equivalent to 100% of the cost of a standard vehicle and demonstrate the ability to build replacement of the alternative fuel vehicle into its fleet management program. School districts are not eligible for this program.

Building Construction/Renovation: High Performance Certification Program (HPCP)

Colorado Revised Statute (C.R.S. 24-30-1305.5) requires all new facilities, additions, and renovation projects that meet the following criteria to conform to the High Performance Certification Program (HPCP) policy adopted by the Office of the State Architect (OSA):

- The project receives 25% or more of state funds; and
- The new facility, addition, or renovation project contains 5,000 or more gross square feet; and
- The building includes an HVAC system; and
- In the case of a renovation project, the cost of the renovation exceeds 25% of the current property value.

The HPCP requires projects that meet the criteria to achieve third party verification with the target goal of LEED Gold or Green Globes-Three Globes. Projects that meet the criteria must complete the DOLA registration and tracking process. Please visit DOLA's HPCP web page at [High Performance Certification](#). In instances where the achievement of LEED Gold or Green Globe-Three Globes certification is not possible, an applicant may request a modification of

the HPCP policy or a waiver, if certain conditions exist. DOLA staff will work with applicants to identify workable solutions to meet the program’s intent to maximize energy efficiencies.

Local government applicants must review and complete the HPCP Section of the Energy and Mineral Impact Assistance Fund application. If the proposed project meets the HPCP criteria, the applicant should also complete and submit the HPCP registration form and checklist along with the grant application.

Building or Site Construction/Renovation: State Historic Register-Listed Properties

All applicants requesting funds for projects listed on the State Register of Historic Properties must indicate in their application that History Colorado, Office of Archaeology and Historic Preservation (OAHP) is engaged in the project when applying for a grant. Any design, construction and/or engineering documents, quotes from contractors following the Secretary of the Interior’s Standards for Rehabilitation, and photos must be attached to the application. Prior to awarding a grant for a state-listed site, DOLA will seek a determination of effect from the OAHP via official board action—no grant dollars can be awarded by DOLA without a determination of effect being completed first.

Comprehensive Plans and Land Use Regulations

Historically, DOLA has funded comprehensive plans and land use regulations submitted by municipalities and counties. A preferred scenario is the completion of a comprehensive plan to be quickly followed by a review and update of the community land use regulations or land use code. DOLA is willing to support these combined efforts with longer contract timeframes and the opportunity for applicants to commit local match funds over additional budget cycles. The department uses best practices to support improved long-term community development outcomes. When funding comprehensive plans, the department **requires** that the following project components be included in the scope of work:

- A plan for three miles outside municipal boundaries also known as the three mile plan per C.R.S. 31-12-105(1)(e)(I).
- The plan must identify the risks and vulnerabilities of natural and human caused hazards and goals, strategies, and/or actions to address these hazards.
- The plan must assess and address housing needs and affordability.
- The plan must address the community’s goals and values related to water supply and quality either as a stand-alone element or integrated throughout the plan. As directed by HB20-1095, local water provider(s) must be involved or coordinated with in the process, water conservation policies must be included, and the plan must identify water supplies and facilities sufficient to meet public and private infrastructure needs reasonably anticipated or identified in the planning process. The department also encourages, where appropriate, including policies related to the Colorado Water Plan, such as the relationship between land use and water demand, watershed health and environmental resources, water-based recreation, floodplain and other fluvial hazards, stormwater management, and water equity. In addition to the required topics called out by HB 20-1095, communities may choose to include policies related to:
 - the relationship between land use and water demand;
 - watershed health and environmental resources;
 - water-based recreation;

- floodplain and other fluvial hazards;
- stormwater management; and
- water equity.
- Intergovernmental agreement(s) (IGA) with neighboring jurisdiction(s) to establish the area outside the municipality's boundaries subject to a joint review process for development proposals. In addition, the IGA will address how infrastructure will be provided or upgraded and maintained in areas of mutual interest and engage major service providers/special districts, as applicable.
- Identify recommendations for land use code updates that will conform to an updated comprehensive plan. As stated above, DOLA may also fund those land use code updates.

The department **strongly encourages** the following be included in any comprehensive plan application:

- Land use code updates: Because the land use code implements a comprehensive plan, a complete land use code update is strongly recommended and may be required in the grant contract to immediately follow a comprehensive plan update.
- Policies and strategies to plan for the community's aging demographic
- A robust and inclusive community outreach and engagement plan to ensure participation from underrepresented groups.

Digital Trunked Radio (DTR) Communications

DOLA will consider funding the purchase of DTR communication consoles for local governments under the following conditions:

- The DTR communications console equipment is compatible with the current State DTR communications system. The equipment proposed for funding in this program should be consistent and compatible with the area's regional communications interoperability plan.
- The local government must demonstrate that they cannot acquire this equipment through other funding mechanisms such as a lease purchase agreement, local financial institutions, or with cash.
- The local government must provide a 50% cash match.
- If the jurisdiction is dispatching for other entities within its region (i.e. fire districts, EMS, municipalities etc.), they must establish a charge-for-service for dispatch service.
- The local government must demonstrate that the requested funding for equipment is one time funding and that the local government has a fiscal and operational model in place that is self-sufficient, sustainable, and locally funded for the future. If such financial planning is not in place, the local government will be required to implement a fee to ensure future replacement as a condition of the grant.
- The local government must demonstrate that the funding assistance requested is the only method available to secure safe and reliable communications for their region and that all cooperative and regional solutions have been investigated and eliminated as unworkable.

E-911 Policy

If a local government can demonstrate that they have established their E-911 tariff at the maximum allowable charge through the Colorado Public Utilities Commission waiver process, the application for E-911 related projects will be more successful.

Energy Projects with Power Purchase Agreements

DOLA will consider the use of Power Purchase Agreements (PPA) in certain circumstances. The benefit of the PPA must support a qualified government and the equipment must eventually be owned by the qualified government. In the event the qualified local government will not own the equipment used to create the PPA, DOLA may consider funding under the following conditions:

- The PPA must benefit a qualified government; and
- The term of the PPA between the vendor and the qualified local government must generate savings equal to or greater than the grant award.

Fire Departments

Volunteer Firefighter Departments

Per C.R.S. 39-29-110 (1) (b) (IV), the DOLA Executive Director may allocate money to privately organized volunteer fire departments serving areas that are socially or economically impacted by energy and mineral development. Given the demand among local governments for limited grant funds, applications from Volunteer Fire Departments are generally not successful.

It is strongly recommended that Volunteer Fire Departments first pursue funding through the Local Firefighter Safety and Disease Prevention Fund (in 24-33.5-1231), administered by the Division of Fire Prevention and Control with the guidance of the Fire Service Training and Certification Advisory Board. To be eligible, the Volunteer Fire Department must:

- Have been organized under C.R.S. 24-33.5-1208.5;
- Have been in existence for three years;
- Be able to provide three years of financial data; and
- Be registered with the Division of Fire Prevention and Control.

In alignment with C.R.S. 24-33.5-12.08.5(6)(c), Volunteer Fire Departments requesting funds must first consider inclusion of the proposed service area into one or more existing fire protection districts, metropolitan districts, or an adjacent or nearby fire department.

Governmental Fire Departments

Prior to any application, requests from governmental fire departments should consider the parameters below:

- Departments should seek other funding sources before applying to this program.
- DOLA will give preference to support facility improvements that create a needed community asset available for broad public use. Collaboration with other agencies in the development of these types of project applications is strongly encouraged and an intergovernmental agreement must be in place before grant contract execution. For example, fire stations may often function as community centers for social events and community service centers for outreach and community assistance efforts. The use of the

building as a community asset must be formally agreed to by the local government and the fire department.

- Applicants requesting support for capital facilities to be used exclusively for traditional fire station uses are not competitive.

Definitions:

Fire Department means the duly authorized fire protection organization of a town, city, county, or city and county, a fire protection district, or a metropolitan district, or county improvement district that provides fire protection. Fire Department also includes volunteer fire departments organized under C.R.S. 24-33.5-1208.5.

Volunteer Fire Department means a nongovernmental unit organized in accordance with C.R.S.24-33.5-1208.5 as a nonprofit organization with a primary purpose of firefighting, fire protection, or other emergency services to a defined service area recognized by the appropriate governmental entity with jurisdiction for the area the unit serves.

Hazardous Waste, Hazardous Materials and Contaminated Properties

DOLA does not fund projects that occur on contaminated properties or that will result in a potential liability to DOLA as the responsible party. While it is understood that at times a project may require disposal of hazardous waste or the transportation of hazardous material, DOLA will not fund these activities.

Housing

Due to the immense deferred maintenance of critical local government infrastructure, DOLA will only fund publicly owned infrastructure located in the public rights-of-way or easements that upon completion shall be conveyed to a local government or public/private utility. For instance, water and sewer main lines, public roads, sidewalks, curb and gutter are eligible. Service line extensions are considered as part of the housing construction and not eligible. The program funds public facilities open to the general public that are seen as a community-wide asset. If an application is submitted for a housing project, the applicant will first be asked to contact DOLA’s [Division of Housing](#). This program will fund community-wide housing needs assessments; however, assessments to prepare development plans for a neighborhood may not be successful. Additionally:

- Affordable housing projects are the only projects supported through this program.
- The program will only fund infrastructure below ground and off-site for utilities such as storm drainage, and will not fund actual housing construction.
- Applications for housing projects must be a top priority of all participating local governments and demonstrated as such in their comprehensive or other plans.
- Affordable housing projects funded must be owned by the local government or housing authority and/or have an appropriate deed restriction.

Parks, Recreation, and Trail Projects

Due to the limited amount of funds available in this program, local governments interested in funding for outdoor recreation projects will be directed toward other outdoor recreation funding sources, such as [Great Outdoors Colorado](#) (GOCO), Colorado Parks & Wildlife or foundation funding. Local governments should coordinate their applications and any awards

with those other funding sources prior to applying to this program. Grant applications to this program are more successful when they leverage other funding sources and are shown to be a community priority.

Road, Bridge and Street Improvements

The construction or replacement of a bridge or culvert is considered a major infrastructure project. Applications are more successful when there is a strong connection to industry activity. The total volume of vehicle traffic, also known as an Average Daily Traffic (ADT) count, is required from applicants for all road, bridge, and street improvement projects.

Road, bridge and street improvements and maintenance are the responsibility of the local government. DOLA may fund a local government road, bridge or street project under these circumstances:

- Paving projects on county roads and municipal streets directly impacted by the energy and mineral industry. NOTE: Projects on roads and streets with little relationship to the impacts of the energy and mineral industry are not considered competitive.
- Hard surface road projects must utilize a permanent material such as concrete, chip seal or asphalt.
- Applicant demonstrates that any paving projects are improvements, rather than maintenance.
- Road or street paving projects are important to economic development including those identified in Main Street Program project areas.
- Engineering of the road and street improvement being requested must be completed before application submission to DOLA to ensure that projects will be successful once implemented. Unsigned reviews or estimates by an engineer are not sufficient to satisfy this requirement.
- Submittal of road and street applications as design-build projects with guaranteed maximum prices is allowed with an applicant certification stating that any cost overruns will be borne solely by the applicant.
- Residential and/or private roads not constructed or maintained by local governments are not eligible for grant applications.
- Drainage improvement projects directly related to roads impacted by the energy and mineral industry or with an identified safety hazard will be considered. Curb, gutter, valley pans, culverts, etc. are eligible when coordinated with street and road projects.
- Sidewalk improvements related to road and drainage funded projects must implement a sidewalk management plan or study with an implementation schedule before any grant award.
- Grant applications will not be accepted for work on federal or state highways.

Rolling Stock Requests

DOLA, on an extremely limited basis, may invest Energy and Mineral Impact Assistance Fund dollars in rolling stock for local governments based on an adopted fleet replacement plan that includes a budget for the necessary maintenance and replacement of vehicles and equipment over time. It is the position of the department that local governments should be planning for

and building into their budgets the necessary funds to replace vehicles and equipment on an ongoing basis.

Circumstances in which DOLA may consider funding for vehicular or rolling stock requests are limited to:

- An initial purchase to begin the capitalization of a fleet replacement plan or to stabilize an ongoing fleet plan,
- Documented evidence of firefighting apparatus shortages in past response to, or in preparation for, response to wildfires, or
- Situations wherein road maintenance or emergency response capabilities directly related to energy or mineral impact activities require equipment purchases that might otherwise exhaust local financial capability and local revenue-raising has been insufficient.

Short-Term Equipment and Assets Replacement

DOLA does not provide funding for short-term equipment (tools, generators, small maintenance equipment, etc.) purchased for local governments. It is the position of the department that local governments should be planning for and building into their budgets the necessary funds to replace short-term assets and equipment on an ongoing basis. However, DOLA may assist a local government with the establishment of a short-term equipment and assets replacement plan through an Administrative Grant Award.