

# REQUEST FOR PROPOSALS

## Agricultural Nonpoint Source Abatement and Control Program (ANPSACP)

### Round 19 - Information for Applicants

#### INTRODUCTION

This Request for Proposals (RFP) applies to proposals submitted for funding consideration from the Environmental Protection Fund (EPF).

The New York State Soil and Water Conservation Committee (State Committee) invites Soil and Water Conservation Districts, or groups of Districts acting jointly, to submit proposals for funding under the Agricultural Nonpoint Source Abatement and Control Program. Program funds are available for nonpoint source abatement and control projects that plan (AEM Tier III) or implement (AEM Tier IV) Agricultural Best Management Practices on New York State farms. All projects must consist of activities that will reduce, abate, control, or prevent nonpoint source pollution originating from agricultural sources. Applications must be for **ONE** of the following: planning activities (AEM Tier III) **OR** implementation (AEM Tier IV), except for the implementation of an Agricultural Waste Storage Facility as specified in this RFP.

Availability of funding for this program is from the State Fiscal Year 2012-2013 Budget which includes an appropriation for this purpose.

#### SUBMISSION REQUIREMENTS

Proposals for funding under the Agricultural Nonpoint Source Abatement and Control Program must be submitted to:

Lucy Roberson, Director  
Fiscal Management  
NYS Department of Agriculture and Markets  
10 B Airline Drive  
Albany, NY 12235

Please mark package: **“Attention – Agricultural Nonpoint Source Abatement and Control Program – Round 19.”**

An original and an additional 8 copies of all proposals submitted in response to this RFP **MUST BE RECEIVED by 4:30 p.m. local time on December 10, 2012** to be considered for 2012-2013 EPF funding. Applicants, and not courier services or other intermediaries, are responsible for the timely submission of proposals. *Proposals received after the scheduled date and time will not be accepted.* Faxed or e-mailed proposals will not be accepted.

#### QUESTIONS AND ANSWERS

Prospective applicants with questions concerning this RFP should present those questions to:

Brian Steinmuller  
New York State Soil & Water Conservation Committee  
10 B Airline Drive  
Albany, NY 12235  
(518) 457-3738 (phone)  
(518) 457-3412 (fax)  
brian.steinmuller@agmkt.state.ny.us

All questions must be submitted to Mr. Steinmuller by November 28, 2012. Applicants should note that all clarifications are to be resolved prior to the submission of a proposal. A list of questions about the RFP, answers to those questions as well as any addenda to the RFP, will be posted in the

"Funding Opportunities" section of the Department's website, [www.agmkt.state.ny.us](http://www.agmkt.state.ny.us), along with the electronic version of this RFP. Questions and responses will be posted on the website starting no later than October 5, 2012 through December 3, 2012. If you are unable to access the website, please contact Mr. Steinmuller to arrange for alternate delivery. All questions and answers shall be incorporated into the RFP as a formal addendum.

## **GOAL OF THE PROGRAM**

Led by the New York State Soil and Water Conservation Committee, in coordination with the Department of Agriculture and Markets, the goal of the Agricultural Nonpoint Source Abatement and Control Program is to reduce and or prevent the nonpoint source contribution from agricultural activities in watersheds across the state by means of supporting the Agricultural Environmental Management (AEM) Program by providing cost-share funds through Soil and Water Conservation Districts for activities, plans and the implementation of Best Management Practices (BMPs), as defined in Section 3 of the Soil and Water Conservation Districts Law.

## **ELIGIBILITY REQUIREMENTS**

### **Applicant Eligibility**

Proposals for funding will be accepted from soil and water conservation districts, or a group of districts acting jointly, who will be referred to as "Project Sponsors." Groups of districts acting jointly should submit one application with one district assuming lead sponsor status.

### **Proposal Eligibility**

Applicants must propose to do **ONE** of the following: conduct planning activities (AEM Tier III) **OR** implement (AEM Tier IV) Agricultural BMPs. Planning projects should follow the tiered planning process set forth in "The Guide for Agricultural Environmental Management in New York," as adopted by the State Committee. The "Agricultural Management Practices Catalogue" shall serve as guidance for BMP selection. Funds may be used for preventative or remedial initiatives, or both.

Applicants requesting State funding to conduct planning projects must have completed a current AEM Tier I inventory and an AEM Tier II assessment on all participating farms. Applicants requesting State funding for the implementation of eligible BMPs must have completed an AEM Tier 3 plan, which could include a Tier 3A that plans the resource concern identified for implementation, a Tier 3B Comprehensive Nutrient Management Plan (CNMP), or a Tier 3C Whole Farm Plan (WFP).

Applicants requesting State funding for implementation of an Agricultural Waste Storage Facility must demonstrate that an AEM Tier 3A, Screening for Agricultural Waste Storage Facility, or a CNMP that meets the requirements of NRCS Standard 312 has been completed for the farm(s) prior to submission of an application pursuant to this RFP. In all cases, the Tier 3A screening tool checklist must be submitted with each application to verify that the items have been reviewed and completed. If the application is selected for funding, a CNMP that meets the requirements of NRCS Standard 312 must be certified before payment can be issued for the completed BMP.

All BMPs proposed for implementation must meet New York State NRCS Standards and Specifications; if no NYS NRCS Standards or Specifications exist then the practice must be designed to meet nationally recognized standards (e.g. American Concrete Institute Standards.) All practices implemented must be approved by an individual with appropriate approval authority.

### **Eligible Costs**

Eligible expenses include:

- architectural and/or engineering services
- plans and specifications, including personal services to conduct individual farm level agricultural nonpoint source abatement and control plans

- consultant and legal services
- other direct expenses related to planning and implementation (e.g. funding for cultural resource impact determinations for ground disturbing BMPs).

State assistance payments may not be used to cover the lease or purchase of equipment not directly related to the function of the BMP. If the equipment is directly related to the function of the BMP state assistance payments can be used. Equipment costs may also be an eligible match contribution. It is advisable for applicants to request clarification on the eligibility of specific equipment through the Questions and Answers.

State assistance payments may be used to cover the costs associated with the development of a Tier 3B CNMP or Tier 3C WFP and associated plan update costs for two additional years.

All costs associated with the operation and maintenance of BMPs will be the sole responsibility of the landowner and/or operator and cannot be used as a match to State funding. The project sponsor must require that the landowner and/or operator maintain the practice during its expected life span

BMPs to be implemented on rented property should not be submitted for funding unless there is a written lease for the use of the property for the life span of the BMP (see attached BMP Operation & Maintenance Guidelines, Page 16).

### **Match Requirements**

If the proposal contains no contribution from the owner or operator of agricultural land, then the State may fund up to 75 percent of the total eligible costs for planning **or** BMP implementation. The amount of State funding may be increased by a percentage equal to the percentage of the total eligible costs that are contributed by the landowner or operator provided, however, that in no event shall the amount of State funding exceed 90 percent of total eligible costs. Landowner or operator contributions used to increase the State portion of the project cost may be in the form of cash, or calculated using an assigned cash value for the services provided by the landowner or operator. This cash value of services must be reasonable, and is subject to adjustment by the committee. The State funded contribution in dollars or percentages cannot increase as a result of budget changes or variations.

The Project Sponsor's match may be in the form of in-kind services and/or cash (non-state funds). Funds from the Agricultural Nonpoint Source Abatement and Control Program will be provided contingent upon the sponsor receiving necessary funds to provide the required match. A written commitment for other required funds or resources must be provided before the funding allocations will be finalized.

As a requirement for an Agricultural Waste Storage Facility, CNMP development costs may be utilized as landowner or operator match only when applying for an Agricultural Waste Storage Facility. Updates to an existing CNMP for the purpose of implementing the Agricultural Waste Storage Facility, may also be utilized as landowner or operator match.

Sponsor and landowner contributions and expenditures that were made or incurred prior to the contract start date, as designated by the Department of Agriculture and Markets (Department), may not be utilized as matching funds or reimbursed by the State.

## PROPOSAL FORMAT

### Application Packet (Please use forms provided)

#### PLANNING:

For planning (Tier III) proposals, applicants **MUST** submit an original and an additional 8 copies of the completed project **APPLICATION FORM** with the following attachments:

- a list of farms to be addressed by the proposal with applicable information (Form SW-1);
- the completed budget form with cost share amounts and source of sponsor and landowner contributions noted, and designation of match as cash (C) or in-kind (IK) (Form SW-2);
- completed project personnel worksheet (Form SW-4);
- SWCD Board Resolution authorizing this project application to the Agricultural Nonpoint Source Abatement and Control Grants Program;
- the most recent Priority Waterbodies List (PWL) update available for ALL segment numbers identified on Part F, Question 11 of the application form, appropriate groundwater or wellhead protection information or other documentation; (please refer to attachment listing PWL update status, Page 12);
- 8½ x 11 or larger map(s) of the watershed(s), depicting the boundary of the watershed, location of the impacted waterbody, location of farm(s) participating in the grant and names of townships within the watershed boundary. All maps, including copies, must be legible;
- if applying for the 303D/TMDL additional points, the most recent 303D/TMDL report for the impacted waterbody;
- if applying for the public drinking water protection additional points, the Source Water Assessment map showing farms in the assessment area.

#### IMPLEMENTATION:

For implementation (Tier IV) proposals, applicants **MUST** submit an original and an additional 8 copies of the completed project **APPLICATION FORM** with the following attachments:

- a list of all farms to be addressed by the proposal with applicable information (Form SW-1);
- the completed budget form with cost share amounts and source of sponsor and landowner contributions noted, and designation of match as cash (C) or in-kind (IK) (Form SW-2);
- a list of all BMPs for each landowner indicating the type and cost (Form SW-3);
- completed project personnel worksheet (Form SW-4);
- AEM Tier 3A Screening Tool for Agricultural Waste Storage Facility attached (if proposing an agricultural waste storage facility, pursuant to NRCS Standard 313);
- Screening Tool for Roofs and Covers for Heavy Use Area, Barnyard, and Feedlots (if proposing a covered HUA, Barnyard, or Feedlot);
- SWCD Board Resolution authorizing this project application to the Agricultural Nonpoint Source Abatement and Control Grants Program;
- the most recent Priority Waterbodies List (PWL) update available for ALL segment numbers identified on Part F, Question 11 of the application form, appropriate groundwater or wellhead protection information or other documentation; (please refer to attachment listing PWL update status, Page 12);

- 8½ x 11 or larger map(s) of the watershed(s), depicting the boundary of the watershed, location of the impacted waterbody, location of farm(s) participating in the grant and names of townships within the watershed boundary. All maps, including copies, must be legible;
- 8 ½ x 11 or larger portion of a USGS Quad map (7.5' series) of each project site. The map must indicate the quad depicted north arrow and site of project. All maps, including copies, must be legible;
- if applying for the 303D/TMDL additional points, the most recent 303D/TMDL report for the impacted waterbody;
- if applying for the public drinking water protection additional points, the Source Water Assessment map showing farms in the assessment area.
- if applying for the livestock access control and/or conservation buffer points, the SW3 BMP Implementation list is included with the appropriate BMP System and units listed.

**THE SWCD MANAGER MUST SIGN AND SUBMIT THE CHECKLIST WITH EACH APPLICATION (Attached Checklist, Pages 15, 16 of this RFP).**

**Applications received by the deadline will be screened for completeness. If any of the required information is determined to be missing the applicant will be notified by email and provided 5 business days to submit the missing item(s). If the item(s) are not submitted by the designated deadline, the proposal will be deemed incomplete and not be considered for funding. If the item(s) are received by the designated deadline the proposal will receive a 5 point reduction penalty from the final aggregated score.**

**Deliverables**

Deliverables are the anticipated end-product of the proposal. The primary deliverables for this program will be **ONE** of the following: plans (Tier III) **OR** the implementation of BMPs (Tier IV) to control and/or prevent agricultural nonpoint source pollution.

**Proposed Budget**

A Project Budget Form (SW-2) must be completed for each project submitted. A BMP implementation list (SW-3) must be completed for each implementation (Tier IV) project submitted. These forms should indicate State assistance payments requested by expenditure category, as well as the amount, type (cash or in-kind) and source (SWCD, landowner, EQIP) of the Project Sponsor's and landowner's matching contribution. Please refer to the "Match Requirements" section of this RFP for additional information.

The proposed budget may include a "Contingency Account" of up to 10 percent **of BMP expenditures** to cover cost overruns. This will require a sponsor and/or landowner contribution that is the same as the match percentages of the BMP(s). Contingency funds may be used only with prior approval by the Director of the Division of Soil and Water, the Assistant Director, or the appropriate Associate Environmental Analyst. Please indicate whether the sponsor and/or landowner contribution match will be cash or in-kind.

**SELECTION**

- The State Committee shall give preference to proposals: located within a watershed or subwatershed of a priority waterbody as identified by the Commissioner of Environmental Conservation, pursuant to Section 17-1407 of the Environmental Conservation Law. [DEC defines such priority waterbodies to include the Priority Waterbodies List (PWL) for surface water and for

groundwater - unconsolidated aquifers (including primary, principal and other aquifer areas, as illustrated on a series of five maps entitled, "Potential Yields of Wells in Unconsolidated Aquifers in Upstate New York" and on other more detailed aquifer maps published by the U.S. Geological Survey), and wellhead protection areas (determined by municipalities, county agencies and regional planning agencies consistent with the New York State Wellhead Protection Program).]

- The State Committee shall give additional points to proposals that address waterbodies with an active TMDL or those included in the most recent New York State 303(d) List of Impaired Waters Requiring a TMDL, where the source of the impairment is agriculture, and the project will contribute to restoration of water quality.
- The State Committee shall give additional points to proposals that address sources of public drinking water as identified on the NYS Department of Health Source Water Assessment Program (SWAP).
- The State Committee shall give preference to projects proposed to promote participation in or further the priorities of the AEM program and the specific five year AEM County Strategies (Agriculture & Markets Law Article 11-a).
- The State Committee shall also give additional points to projects proposed to exclude livestock from watercourses and/or implement conservation buffers on all participating farms in the proposal. Points will be awarded on a graduated scale according to the following\*:
  - Access Control, NRCS Standard 472 = 2 Points awarded to the aggregate proposal score
  - Access Control + Herbaceous Buffer, NRCS Standard 390 = 3 Points to the aggregated score
  - Access Control + Forest Buffer, NRCS Standard 391 = 4 Points to the aggregated score
  - To receive conservation buffer points on cropland and/or pasture, where access control of livestock is not applicable, 3 points will be added to the final aggregated score for implementing Herbaceous Buffers, NRCS Standard 390 on all participating farms
  - To receive conservation buffer points on cropland and/or pasture, where access control of livestock is not applicable, 4 points will be added to the final aggregated score for implementing Forest Buffers, NRCS Standard 391 on all participating farms

\* For the purpose of awarding preference points, if all farms commit to implement a range of eligible conservation buffer systems but not all commit to the highest level of conservation buffers, the points will be awarded based on the buffer system with the fewest amount of points available. *For example, if there are four farms on the proposal and two commit to implement Herbaceous Buffers, NRCS Standard 390 and two farms commit to implement Forest Buffers, NRCS Standard 391, then three points will be added to the final aggregated score. For another example, if there are four farms on the proposal and three commit to implement Forest Buffers, NRCS Standard 391, and one farm does not commit to install any of the above listed practice systems, then no preference points will be added to the final aggregated score.*

Consideration will be given to the following factors in rating proposals:

1. Project clearly addresses identified need or opportunity
2. Adequate scope of work and time frame
3. Evidence of strong local support
4. Project is cost effective

All proposals must include sufficient information to allow the above factors to be evaluated. The State Committee reserves the right to conduct site reviews of the proposed project areas as part of the selection process.

All eligible proposals will be graded according to the stated criteria, and ranked in order of overall score from highest to lowest. The Advisory Members will recommend projects for funding to the full State Committee. The voting members of the State Committee, through adoption of a written resolution, will

authorize funding for projects based on the recommendations of the advisory members until the scoring threshold has been reached or available funds are exhausted. Consideration will be given to any provisions governing or restricting the use of the available funds. The resolution shall be made available as part of the SWCC official meeting minutes. The State Committee shall notify in writing those districts selected for funding.

## **AWARDS**

Sponsors whose proposals are selected for funding will be notified as soon as possible. Selected proposals must comply with all applicable federal, State, and local laws and rules and regulations for funding to be awarded. Evidence of such compliance may be required.

Implementation proposals which are selected for funding may be subject to further review by the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) prior to development of a contract. The State Committee reserves the right to request such additional information from sponsors as is necessary to allow the OPRHP to make a determination regarding the impact of a project.

## **Contracts**

Once an application has been selected for funding, the State Committee will notify the sponsor of the need to provide information necessary to complete the contract. Payments cannot be made until the contract is fully executed. A minimum of 10 percent of the State assistance payment will be withheld pending satisfactory completion of the contract.

If the State Committee and the Department are unsuccessful in negotiating a contract which will achieve the deliverables in a manner consistent with the proposal as approved by the State Committee and any applicable laws or regulations, the Committee reserves the right to rescind its approval of the proposal for funding and instead award the funding to other eligible unfunded project proposals.

Letters of commitment from the project sponsor, all landowners/operators, employers of all personnel, and other entities providing monetary or technical assistance must be submitted.

For planning projects, the standard term will be three years. The standard term for implementation projects will be three full construction seasons plus three months for project administration and completion of the final report. The project sponsor may request a different term, if necessary. Funding of proposals that extend over more than one State fiscal year will be subject to the reappropriation of funds.

## **Payment**

Payment for invoices submitted by the **Contractor** shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The **Contractor** shall comply with the Comptroller of the State of New York's procedures to authorize electronic payments. **Contractor** acknowledges that it will not receive payment on any invoices submitted under this Agreement if it does not comply with the Comptroller of the State of New York's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

## **Reporting Requirements**

State Committee staff will monitor the progress of each funded project.

The State Committee reserves the right to modify the reporting requirements during the course of the project. At a minimum, progress reports will be required two (2) times per year as specified by the State Committee. In addition, an original and one copy of a comprehensive final report will be required within sixty (60) days following completion of the project. For all projects, the final report shall include a final budget report detailing expenditures; an Agricultural Nonpoint Source Program Project Completion

Report (reviewed and signed by SWCC staff); a description of the work completed and problems encountered, if any, and such other information as the State Committee may deem necessary.

Final reports for implementation projects shall also include photographs of the work site before and after construction, BMP Procurement Records, and Consultant Engineer's Certification of BMPs (if needed).

The State Committee reserves the right to conduct a follow-up evaluation of funded projects in order to determine long-term impacts.

The Department and Comptroller's Office reserves the right to audit the Project Sponsor's books and records relating to the performance of the project during and up to six (6) years after the completion of the project.

### **Liability**

The State will not be held liable for any costs incurred by any District for work performed in the preparation of and production of a proposal, or for any work performed prior to the formal execution of a contract.

### **Freedom of Information**

All proposals submitted and all related contracts and reports may be subject to disclosure under the Freedom of Information Law.

### **Appendix A**

Appendix A, which is posted on the Department's website at [www.agmkt.state.ny.us](http://www.agmkt.state.ny.us), contains standard clauses required in all State contracts. Appendix A will be a part of any contract awarded under the Agricultural Nonpoint Source Abatement and Control Grant Program, and applicants are responsible for complying with the terms and conditions contained therein.

### **OTHER CONSIDERATIONS**

The State Committee reserves the right to:

- reject any or all proposals received with respect to this RFP;
- waive or modify minor irregularities in proposals received after prior notification and concurrence of the applicant;
- request from an applicant additional information as deemed necessary to more fully evaluate its proposal;
- amend the program's specifications after their release, with appropriate written notice to all potential applicants;
- select only certain portions of proposals for State funding;
- negotiate the terms of any agreement proposed by the applicant; and
- make all final decisions with respect to the amount of State funding and the timing of payments to be provided to an applicant.

All eligible proposals submitted in response to this RFP will become the property of the New York State Soil and Water Conservation Committee.



**PROJECT APPLICATION FORM  
2012-2013 AGRICULTURAL NONPOINT SOURCE POLLUTION ABATEMENT  
AND CONTROL PROGRAM (ROUND 19)**

**PLEASE ANSWER ALL QUESTIONS**

**PART A - APPLICANT INFORMATION**

<b>1. Applicant Soil &amp; Water Conservation District (SWCD):</b>	<b>2. Contact Person:</b>
<b>3. Applicant Mailing Address: (no. &amp; street) (city) NY (zip)</b>	<b>4. Contact Mailing Address (if different): (no. &amp; street) (city) NY (zip)</b>
<b>5. Phone: FAX:</b>	<b>6. Applicant Email Address:</b>

**PART B - GENERAL PROJECT INFORMATION**

<b>1. Type of project:</b> <input type="checkbox"/> <b>Planning (Tier III)</b> <input type="checkbox"/> <b>Implementation (Tier IV)</b> <i>(check one)</i>
<b>2. Project Name:</b>
<b>3. Project County or Counties:</b>

**PART C - PROJECT TIMING AND COSTS**

<b>1. Proposed Start Date:</b>	<b>2. Expected Completion Date:</b>
<b>3. Total Project Costs: \$</b>	<b>4. State Assistance Requested: \$</b>
<b>5. Sponsor Match: \$</b>	<b>6. Landowner Match from personal sources; either Cash or In-Kind: \$</b>
<b>7. Landowner match from other grants, if applicable (Match from other grants cannot originate from other State funding sources: \$</b>	<b>8. Total Landowner Match: \$</b>

**PART D - PROJECT SUMMARY**

Provide a brief summary statement that describes the proposed project. Explain how this project addresses objectives outlined in the AEM County Strategy. Describe the water quality and/or aquatic habitat problem as stated in the AEM Planning Unit Strategy for the watershed(s). Describe what will be planned or constructed. Summarize how this project will address water quality problem(s) identified in the AEM County Strategy and supporting documentation. It may be helpful to complete the application PRIOR to writing this summary.

\_\_\_\_\_

**PART E - SWCD RESOLUTION AND CERTIFICATION**

SWCD resolution authorizing this project application to the Agricultural Nonpoint Source Abatement and Control Grants Program is attached.

Please see sample resolution for preferred format and language. The sample may be used but is not required.

I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

(Title) \_\_\_\_\_ of (entity)

(date) \_\_\_\_\_ (signature) \_\_\_\_\_ (print name)

**NOTE: If the project application includes eligible participating landowner(s) that are either SWCD Board Members or Employees, please attach a copy of the official Board Meeting minutes that reflect the process for the selection of the farm(s), disclosure of interests, and necessary recusals from the authorizing resolution.**

**PART F - SPECIFIC PROJECT INFORMATION**

1. Project ID # \_\_\_\_\_

2. Federal ID# \_\_\_\_\_

3. Have all farms included in this proposal been inventoried and assessed using the AEM Tier I and II process?  
 Yes     No *(If no, the farm is not eligible to participate in this program.)*

4. For Implementation, have all farms included in this proposal completed at a minimum a Tier 3A plan that addresses the resource concern identified for implementation?  
 Yes     No *(If no, the farm is not eligible to participate in this program.)*

[Please indicate the highest level of planning achieved and when completed in the last column of the SW-1 (list of landowners form).]

5. Are all regulated CAFO farms compliant with appropriate requirements? (CAFO = Concentrated Animal Feeding Operation.)  
 Yes     No     N/A *(If no, the farm is not eligible to participate in this program.)*

6. AEM Strategic planning unit(s) addressed in this proposal?

Name                                  Priority Level  
\_\_\_\_\_

Name                                  Priority Level  
\_\_\_\_\_

Name                                  Priority Level  
\_\_\_\_\_

7. Please describe how this project proposal links to one or more of the District's priority AEM Strategic planning unit goals?  
\_\_\_\_\_

8. Name of Watershed/aquifer/wellhead protection area addressed in this proposal?

*(Note: If PWL segment, include one page Waterbody Data Sheet from the **most recent update** of the Priority Waterbodies List Report available, on DEC website or from your DEC Regional Office, or provide one page summary of aquifer or wellhead protection area source, if appropriate. Applications may also include the Source Water Assessment Program (SWAP) map, if appropriate.)*

\_\_\_\_\_

9. 12 digit hydrologic unit # (HUC) \_\_\_\_\_

**10. Preference Point Consideration**

**a. Does the proposal address waterbodies with an active TMDL or those included in the most recent NYS 303(d) List of Impaired Waters Requiring a TMDL, where the source of the impairment is agriculture, and the project will contribute to restoration of water quality?**

Yes     No (If yes, please attach a copy of the segment report from the most recent NY 303D/TMDL. additional points will not be applied if required documentation is not attached.)

**b. Is the waterbody/aquifer/wellhead protection area being addressed a public drinking water supply?**

Yes     No (If yes, please attach a copy of the SWAP map showing farms in the assessment area and additional points will not be applied if required documentation is not attached.)

**c. Will each livestock farm on the proposal commit to excluding all livestock from watercourses?**

Yes     No (If yes, please list Access Control and appropriate units on the attached SW3 BMP Implementation List. Additional points will not be applied if required documentation is not attached. If the conservation buffers to be installed are on cropland and access control is not applicable please proceed to the next question)

**d. Will each farm on the proposal commit to implementing conservation buffers on the farm?**

Yes     No (If yes, please indicate whether the buffer to be implemented will meet the Herbaceous Buffer (390) or Forest Buffer (391) Standard and the appropriate unit on the attached SW3 BMP Implementation List. Additional points will not be applied if required documentation is not attached.)

**11. PWL segment # (if applicable) \_\_\_\_\_**

**12. If no PWL, aquifer report or Source Water Assessment is available, what other documentation was used to determine the water quality need or opportunity for protection?**

\_\_\_\_\_

**13. Agricultural problems to be addressed:** (as identified on the PWL, wellhead/aquifer report, or other documentation such as AEM Strategy, or Watershed Management Plan)

<u>Threatened, Stressed Impaired, Precluded, Preventative</u>	<u>Pollutant (s) (e.g. nutrients)</u>	<u>Sources (e.g. agriculture)</u>	<u>Known or Suspected</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**14. What agricultural sources/activities have been identified as contributing to the nonpoint source pollution load in this watershed?** (e.g. barnyards, daily spreading of manure, sediment and nutrients from eroding farm fields)

<u>Agricultural Source/Activity</u>	<u>What is the basis for this information</u>
_____	_____
_____	_____
_____	_____
_____	_____

**15. For implementation (Tier IV) projects only,**

- a. Have any farms included in this proposal received funding through this grant program in previous rounds?**  
 Yes     No

If yes, please list below:

Landowner/Farm Name	Previously funded CNMP/BMP	Year funded
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- b. Are any proposed BMPs intended to prevent pollution from upcoming farm expansion?**  
 Yes     No

If yes, please describe:

\_\_\_\_\_

- c. Are any proposed BMPs needed to implement CNMPs for compliance with the SPDES Permit?**  
 Yes     No

- d. Are any covered (roofed) barnyards or heavy use areas proposed for implementation?**  
 Yes     No

- e. For each farm proposing to implement a covered barnyard or heavy use area, has the Screening Tool for Roofed and Covered Heavy Use Areas, Barnyards, and Feedlots been completed and submitted with the proposal?**  
 Yes     No *(If no, the farm is not eligible to participate in this program.)*

- f. Are any agricultural waste storage facilities proposed for implementation?**  
 Yes     No

- g. For each farm proposing to implement an agricultural waste storage facility, has the Tier 3A, Screening for Agricultural Waste Storage Facility Checklist been completed and submitted with this proposal?**  
 Yes     No *(If no, the farm is not eligible to participate in this program.)*

**For each farm implementing an agricultural waste storage facility, please identify the following:**

Landowner/Farm Name	CNMP Planner Name	Date CNMP Certified	Expected Certification Date, if CNMP not complete
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**g. Are any Implementation projects proposed for funding located on agricultural lands that have been permanently protected from conversion to non-farm development by perpetual conservation easements?**

Yes  No

If yes, please list below:

<u>Landowner/Farm Name</u>	<u>Conservation Easement Holder (i.e., Grantee)</u>	Year Conveyed
_____	_____	_____
_____	_____	_____
_____	_____	_____

**16. Please describe the project on a separate sheet of paper in 3 pages or less** (Maps and other supporting documentation (e.g. photos) may also be included):

- *Provide an overview of the project.*
  - *Please describe how each farm(s) cause a significant environmental risk to the watershed or opportunity to prevent water quality degradation by completing this project.*
  - *Include a description of the farm level planning or BMP implementation activities to be performed by each farm.*
  - *Indicate the status of AEM planning on the farms in this proposal. Specifically, if implementation is proposed, indicate what Tier III plan level has been completed.*
  - *If applicable, for livestock farms please provide details on animal to land density and/or animal units that would be impacted by the proposed project (e.g. the water quality impact of 50 AUs would be addressed through the proposed Barnyard Runoff Management System, or 150 AUs will be excluded from watercourses through the proposed Pasture Management System).*
  - *Describe how the project will be evaluated to ensure that proper operation and maintenance will be conducted for continuation of the projects' stated benefits.*
  - *Please describe the capacity of the sponsoring Conservation District to carry-out the proposed activities, especially if the Conservation District has multiple open AgNPS contracts.*
- *Describe how this project will further the objectives and goals outlined in your County AEM Strategy.*
  - *Indicate which priority planning unit this project addresses and describe the **water quality benefits** anticipated from implementing this project and how the priorities were identified.*
- *Indicate the status of watershed and farm level planning efforts to date for the priority planning unit. Indicate if this project is one component of a phased initiative on the farm and/or in the planning unit.*
- *Discuss the role of local AEM Stakeholders (e.g., County Water Quality Coordinating Committee, Local Working Group, DEC Regional Office, DOS, County Health Department or other key water quality protection groups, Agricultural Farmland and Protection Boards) in developing and carrying out this project.*

**Additional Information (not included in the selection process):**

- *If applicable, please describe how the BMP(s) to be completed may address multiple natural resource concerns. (e.g. please describe how a BMP may demonstrate ability to reduce greenhouse gas and/or other air pollution emissions, increase biodiversity, and or conserve fossil fuel derived energy as well as improve water quality.)*
- *If applicable, please describe how the BMP(s) to be completed improve the economic condition on the farm. (e.g. please describe how the BMP demonstrates a potential to increase efficiencies and decrease input costs as well as improve water quality.)*

**Round 19**  
**AGRICULTURAL NPS PROGRAM CHECKLIST FOR COMPLETENESS**

Project Name _____	County _____	Project ID# _____
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**ELIGIBILITY**

Proposal must be received by 4:30 p.m. on Monday, DATE.\*

- Proposal submitted by a Soil and Water Conservation District or a group of Districts.\*
- Original and 8 copies submitted.\*
- Project proposes to implement BMPs (Tier IV) in the DEC Agricultural Management Practices Catalog, or is for AEM planning (Tier III).\*
- State funds requested are less than or equal to 75% + landowner contribution %.\*

**APPLICATION COMPONENTS** – Check the appropriate column

- All required components submitted.\*

**Planning**

- Application form (all questions answered or marked with N/A)\*
- SW1\*
- SW2\*
- SW4\*
- SWCD Resolution \*
- Legible watershed map showing farm(s) \*
- Most recent PWL Sheet(s) for each segment identified on application\*

**Implementation**

- Application form (all questions answered or marked with N/A)\*
- SW1\*
- SW2\*
- SW3\*
- SW4\*
- SWCD Resolution \*
- AEM Tier 3A Screening Tool for Agricultural Waste Storage facility (if proposing an agricultural waste storage)\*
- Screening Tool for Roofed and Covered Heavy Use Areas, Barnyards, and Feedlots (if proposing a covered HUA, Barnyard, or Feedlot)\*
- Legible watershed map showing farm(s) \*
- Legible topo map of each project site\*
- Most recent PWL Sheet(s) for each segment identified on application\*

If applying for the public drinking water protection additional points, source Water Assessment Program maps are attached.

If applying for the 303D/TMDL additional points, the most recent 303D/TMDL report summary page for the impacted waterbody is attached.

If applying for the livestock access control and/or conservation buffer points, the SW3 BMP Implementation list with the appropriate BMP System and units listed is attached.

**PROJECT APPLICATION FORM**

- All questions answered.
- Overview of the project limited to two additional pages.

**PROPOSED BUDGET** (Form SW-2)

- Budget form completed and attached.
- Cost share amounts are noted.
- Sources of sponsor & landowner contributions indicated.
- Match is designated as Cash (C) or in-kind (IK).
- Personnel costs are properly calculated using actual rates or the current Ag. NPS hourly rates.

**BMP IMPLEMENTATION LIST** (Form SW-3) *Implementation projects only*

- BMP Implementation List completed and attached.
- List of all BMPs for each landowner indicating the type and cost

**LIST OF PARTICIPATING LANDOWNERS** (Form SW-1)

List of all landowners names and townships, 12 Digit HUC, CAFO Permit Number, AEM GIS number, primary operation type, highest level of AEM Tier III completed, number of animal units and production acreage for all landowners who are conducting Tier III planning or who appear on the BMP Implementation List (Form SW-3).

**PROJECT PERSONNEL WORKSHEET** (Form SW-4)

Project Personnel Worksheet completed and attached.

Continued on next page...

**Signature of SWCD Manager or Director \*** \_\_\_\_\_

**Date** \_\_\_\_\_

\* Items marked with an asterisk are essential required elements of the proposal. **If any of the required information is determined to be missing the applicant will be notified by email and provided 5 business days to submit the missing item(s). Failure to provide the item(s) by the designated deadline will constitute an incomplete proposal and the application will not be considered for funding. If the item(s) are received by the designated deadline the proposal will be considered for funding and receive a 5 point reduction penalty from the final aggregated score.**

**FAILURE TO PROVIDE THIS INFORMATION WILL CONSTITUTE AN INCOMPLETE PROPOSAL AND THE APPLICATION WILL NOT BE CONSIDERED FOR FUNDING.**

Note: If a project is selected for funding, any ineligible costs will be removed during plan of work development. The percentage of state funds may not increase as a result of these alterations.



## BMP Operation and Maintenance Guidelines

A BMP that is funded by the NYS Agricultural NPS Abatement & Control Program must be maintained and properly operated for the conservation purposes for which the practice was approved. The project sponsor must ensure that active BMPs, at a minimum, be operated and maintained by the Landowner and/or Operator for the lifespan period. For information on BMPs including life spans please refer to the Agricultural Management Practices Catalog

The Agricultural Management Practices Catalog can be downloaded at:  
<http://www.agmkt.state.ny.us/SoilWater/aem/nonpoint.html>

### Round 19 Ag NPS Grant Hourly Rate Recommendation

The following rates were acquired from SWCDs as a result of our inquiry as part of the 2011 annual reports submitted.

The new hourly rates which can be used by SWCDs, in lieu of providing justification for calculating their actual salary, benefit and overhead, to calculate total personnel services costs for Round 19 Agricultural Nonpoint Source Abatement and Control Grants are as follows:

	<u>Hourly Rate</u>	<u>Overhead</u>	<u>Total</u>
Managerial	\$48	\$5	\$53
Technical	\$32	\$5	\$37
Secretarial	\$32	\$5	\$37
NRCS Area Engineer	\$68	\$5	\$73

In the above figures, the NRCS Area Engineer Rate and the \$5 per hour overhead cannot be paid with State funds but needs to be shown in the Sponsor column under Engineering and Overhead Expenses. The budget form provides a column for the \$5 per hour overhead figures. The remainder of the hourly rate figures for each category (i.e. Managerial - \$48, Technical -\$32, Secretarial -\$32) can be requested for State funding as long as there is adequate match in the grant.

Districts may use their actual salary, benefit and overhead figures in lieu of the above set rates. In those cases, full documentation must be provided to obtain payment. In cases where interns, seasonal or part-time employees are used, actual hourly rates will have to be used and justified.

These rates, including overhead expenses, can also be used for local agency personnel (NRCS, CCE) as well as private sector consultants. These individuals will also have the option to use and fully justify their own actual rates.

### **Status of Source Water Assessment Program Maps/Susceptibility Summary Analysis**

Source Water Assessment Program reports were mailed to each Soil and Water Conservation District (SWCD) in February, 2005 by the NYS Department of Health, Bureau of Water Supply Protection. The reports may be useful to SWCD program activities. As appropriate, SWCDs are encouraged to include portions of these reports as supporting documentation for Agricultural NPS Abatement and Control Program proposals. Portions of these reports will document the potential to receive additional points for proposals that address sources of a public drinking water. Questions regarding source water protection and public water supplies can be addressed to Paul Kaczmarczyk, Source Protection Section, Bureau of Water Supply Protection at 518-402-7746.

### **Status of WI/PWL Reports**

To download a current copy of a WI/PWL Basin Report contact: <http://www.dec.ny.gov/chemical/36730.html>. If you cannot access the Basin Report through the website or are unsure that the segment assessment sheet(s) that corresponds with your proposal are correct or the most current contact the NYSDEC Water Assessment and Management Division of Water 625, Broadway, Albany, NY 12233-3502, 518-402-8179.