

**COOPERATIVE AGREEMENT MODIFICATION**

Agreement/Appendix Title and Number: W912PQ-18-2-1002

Project Name/Description and Location: ARNG Environmental Programs Resources Management

Modification Number: P0001

ISSUED BY: NATIONAL GUARD BUREAU

ISSUED TO: THE STATE OF NEW YORK

This modification is issued pursuant to the Authorities, 31 U.S.C. Chapter 63; MCA and Appendices Article VII, Sect 703; MCCA Article XII, Sect 1201 of the basic cooperative agreements. *Mark purpose and obtain signatures as appropriate IAW NGR 5-1, Chapter 3.*

- a. FUNDING
- b. TERMS AND CONDITIONS
- c. TERMINATION
- d. OTHER ADMINISTRATIVE: OPEN FY 18 APP 1002

Action	Funding Source	From	Change	To
FED	Allotment	100%	\$ -	
		75%	\$ -	
	<b>Total Federal Allotment</b>		\$ -	\$ -
FED	AFP	100%	\$ 723,062.00	\$ 723,062.00
		75%	\$ 70,038.00	\$ 70,038.00
	<b>Total Federal AFP</b>		\$ 793,100.00	\$ 793,100.00
FED	In-Kind Assistance (IKA)		\$ -	
STATE	Allotment - State	25%	\$ -	\$ -
STATE	AFP - State	25%	\$ 23,346.00	\$ 23,346.00

**DESCRIPTION OF MODIFICATION:**

- JUSTIFICATION: OPEN W912PQ-18-2-1002 Appendix 1002, Environmental Programs Resources Management for Fiscal Year 2018.
- SUMMARY: Appendix W912PQ-17-2-1002 is hereby extended for Fiscal Year 2018. The effective date is 01 October 2017 and the termination date is 30 September 2018. Appendix W912PQ-17-2-1002 is changed to read W912PQ-18-2-1002 for FY2018.
- ACTION: TAG signature and review of the Environmental Programs Resources Management Appendix, MOD 1. Return signed modification to MNPF-EA, Room 207, Cooperative Agreements, x4775/4709.
- This Appendix is subject to the availability of funds.
- Replace pages 8 of Appendix 1002, FY 18 with updated attachment.
- As FY2018 budgets are approved by NGB, program managers will add funding to the Appendix by separate modification.

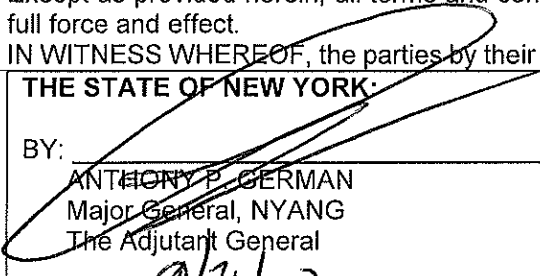
**EXECUTION**

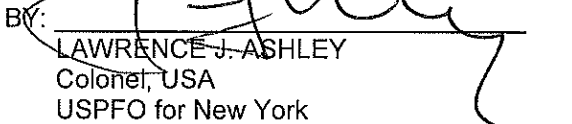
Except as provided herein, all terms and conditions of the Cooperative Agreement and/or Appendix remain unchanged in full force and effect.

IN WITNESS WHEREOF, the parties by their authorized representatives execute this Cooperative Agreement Modification.

THE STATE OF NEW YORK:

NATIONAL GUARD BUREAU:

BY:   
 ANTHONY P. GERMAN  
 Major General, NYANG  
 The Adjutant General

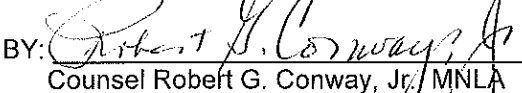
BY:   
 LAWRENCE J. ASHLEY  
 Colonel, USA  
 USPFO for New York


Date: 9/26/17

Date: 26 Sept 17

APPROVED AS TO LEGAL FORM:

APPROVED AS TO LEGAL FORM:

BY:   
 Counsel Robert G. Conway, Jr., MNLA

BY:   
 Counsel Sean D. O'Brien, LTC, JA, NYARNG

Date: 8 Sept 2017

Date: 8 Sept 2017

## APPENDIX 2

### ARNG ENVIRONMENTAL PROGRAMS RESOURCES MANAGEMENT

#### Section 201. General.

a. This Appendix establishes terms, conditions, policy and administrative procedures related to the National Guard Bureau's (NGB's) federal contribution for the Environmental Programs Resources Management of the Army National Guard within the State.

b. The provisions set forth in National Guard Regulation (NGR) 5-1 are incorporated into this Appendix by reference.

#### c. Statement of Facts.

(1) Support of the Environmental Programs Resources Management appendix is authorized for the environmental operation, maintenance, and repair of those facilities described and coded for federal support in the current Facilities Inventory and Support Plan (FISP) or to mission-related environmental activities when not facility-related as approved in writing by the Environmental Programs Division (ARNG-ILE).

(2) The Environmental Programs Division (ARNG-ILE) provides federal support for environmental programs, projects, and services initiated by a State Military Department (SMD) that are necessary to comply with applicable Department of the Army (DA), National Guard Bureau (NGB), Army National Guard (ARNG), Department of Defense (DoD), federal, state, and local environmental regulations (hereinafter referred to as "environmental laws").

(3) This Appendix outlines limitations and identifies the maximum amount of federal funding available for reimbursement of environmental charges incurred by a Grantee for compliance with environmental laws and requirements validated by ARNG-ILE.

#### Section 202. Additional Definitions.

a. Environmental Program Management: Activities accomplished to sustain the SMD's environmental program.

b. Environmental Professional: Federally reimbursed full-time, part-time, and seasonal state environmental employees and federal environmental protection specialists who directly support activities covered by the Appendix.

c. Non-environmental Professional: Federal or state full-time, part-time, and seasonal employees who are not employed by the environmental program; however, they do have environmental-related job responsibilities covered by the Appendix.

d. Environmental Restoration Project: Facility construction or maintenance and repair activities initiated to comply with environmental restoration laws.

e. Environmental Restoration Cleanup: An environmental remediation response action dealing with any aspect of one or more of the following; monitoring, removal, or in-situ treatment of pollution or contaminants of concern from environmental media such as soil, groundwater, sediment, or surface water for the general protection of human health and which is allowed under the Defense Environmental Response Program, IRP, MMRP or CR. States may accept, obligate, and disperse Defense Environmental Restoration Program (ER, A: 2020 Appropriations) for the clean-up execution or program management of DERP eligible sites within their installations.

f. Environmental Services: Activities that support the environmental compliance, pollution prevention, conservation, and restoration programs.

g. Status Tool for the Environmental Program (STEP): An application located behind Web-based Compliance Assessment and Sustainment System (WEBCASS) in Guard Knowledge Online (GKO) designed to facilitate state project identification, ARNG-ILE review/validation, and project execution. ARNG-ILE uses the data maintained in STEP to distribute funds to support critical must-fund projects among all 54 states and territories; to adhere to DA policy in regards to environmental funding eligibility; and to analyze execution to ensure accurate POM requirements.

**Section 203. Office of Primary Responsibility.**

a. The Office of Primary Responsibility for this Appendix is the Environmental Programs Division (ARNG-ILE), Army National Guard, 111 South George Mason Drive, Arlington, VA 22204-1382.

b. The Chief ARNG-ILE, for the purposes of this Appendix, is a designee of the Chief, National Guard Bureau, and is the individual authorized to make final approval of all environmental program management budgets and modifications, distributions and withdrawals of funds, receive required accounting reconciliation reports, and approve environmental actions specifically reserved under this Appendix for ARNG-ILE.

**Section 204. Scope of Agreement.**

a. Scope of Services: Environmental Programs Resource Management includes three types of environmental actions: compliance/corrective projects, environmental services and program management.

(1) Environmental compliance/corrective projects are projects which are initiated to comply with environmental laws, prevent pollution, conserve the environment, and/or restore the environment. An environmental compliance/corrective project normally shall result in a complete and environmentally sound facility or structure, but may be phased to meet environmental requirements. Structuring projects with the purpose of circumventing funding approval limits is prohibited.

(2) Environmental services are activities that support enforcement and compliance, pollution prevention, conservation, and restoration; such as studies, plans, surveys, tests, monitoring, hazardous waste disposal and management, and environmental public affairs requirements. Specifically included is the Integrated Natural Resource Management Program and Integrated Cultural Resource Management Program which includes inventorying, protecting, and restoring natural and cultural and geophysical resources on lands, facilities and property owned or managed by the National Guard.

(3) Program management includes actions, activities, and tasks which are accomplished to maintain an environmental program. Program management includes, but is not limited to actions by the Grantee to accomplish environmental activities such as; environmental corrective actions, hazardous waste management, training, environmental project reviews, environmental planning activities, natural and cultural resources actions.

b. Performance Specifications: Environmental program operations shall include, but not be limited to actions by the Grantee, through employment by the State, by contract or hire, of sufficient personnel, acquisition by contract of supplies or services, or other necessary actions, to accomplish the following tasks:

(1) The Program Manager (PM) shall use the ARNG's Status Tool for the Environmental Program (STEP) to submit budget requirements to ARNG-ILE for approval for VENQ funds. Reimbursement will not be sought for obligations not previously approved in the STEP tool.

(2) ARNG-ILE will FAD ENVR funds to the states based on estimates compiled in AEDB-CC. ENVR funds for Non-Department of Defense, Non-Operational Defense Sites (NDNODS) regulatory oversight does not need to be managed through STEP. States are to send the applicable funding request and Independent Government Estimate (IGE) to ARNG-ILE-CR and ARNG-ILE will provide funds to the States and Territories via funding authorization document (FAD).

(3) The Grantee shall provide applicable resources to ensure compliance with the Clean Air Act; Clean Water Act; National Environmental Policy Act; Noise Control Act; Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource, Conservation and Recovery Act; Safe Drinking Water Act; Toxic Substance Control Act; Sikes Act; Endangered Species Act; Federal Insect, Fungicide and Rodenticide Act; American Indian Religious Freedom Act; Archeological Resource Repatriation Act; Native American Graves Repatriation Act; National Historic Preservation Act; Emergency Planning and Community Right-to-Know Act and applicable Executive Orders, Army Regulations, Department of Defense Instructions and guidance from other State and Federal regulatory agencies.

(4) The Grantee shall provide applicable services for data entry and reporting in the Army Environmental Database-Compliance Cleanup.

(5) The Grantee shall provide applicable services for data entry and reporting in the Army Environmental Database-Environmental Quality.

(6) The Grantee shall provide applicable services for data entry and reporting in the Installation Status Report-Service Based Costing.

(7) The Grantee shall develop and implement Integrated Natural Resource Management Plans; Integrated Cultural Resource Management Plans; Integrated Pest Management Plans, Statewide Operations Noise Management Plans, among others.

(8) The Grantee shall ensure that adequate training is provided to the Federally-Reimbursed employees within the environmental program, in order that they are kept apprised of current environmental policies and laws.

**Section 205. Authorized Activities and Charges.**

a. Environmental Program Management. Authorized activities and charges accomplished under this appendix include:

(1) Employees: Cost of full-time, part-time, interns, and seasonal state environmental employee salaries and related benefits for positions approved and authorized by the Environmental Manning Model (EMM) and in the approved ESOB. Payments for salaries, to include approved overtime and allowable benefits, will be in accordance with state personnel policy for like state government positions within the same geographic area. The Environmental Manning Model is used to allocate personnel to the states based on the number and types of facilities and training sites and the level of effort required to manage their respective environmental resources. States may hire State employees, contractors and interns up to 100% of the maximum number allowed by their EMM.

Full-time or part-time contractor: costs associated with travel must be included in the contract, and training is limited to ARNG-sponsored training unless specifically approved by ARNG-ILE.

Funding for program management (PM) activities for Defense Environmental Restoration Program (DERP) cleanup projects is provided by Assistant Chief of Staff for Installation Management (ACSIM) to the ARNG Directorate (ARNGD) via internal mechanism. States/Territories can request funds from ARNGD as required, and funds will be transferred via Funding Authorization Document (FAD).

Funding for DERP project execution can be requested by the States/Territories by contacting ARNG-ILE-CR. Once the requirement is approved by ARNG-ILE-CR, States and Territories are authorized to accept the funds directly from Army Environmental Command (AECOM) via Military Interdepartmental Purchase Request (MIPR).

(2) Costs for mission travel and training and associated travel for those personnel in positions approved and authorized by the EMM and in the approved ESOB.

(a) Includes direct costs associated with local travel and temporary duty travel, and associated per diem for authorized state employees who directly support activities covered by this appendix.

(b) Reimbursement for mission travel expenses is allowable only to the extent such costs do not exceed charges normally allowed by the state in its regular operations as the result of the state's *written* travel policy.

(c) Mission travel includes state fleet, or commercial vehicle rental or leases used exclusively in execution of the ARNG environmental mission under this Appendix. Mission travel may include the use of General Services Administration (GSA) vehicles IAW Section 716 of the Master Cooperative Agreement.

(3) Costs for reference library and technical material.

b. Environmental Services. Authorized activities and charges that support environmental compliance, conservation, pollution prevention, and restoration;

(1) Studies; Development and implementation of plans; Surveys; Assessments; Tests; Lab analysis; Monitoring; Inventories; Hazardous waste management; and Environmental public affairs requirements.

(2) Management of hazardous waste; disposal of hazardous waste resulting from clean-up and remediation efforts, when the disposal is not part of a larger sustainment or modernization project; Disposal costs for hazardous waste from tenants and Modified Table of Organization and Equipment (MTOE) units; Disposal costs for orphaned or unknown hazardous wastes; and clean-up of environmental spills of hazardous material, when the responsible party is unknown.

(3) Cleanup services using DERP funds for CERCLA- and RCRA-based cleanup projects.

c. Environmental Restoration Projects. Facility construction or maintenance and repair activities initiated to comply with environmental laws (e.g., pump and treat systems, land fill caps, air sparging system).

d. Other Environmental Services;

(1) Environmental services furnished incidental to the environmental operations, maintenance, and repair of those facilities in the current Facilities Inventory and Support Plan (FISP). Environmental services at facilities not included in the FISP require written approval of the Chief, ARNG-ILE.

(2) Geographic Information Systems (GIS). Network-certified software licensing (excluding Option "A" software as per ESRI ELA), hardware, and data acquisition used in direct support of environmental programs (ESRI maintenance and Option "A" purchases are centrally funded by ARNG-ILE).

(3) Architectural and engineering (A&E) services for environmental compliance, pollution prevention, conservation, and restoration projects.

(a) Rates shall be consistent with NGR 415-5, *Army National Guard Construction Program Development and Execution*, and costs shall be charged to the same environmental AMSCO as the project.

(b) Evaluation studies or similar efforts to determine the scope of a project shall be charged to the same environmental AMSCO.

(4) Development of web-based or computer-based environmental databases or training courses/materials with explicit, written approval of the Chief, ARNG-ILE.

(5) Preparation of plans for maintenance, repair, and rehabilitation of historic structures or properties.

e. Machines, Equipment, Tools.

(1) Purchase of machines, equipment, and tools required to support responsibilities under this appendix.

(2) Purchase of specialized, non-standard equipment required for implementation of integrated natural and cultural resource management plans and the equipment is required by authorized state environmental staff to perform their responsibilities under this appendix. The equipment could include, but is not limited to, items such as all-terrain vehicles, snowmobiles, and boats. In addition, the equipment must meet the following conditions:

(a) Item(s) shall not be for principal use of someone or some function covered under 10 USC Chapter 39, 32 USC Chapter 3, 32 USC 502, or 32 USC 709 (e.g., active duty soldiers, technicians, and M-Day soldiers);

(b) Item is not more economical to rent or lease.

(3) Only machines, tools, or equipment used in support of activities covered under Appendix 2 will be maintained through this agreement.

(4) Equipment necessary for personnel to properly operate machines, tools, or equipment used in support of activities covered under Appendix 2.

(5) Rental of environmental testing, monitoring, spill containment and clean-up equipment, and tools.

(a) Rentals must be for items essential to the state's performance of its responsibilities under this appendix, and must be used primarily in support of activities covered under this appendix, to include response to or prevention of an environmental emergency.

(b) Rentals may include GSA vehicles and equipment provided via in-kind assistance.

(c) Except for vehicle leases, rental or lease of items for a period in excess of 240 days requires USPFO approval of an economic analysis showing that this is the most cost-effective alternative to ensure the SMD meets its responsibilities under this appendix.

f. Environmental awareness and outreach materials, with approval of ARNG-ILE through the STEP tool.

g. Environmental Management System (eMS) implementation and the environmental components of sustainability, with approval of ARNG-ILE.

**Section 206. Unauthorized Activities and Charges.** Costs for:

a. Environmental employees not approved by ARNG-ILE.

b. Travel-related expenses for non-environmental professionals.

c. Contractor training for professional development or certification.

d. Penalties and fines for violations of environmental laws.

e. Disposal of solid waste.

f. General/routine cleaning and pumping of non-hazardous sludge of:

- (1) Oil-water separators, and
  - (2) Used oil tanks.
- g. Removal of underground storage tanks (USTs) not required by environmental laws.
- h. Integrity testing of storage tanks.
- i. Storage tank operations and maintenance, to include monitoring equipment.
- j. Flammable material storage lockers.
- k. Portable containers for hazardous materials.
- l. Projects not related to compliance with environmental laws, pollution prevention, conservation, or clean-up of the environment (e.g., Occupational Safety and Health, Hazards in the Work Place).
- m. Purchase of passenger vehicles.
- n. Routine maintenance and repair of passenger vehicles.
- o. Routine facility operating costs.
- p. Routine facility maintenance and repairs.
- q. Operation and maintenance of a recycling program.
- r. Use of appropriation 2065 for following environmental requirements:
  - (1) Base Realignment and Closure (BRAC).
- s. Replacement of Class 1 ozone-depleting substances (e.g., stationary halon fire-suppression systems, facility refrigeration, chiller equipment).
- t. Asbestos:
  - (1) Removal/abatement as part of routine repair or construction;
  - (2) Waste removal/disposal as part of building renovation/demolition;
  - (3) Surveys, assessments, and management plans;
  - (4) Control through in-place management or abatement.
- u. Lead-based paint:
  - (1) Surveys,
  - (2) Risk assessments,
  - (3) Inspections,
  - (4) Removal, or
  - (5) Abatement actions.
- v. Environmental impact statements (EIS), unless the Environmental Office is the proponent of action.
- w. Environmental assessments (EA), unless the Environmental Office is the proponent of action.
- x. Records of environmental consideration (REC), unless the Environmental Office is the proponent of action.
- y. Environmental Baseline Studies (EBS).
- z. Conventional pest control approaches (judged by current industry standards), to include:
  - (1) Surveillance for pests and pest-related damage;

- (2) Trapping;
  - (3) Conventional applications of chemical pesticides (except when used as part of an environmental project as a general or routine measure);
  - (4) Minor habitat modifications that reduce pest access to breeding, feeding, and resting sites; or
  - (5) Purchase or repair of equipment and supplies to perform these pest-control activities.
  - (6)
- aa. ESRI ELA Option A software.
  
  - bb. Other
    - (1) Routine grounds maintenance for purpose of aesthetics (e.g., grass mowing, tree pruning, landscaping).
    - (2) Building demolition/debris removal (BD/DR)
    - (3) Personal use items.
    - (4) Furniture

**Section 207. Budget Requirements.**

- a. Limitations:
  - (1) The Cooperative Agreement Program Manager submits their annual Environmental State Operating Budget (ESOB) for the next fiscal year in late April each year, based on the preliminary annual funding guidance received from the Chief, ARNG-ILE.
  - (2) The Appendix funding limitation should consist of those environmental projects and services validated for funding in each state's ESOB.
  
- b. State Operating Budget:
  - (1) Only projects validated by ARNG-ILE are to be included in the ESOB.
  - (2) If a project's cost increases after validation, the state may still execute the project as long as the increase is not excessive. Excessive cost increases are defined below:
    - (a) Projects with an original cost between \$20,000 and \$100,000 that experience a cost increase of 50%, and
    - (b) Projects with an original cost estimate greater than \$100,000 that experience a cost increase of 25%.
  - (3) Projects with excessive cost increases will require ARNG-ILE revalidation.
  - (4) Recurring cost increases may result in evaluation by ARNG-ILE of a state's project cost-estimating process to determine corrective actions.
  
- c. Status Tool for the Environmental Program (STEP):
  - (1) Environmental requirements are identified by the state environmental program managers in STEP. STEP reflects all environmental requirements and funding information to properly classify projects and justify project funding.
  - (2) Projects must be approved in STEP for federal reimbursement.
  
- d. AMSCOs: The Grantee shall use the AMSCOs provided by Defense Finance and Accounting Service (DFAS-IN) Manual 37-100, in accounting for changes to this Appendix.
  
- e. Cost Sharing:
  - (1) ARNG-ILE is authorized to reimburse Grantees up to 100 percent federal funds for expenses incurred rendering environmental program management, environmental projects, environmental services, and environmental-driven maintenance and repair.
    - (a) The federal share of reimbursement for environmental charges at facilities listed in the current FISP will be in accordance with NGR 420-10, *Construction and Facilities Management Office Operations*, and the support agreement code descriptions from NG Pam 420-10.
    - (b) The federal share of reimbursement for environmental charges at facilities not listed in the current FISP will be determined by the USPFO, in coordination with the Chief, ARNG-ILE.
    - (c) Generally, environmental resource support shall be provided funds for authorized facilities as coded in the FISP. However, some environmental services and projects are not facility-related but mission-related, and as such, will be supported with 100 percent federal funding.

(2) The percentage share (e.g., 100%, 75%, 50%) of federal reimbursement shall be broken out in Section 209, Funding Limitations.

f. Budget Changes.

(1) The PM must submit a written request to ARNG-ILE to decrease or increase funds in the budget. The request shall include an updated budget reconciliation report as an enclosure. The request and approval shall not be binding, nor can any expenditure of funds be approved, unless modification to this appendix has been executed.

(2) Budget changes will be reflected in the periodic reports required by NGB-ARO-FP.

**Section 208. Appendix Administration.**

a. Real Property, Construction, Repair, and Maintenance:

(1) For environmental requirements involving real property, construction, repair, and maintenance, the CFMO is responsible for work classification, technical adequacy, and compliance with criteria associated with all ARNG real property activities within the state, regardless of the federal program-funding source.

b. Contract Provisions:

(1) Grantees will include a requirement for contractors to conform with ARNG eMS policy, regarding: complying with applicable environmental regulations, preventing pollution, and implementing actions that minimize environmental impacts from those aspects found to have potentially significant impacts. In meeting this requirement, Grantees should brief appropriate contractors on their eMS requirements prior to initiation of contracted work.

(2) Grantees will include all provisions of Article VIII, of the Master Cooperative Agreement in contracts.

(3) Changes to the terms and or conditions of this Appendix will be processed IAW NGR 5-1, Chapter 3.

**Section 209. Funding Limitation.**

a. Approved Budget/Annual Funding Program (AFP): The total dollar amount that NGB anticipates, subject to the availability of funds, being available for reimbursement to the State for its costs in fulfilling its responsibilities under this Appendix. This amount may be increased or decreased by ARNG-ILE during the fiscal year.

b. Return of Funds: When returning funds to ARNG, coordination must be made with ILE-R prior to return. This will ensure funds are returned to the correct and appropriate MDEP.

c. Total Dollars Obligated: The total amount of funds obligated for NGB's share under this Appendix. Only funds obligated through an executed modification is available for reimbursement to the State. Funds shall be obligated as received by the PM.

d. Supplies: Supplies purchased with ENVR and VENQ funding may only include the following; paper, pencils, pens, publications and other office supplies. Supplies NOT included or approved for purchase are vehicles, furniture, computers and or software. The purchase of any of these items, including information technology items (i.e., hardware, software, or services) without proper approvals may result in violation of the Anti-Deficiency Act, the Misappropriation Act, or non-compliance with various requirements of Title 10 of the United States Code (U.S.C). AR25-1 and AR25-2 provide guidance and reference on the various approval processes.

e. Accomplished as In-Kind Assistance (IKA): The total dollars expended through Federal acquisition. This dollar amount may reflect anticipated In-Kind Assistance and be updated as IKA is approved, but as a minimum shall reflect the total dollars accomplished through In-Kind Assistance in support of this Appendix for each fiscal year as it occurs.

f. The following funding limitations are provided for each fiscal year as it occurs:



October 2015

1. Fiscal Year 2016:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 864,150.00	\$ 864,150.00
Federal Share (75%)	\$ 68,250.00	\$ 68,250.00
Federal Total	\$ 932,400.00	\$ 932,400.00
	Accomplished as In-Kind Assistance \$120,000.00	
Grantee Share (25%)	\$ 22,750.00	\$ 22,750.00
Grantee Total	\$ 22,750.00	\$ 22,750.00

2. Fiscal Year 2017:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 723,062.00	\$ 723,062.00
Federal Share (75%)	\$ 70,038.00	\$ 70,038.00
Federal Total	\$ 793,100.00	\$ 793,100.00
	Accomplished as In-Kind Assistance \$130,820.00	
Grantee Share (25%)	\$ 23,346.00	\$ 23,346.00
Grantee Total	\$ 23,346.00	\$ 23,346.00

3. Fiscal Year 2018:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 723,062.00	\$ _____
Federal Share (75%)	\$ 70,038.00	\$ _____
Federal Total	\$ 793,100.00	\$ _____
	Accomplished as In-Kind Assistance \$ _____	
Grantee Share (25%)	\$ 23,346.00	\$ _____
Grantee Total	\$ 23,346.00	\$ _____

4. Fiscal Year \_\_\_\_\_:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ _____	\$ _____
Federal Share (75%)	\$ _____	\$ _____
Federal Share (50%)	\$ _____	\$ _____
Federal Total	\$ _____	\$ _____
	Accomplished as In-Kind Assistance \$ _____	
Grantee Share (50%)	\$ _____	\$ _____
Grantee Share (25%)	\$ _____	\$ _____
Grantee Total	\$ _____	\$ _____

5. Fiscal Year \_\_\_\_\_:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ _____	\$ _____
Federal Share (75%)	\$ _____	\$ _____
Federal Share (50%)	\$ _____	\$ _____
Federal Total	\$ _____	\$ _____
	Accomplished as In-Kind Assistance \$ _____	
Grantee Share (50%)	\$ _____	\$ _____
Grantee Share (25%)	\$ _____	\$ _____
Grantee Total	\$ _____	\$ _____

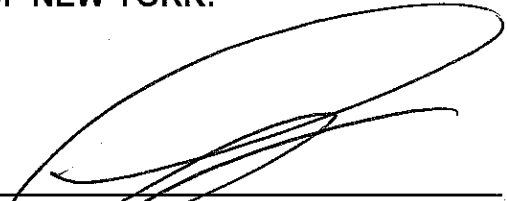

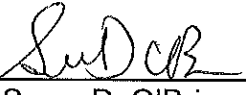
**Section 210. Agreement Particulars.**

The information below shall be recorded by the Grants Officer's Representative (GOR) for compliance with the reporting requirements of the DoD Assistance Award Action Report System (DAADS) and the Federal Funding Accountability and Transparency Act of 2006.

a. Grantee/Recipient Category:	Government
b. Grantee/Recipient Type:	State Government
c. Grantee/Recipient DUNS:	044776024
d. Primary Place of Performance (if different from 'Issued To' on CA Modification Form): (To include Zip + 4)	New York, 12110-3514
e. Grantee/Recipient County (Primary Place of Performance):	Albany
f. Grantee/Recipient Congressional District (Primary Place of Performance):	36
g. Major Agency:	DOD
h. Agency Code:	2100
i. Funding Agency:	Army
j. Program Source Agency:	21
k. Transaction Type:	Cooperative Agreement
l. CFDA:	12.401
m. CFDA Program Title:	Operation and Maintenance, Army National Guard
n. Program Source Account-Funding:	2065
o. Treasury Appropriation Code:	2065
p. Award/Obligation/Action Date:	1 Oct 2017
q. Starting Date:	1 Oct 2017
r. Ending Date:	30 Sep 2018
s. Record Type:	Individual Action
t. Fiscal Year/Quarter:	2018/1st Qtr
u. Unique Federal Award Identification Number (FAIN)	W912PQ-18-2-1002
v. Approved Budget Amount:	\$793,100.00
w. R&D Award (Yes or No)	No
x. Indirect Cost Rate or CPP Rate:	\$ 1,728.00

**EXECUTION**

**IN WITNESS WHEREOF:** *The parties, by their signatures, execute and agree to the terms and conditions of this Appendix.*

<p><b>STATE OF NEW YORK:</b></p> <p>BY:  ANTHONY P. GERMAN Major General, NYARNG The Adjutant General <u>9/24/17</u> (Date)</p>	<p><b>NATIONAL GUARD BUREAU:</b></p> <p>BY:  LAWRENCE J. ASHLEY Colonel, USA USPFO for New York <u>26 SEP 17</u> (Date)</p>
<p><b>Approved as Legal Form:</b></p> <p> Counsel Robert G. Conway, Jr., MNLA <u>8 Sept 2017</u> (Date)</p>	<p><b>Approved as to Legal Form:</b></p> <p> Counsel Sean D. O'Brien, LTC, JA, NYARNG <u>8 Sept 2017</u> (Date)</p>