

REQUEST FOR PROPOSALS

PENNSYLVANIA LOCAL GOVERNMENT IMPLEMENTATION GRANTS

Proposal Due Date: **Tuesday, October 22nd, 2019**

OVERVIEW

The National Fish and Wildlife Foundation (NFWF), in partnership with the U.S. Environmental Protection Agency (EPA) and the Pennsylvania Department of Environmental Protection (DEP), is soliciting proposals for projects to implement one or more high-priority nutrient and sediment load reduction practices in selected Pennsylvania communities, consistent with [Pennsylvania's Phase 3 Watershed Implementation Plan \(WIP\)](#) and the Chesapeake Bay Total Maximum Daily Load (TMDL).

Proposals for the **Pennsylvania Local Government Implementation (PA-LGI)** funding opportunity will be accepted from eligible local governments¹ and entities specifically authorized by local governments in Pennsylvania to support local government implementation.² NFWF estimates awarding roughly \$2.4 million in grants through the PA-LGI with funding made available by the EPA.

GEOGRAPHIC FOCUS

All projects must occur within the Chesapeake Bay watershed portion of one or more of the following counties identified by Pennsylvania DEP for accelerated nutrient and sediment load reduction under Pennsylvania's Chesapeake Bay Phase 3 WIP: Adams, Bedford, Centre, Cumberland, Franklin, Lancaster, Lebanon and York.

Applicants are strongly encouraged to further focus proposed implementation efforts to priority areas within these counties identified through locally-developed Phase 3

WIP [Countywide Action Plans](#) (CAPs), [Pollution Reduction Plans](#) (PRPs) for controlling municipal stormwater pollution, [TMDLs](#) and associated WIPs for local stream impairments, and other applicable local watershed restoration and resource management plans. Additional consideration may also be provided to projects located within [geographic focus areas](#) identified by NFWF based on opportunities to maximize multiple goals and outcomes for water quality, species, and habitats in the Chesapeake Bay watershed.

Figure 1. PA-LGI Geographic Focus



¹ For purposes of the PA-LGI program, “local governments” include counties, municipalities, cities, towns, townships, and boroughs as well as local public authorities or districts (including conservation districts or regional planning commissions/districts) serving communities within the program’s **GEOGRAPHIC FOCUS**.

² See **ELIGIBILITY** below.

PROGRAM PRIORITIES

Pennsylvania’s Phase 3 WIP outlines a comprehensive strategy to implement the practices and controls necessary to reduce nutrient and sediment pollution to Pennsylvania’s rivers and streams, consistent with targets established in the Chesapeake Bay TMDL. It further articulates a number of state-level Priority Initiatives to strategically advance load reduction efforts across key nonpoint pollution source sectors, in large part through accelerated implementation of a handful of structural load reduction practices (see **Appendix A**) identified as priorities by Pennsylvania DEP and its local partners. The PA-LGI funding opportunity seeks proposals to directly implement those priority practices (see **Table 1**) on projects within the program’s **Geographic Focus**.

Table 1. PA-LGI Priority Practices

Priority Practices	General Definition ³
Animal Waste Management Systems	Any structure designed for collection, transfer and storage of manures and associated wastes generated from the confined portion of animal operations. Structures must comply with NRCS practice standards for Waste Storage Facilities and/or Waste Treatment Lagoons. Manure conserved through reduced storage and handling losses may then be available for recommended land application or export from the farm.
Barnyard Runoff Controls	Includes the installation of practices to control runoff from barnyard areas. This includes practices such as roof runoff control, diversion of clean water from entering the barnyard and control of runoff from barnyard areas.
Loafing Lot Management	The stabilization of areas frequently and intensively used for agricultural production by people, animals or vehicles by establishing vegetative cover, surfacing with suitable materials, and/or installing needed structures. Excludes poultry pad installation.
Forest and Grass Buffers (with Exclusion Fencing)	Linear wooded areas, strips of grass or other non-woody vegetation on agricultural and undeveloped lands maintained to help filter nutrients, sediment and other pollutants from agricultural runoff. Buffers must be at least 35 feet and as much as 300 feet wide. When buffers are implemented along pasture, exclusion fencing is installed to prevent livestock from grazing and trampling the buffer or entering the stream.
Urban Tree Planting	Includes establishment of urban forests (contiguous patches greater than one-acre and not adjacent to impervious areas) and/or tree canopy over impervious surfaces and turf.
Bioretention, Rain Gardens and Bioswales	Includes excavated shallow surface depressions planted with specially selected native vegetation to treat and capture runoff and/or vegetated channels designed to attenuate, and in some cases infiltrate, stormwater runoff from adjacent impervious surfaces, allowing selected pollutants removal.
Stream Restoration	Any one of several techniques, including but not limited to natural channel design, regenerative stormwater conveyance, and legacy sediment removal, designed to restore degraded streams. Restoration must meet the qualifying conditions for credits, including environmental limitations and stream functional improvements.
Urban Forest Buffers	Linear wooded areas on developed lands maintained to help filter nutrients, sediment and other pollutants from stormwater runoff. The recommended buffer width for buffers is 100 feet, with a 35 feet minimum width required.
Stormwater Wetlands and Wet Ponds	Shallow marsh systems planted with emergent vegetation that are designed to treat stormwater runoff and/or stormwater basins that include a substantial permanent pool for water quality treatment and additional capacity above the permanent pool for temporary runoff storage. Includes retrofits for improved facility performance.

³ Definitions adapted from the [Chesapeake Bay Program Quick Reference Guide for Best Management Practices](#) and/or the [Pennsylvania Stormwater Best Management Practices Manual](#).



While NFWF and program funders anticipate that direct costs⁴ associated with the implementation of these high priority practices will account for a significant majority of funding award, funding for engineering, design, and permitting are also eligible under the PA-LGI funding opportunity. However, all proposed implementation practices must have preliminary designs complete and submitted at the time of application and the PA-LGI funding opportunity will further prioritize proposals capable of yielding immediate implementation outcomes and further maximizing these outcomes relative to the total proposed project costs. For those reasons, applicants should carefully consider proposals that include substantial requests for engineering, design, and permitting costs associated with proposed implementation efforts.

Importantly, the Phase 3 WIP was developed through an unprecedented level of local support and engagement. As a result, many of the state and countywide actions called for under the Phase 3 WIP will provide direct benefits for local stream resources and contribute towards more locally-based Pollution Reduction Plans and other plans to restore locally-impaired stream segments. Selected counties have further developed CAPs that translate local area planning goals into specific actions aligned with local priorities. To ensure alignment with both county and state-level plans, applicants must accordingly advance proposed implementation efforts consistent with any applicable actions and approaches identified through relevant CAPs and broader state-level Priority Initiatives applicable to proposed practices.

All proposed practices must be implemented according to applicable standards, specifications, and guidelines unique to each specific practice.⁵ Practices proposed for implementation on applicable agricultural operations – especially Animal Waste Management Systems, Barnyard Runoff Controls, and Loafing Lot Management – must be consistent with all current Agricultural Erosion and Sediment Control, Manure Management, and/or Nutrient Management Plans required and approved for the operation, as applicable under Pennsylvania state law and Pennsylvania DEP regulation. Proposals that include funding requests for animal waste storage, barnyard runoff control, and loafing lot management will consider whether the farm owner has already installed or is in the process of installing livestock stream exclusion and riparian buffers.

Given that the primary intent of these funds is to support local government implementation efforts consistent with Pennsylvania’s Phase 3 WIP, non-local government applicants must be working directly on behalf of eligible local governments for the purposes of local implementation, as evidenced by a written and

Table 2. CAP Points of Contact

County	Point of Contact
Adams	Adam McClain Adams County Conservation District 717-334-0636 x3044 amcclain@adamscounty.us
Franklin	Tammy Piper Franklin County Conservation District 717-264-5499 tpiper@franklinccd.org
Lancaster	Matthew, W. Kofroth Lancaster County Conservation District 717-299-5361 x2523 MattKofroth@lancasterconservation.org
York	John Seitz York County Planning Commission 717-771-9870 x1764 jseitz@ycpc.org

⁴ Including but not limited to mobilization, supplies and materials, and construction and project management.

⁵ Depending on the specific practice, these standards and guidelines may include the [NRCS Pennsylvania Field Office Technical Guide](#), the [Guidelines for Natural Stream Channel Design in Pennsylvania](#), the USDA NRCS National Engineering Handbook, and the [Pennsylvania Stormwater Best Management Practices Manual](#).



signed authorization from an elected or appointed official, board, legislative or governing counsel the benefiting and/or contributing local government(s) submitted with the proposal application. Moreover, to ensure consistency with the Phase 3 WIP and associated CAPs, applicants proposing work in Adams, Franklin, Lancaster, or York counties are strongly encouraged to submit an additional letter of support or acknowledgement from their local Countywide Action Planning Team (see Table 2 for more information).

PROJECT METRICS

To more consistently evaluate proposed load reduction projects, better gauge progress on individual grants, and support reporting of PA-LGI funding opportunity outcomes through appropriate TMDL reporting entities, NFWF has provided a list of metrics in **Easygrants** for grantees to choose from for planning and reporting purposes.

All PA-LGI applicants and awardees will be required to report in **Easygrants** on the amount of annual reduction in nitrogen, phosphorus, and sediment pollution loads resulting from the project. Proposals will also require reporting on additional **Easygrants** metrics for other selected activities based on their proposed implementation approaches, as outlined below.

Table 3. Easygrants Metrics for PA-LGI

Proposed Activity	Associated EasyGrants Metric(s)
BMP implementation for nutrient/sediment reduction	<ul style="list-style-type: none"> • Pounds of pollution avoided annually • Acres with best management practices
BMP implementation for nutrient/sediment reduction	<ul style="list-style-type: none"> • Acres with stormwater BMPs • Volume stormwater prevented
BMP implementation for livestock fencing	<ul style="list-style-type: none"> • Miles of fencing installed
Riparian Restoration	<ul style="list-style-type: none"> • Miles restored
Instream restoration	<ul style="list-style-type: none"> • Miles restored
Erosion control	<ul style="list-style-type: none"> • Miles restored
Stream restoration	<ul style="list-style-type: none"> • Miles restored
Floodplain restoration	<ul style="list-style-type: none"> • Acres restored
Wetland restoration	<ul style="list-style-type: none"> • Acres restored

All PA-LGI projects must also track more detailed practice and parcel-level data for their project in [FieldDoc.org](https://www.fielddoc.org/), primarily to support more consistent evaluation of estimated load reduction outcomes based on the unique attributes of various different proposed implementation activities. Required data on practice implementation captured through FieldDoc will be utilized further to satisfy reporting requirements of program funders and local government milestone tracking under Pennsylvania’s WIP and the Chesapeake Bay TMDL.⁶

⁶ Aggregated consistent with best practices to protect privacy under Pennsylvania’s WIP reporting and federal program privacy guidelines. Required **Landowner Agreements** (see below) will support authorized collection and uses of landowner information.



While **Table 3** includes all possible project metrics, we ask that applicants select only the most relevant metrics from this list for their project. Please also consult the additional instructions provided for each metric in **Easygrants** to best assess metric applicability. If you do not believe an appropriate metric has been provided, please contact Stephanie Heidbreder at stephanie.heidbreder@nfwf.org or (202) 857-0166, to discuss acceptable alternatives.

ELIGIBILITY

Eligible and Ineligible Entities

- ✓ Eligible applicants include local governments⁷ and entities supporting local government implementation in Pennsylvania, including non-profit 501(c) organizations, academic institutions, and for-profit businesses with specific written authorization from one or more eligible local governments to implement load reduction practices on its behalf. For-profit applicants should see the **Budget** section below for specific budget considerations for for-profit entities.
- ✓ Non-local government applicants must be working directly on behalf of eligible local governments for the purposes of local implementation, as evidenced by a written and signed authorization from an elected or appointed official, board, legislative or governing counsel the benefiting and/or contributing local government(s) uploaded with the project application in **Easygrants**.
- ✓ Ineligible applicants include U.S. federal government agencies, state government agencies, unincorporated individuals, and international organizations.

Ineligible Uses of Grant Funds

- ✗ NFWF funds and matching contributions may not be used to support political advocacy, fundraising, lobbying, litigation, terrorist activities or Foreign Corrupt Practices Act violations.
- ✗ NFWF funds may not be used to support ongoing efforts to comply with legal requirements, including permit conditions, mitigation and settlement agreements. However, grant funds may be used to support projects that enhance or improve upon existing baseline compliance efforts through greater impact, efficiency, and cost-savings, for example in achieving municipal separate storm sewer systems permit requirements through novel green infrastructure approaches.

FUNDING AVAILABILITY AND MATCH

NFWF will award a total of roughly \$2.4 million in grants through the PA-LGI funding opportunity. Awards will be granted in amounts ranging from \$20,000 to up to \$200,000 each, with a non-federal matching requirement equal to at least 15 percent of the total grant request. All PA-LGI grants must be completed within two years of grant award. NFWF may award multiple grants to individual applicants, as informed by its proposal evaluation process. While there is a 15 percent matching requirement for the PA-LGI funding opportunity generally, applicants are encouraged to

⁷ See definition above.



maximize cash and/or in-kind matching contributions from other federal, state, and local sources in order to maximize load reduction outcomes relative to the total proposed project costs.

NFWF and its funding partners specifically expect applicants proposing to implement practices with notably high capital costs – including Animal Waste Management Systems, Barnyard Runoff Controls, Loafing Lot Management, Urban Stream Restoration, and Stormwater Wetlands and Wet Ponds – to identify matching contributions of no less than one-third of the total funding request in order to both defray award costs relative to total outcomes.

EVALUATION CRITERIA

All proposals will be screened for relevance, accuracy, completeness and compliance with NFWF and funding source policies. Proposals will then be evaluated uniquely based on the extent to which they optimize the following criteria for the PA-LGI funding opportunity.

Nutrient and Sediment Load Reduction – Project realizes significant and quantifiable improvements in water quality and contributes reportable pollution load reductions towards the Chesapeake Bay TMDL, Pennsylvania’s Phase 3 (WIPs), and any associated CAPs.

Project Readiness – Project is at or near implementation-ready, with all necessary design and permitting at or near completion.

Co-Benefits – Project maximizes opportunities to achieve additional non-water quality co-benefits identified as priorities for local communities, especially priorities aligned with local planning efforts, PRPs, local TMDLs, other applicable watershed restoration and resource management plans, the goals and outcomes from Chesapeake Bay Program partnership’s 2014 [Chesapeake Bay Watershed Agreement](#), and [NFWF’s Chesapeake Bay Business Plan](#).

Project Location – Proposal clearly demonstrates the need and/or strategic importance of locating the proposed practices consistent with associated CAPs, PRPs, local TMDLs, and/or other applicable watershed restoration and management plans.

Project Context – Proposal clearly supports state-level Priority Initiatives and, where final, associated CAPs. Proposal further maximizes alignment with PRPs, local TMDLs, other applicable watershed restoration and management plans, and [Management Strategies and Work Plans](#) developed by the Chesapeake Bay Program pursuant to the 2014 Chesapeake Bay Watershed Agreement.

Community Engagement, Partnership, Collaboration and Support – Project engenders strong local government and community support, as evidenced by alignment with local planning priorities and authorization from one or more eligible local government(s), with special consideration being given to underrepresented communities.

Technical Merit, Work Plan, and Budget – Project is technically sound, feasible, cost-effective, and the proposal sets forth a clear, logical and achievable work plan and timeline. Project engages appropriate technical experts throughout project planning, design and implementation to ensure activities are technically-sound and feasible. Applicants are encouraged to provide documentation of supporting technical assistance either received or committed to by appropriate state and federal agencies, academics and consultants.



OTHER

Nutrient and Sediment Load Reductions: All PA-LGI projects must document, track, and report on nutrient and sediment load reductions to local rivers and streams, and ultimately the Chesapeake Bay, resulting from local implementation efforts. To assist in generating credible approaches to estimate and track nutrient and sediment load reductions, NFWF has partnered with the Chesapeake Commons and other public and private funding institutions to develop [FieldDoc](#), a user-friendly tool that allows consistent planning, tracking, and reporting of water quality improvement activities and associated nutrient and sediment load reductions from proposed grant projects.

FieldDoc currently includes functionality for a significant share of water quality improvement practices approved by the Chesapeake Bay Program for the purposes of TMDL crediting. All PA-LGI projects must consequently utilize FieldDoc to calculate estimated load reductions included in their application. When setting up proposed projects in FieldDoc, please be sure to list your application's 5-digit Easygrants number in the FieldDoc project title.

Upon grant award, NFWF will require all projects submitted under this solicitation to utilize FieldDoc for tracking and reporting of applicable water quality improvement activities during the course of their grant project. For technical support on FieldDoc utilization during the pre-proposal or proposal development process, please contact Erin Hofmann with the Chesapeake Commons at hofmann@chesapeakecommons.org.

Landowner Agreements – Applicants must provide signed Landowner Agreements (see **Appendix B**) for each participating landowner prior to the commencement of any on-the-ground implementation activity. This agreement establishes further conditions for long term maintenance and monitoring of the project, consistent with best practices from similar regional programs.

Budget – Costs are allowable, reasonable and budgeted in accordance with NFWF's [Budget Instructions](#) cost categories. Federally-funded projects must be in compliance with [OMB Uniform Guidance](#) as applicable. This funding opportunity will award grants of Federal financial assistance funds; applicants must be able to comply with the OMB guidance in subparts A through F of 2 CFR 200 (OMB Uniform Guidance). While for-profit entities are eligible applicants, charges to a potential award may include actual costs only; recipients may not realize profit from an award of federal financial assistance funds.

Matching Contributions – Matching contributions consist of cash, contributed goods and services, volunteer hours, and/or property raised and spent for the Project during the Period of Performance. Larger match ratios and matching fund contributions from a diversity of partners are encouraged and will be more competitive during application review. In general, applicants may consider matching contributions raised or spent on or after January 1, 2019 as eligible under the PA-LGI funding opportunity.

Procurement – If the applicant chooses to specifically identify proposed Contractor(s) for Services, an award by NFWF to the applicant does not constitute NFWF's express written authorization for the applicant to procure such specific services noncompetitively. When procuring goods and services, NFWF recipients must follow documented procurement procedures which reflect applicable laws and regulations.



Publicity and Acknowledgement of Support – Award recipients will be required to grant NFWF the right and authority to publicize the project and NFWF’s financial support for the grant in press releases, publications and other public communications. Recipients may also be asked by NFWF to provide high-resolution (minimum 300 dpi) photographs depicting the project.

Receiving Award Funds – Award payments are primarily reimbursable. Projects may request funds for reimbursement at any time after completing a signed agreement with NFWF. A request of an advance of funds must be due to an imminent need of expenditure and must detail how the funds will be used and provide justification and a timeline for expected disbursement of these funds.

Compliance Requirements – Projects selected may be subject to requirements under the National Environmental Policy Act, Endangered Species Act (state and federal), and National Historic Preservation Act. Documentation of compliance with these regulations must be approved prior to initiating activities that disturb or alter habitat or other features of the project site(s). Applicants should budget time and resources to obtain the needed approvals. As may be applicable, successful applicants may be required to comply with additional Federal, state or local requirements and obtain all necessary permits and clearances.

Quality Assurance – If a project involves significant monitoring, data collection or data use, grantees will be asked to prepare and submit [quality assurance](#) documentation prior to starting this work. Applicants should budget time and resources to complete this task if appropriate. Further information about [NFWF’s Stewardship Fund Quality Assurance](#) process is available on the NFWF website.

Permits – Successful applicants will be required to provide sufficient documentation that the project expects to receive or has received all necessary permits and clearances to comply with any Federal, state or local requirements. Where projects involve work in the waters of the United States, NFWF strongly encourages applicants to conduct a permit pre-application meeting with the Army Corps of Engineers prior to submitting their proposal. Where projects involve work in the waters of the Commonwealth of Pennsylvania, NFWF strongly encourages applicants to conduct a permit pre-application meeting with DEP prior to submitting their proposal. In some cases, if a permit pre-application meeting has not been completed, NFWF may require successful applicants to complete such a meeting prior to grant award.

Federal Funding – The availability of federal funds estimated in this solicitation is contingent upon the federal appropriations process. Funding decisions will be made based on level of funding and timing of when it is received by NFWF.

Good Standing Policy: All applicants with active grants from NFWF must be in good standing in terms of reporting requirements, expenditure of funds, and QAPPs (if required). In addition, NFWF may also consider an applicant’s standing under grant programs administered by external partners in determining performance-based qualifications for proposed grantees. Active grantees with questions on their current standing are encouraged to contact NFWF staff in advance of submitting applications.



TIMELINE

Dates of activities are subject to change and contingent on the availability of funding. Please check the program page of the [NFWF website](#) for the most current dates and information.

Applicant Webinar (Registration)	<i>Tuesday, September 17, 10:00AM EDT</i>
FieldDoc Webinar (Registration)	<i>Thursday, September 19, 1:00PM EDT</i>
Proposal Due Date	<i>Tuesday, October 22nd, 11:59pm EDT</i>
Proposal Review Period	<i>November 2019</i>
Awards Announced	<i>December 2019 (anticipated)</i>

HOW TO APPLY

All application materials must be submitted online through National Fish and Wildlife Foundation's Easygrants system.

1. Go to easygrants.nfwf.org to register in our Easygrants online system. New users to the system will be prompted to register before starting the application (if you already are a registered user, use your existing login). Enter your applicant information.
2. Once on your homepage, click the "Apply for Funding" button and select this RFP's "Funding Opportunity" from the list of options.
3. Follow the instructions in Easygrants to complete your application. Once an application has been started, it may be saved and returned to at a later time for completion and submission.

APPLICATION ASSISTANCE

A PDF version of this RFP can be downloaded at <http://www.nfwf.org/chesapeake>.

A *Tip Sheet* is available for quick reference while you are working through your application. This document can be downloaded at <http://www.nfwf.org/chesapeake>. Additional information to support the application process can be accessed on NFWF website's "Applicant Information" page (<http://www.nfwf.org/whatwedo/grants/applicants/Pages/home.aspx>).

For more information or questions about this RFP, please contact Jake Reilly (jake.reilly@nfwf.org), Stephanie Heidbreder (stephanie.heidbreder@nfwf.org) or Sydney Godbey (sydney.godbey@nfwf.org) via e-mail or by phone at (202) 857-0166.

For issues or assistance with our online Easygrants system, please contact:

Easygrants Helpdesk

Email: Easygrants@nfwf.org

Voicemail: 202-595-2497

Hours: 9:00 am to 5:00 pm ET, Monday-Friday.

Include: Your name, proposal ID #, e-mail address, phone number, program to which you are applying, and a description of the issue.

APPENDIX A – Pennsylvania Phase 3 WIP Priority Initiatives

Sector	Ph. 3 WIP Priority Initiative	Action	Associated High-Priority Structural CBP Practices*
Agriculture	Agricultural Compliance	Ensure farmers are implementing their state-required Ag E&S or conservation plan, Manure Management/Nutrient Management Plan, and (where needed) required barnyard runoff controls	Animal Waste Management Systems, Forest and Grass Buffers with Exclusion Fencing**, Barnyard Runoff Control, Loafing Lot Management
	Soil Health	Use crop and soil management practices that improve long-term soil health and stability	N/A
	Expanded Nutrient Management	Non-manured farmlands use nutrient management plans and precision nutrient management practices	N/A
	Manure Storage Facilities	Install and use manure storage systems that meet federal standards	Animal Waste Management Systems
	Precision Feeding	Use precision feed management to reduce nitrogen and phosphorus in manure.	N/A
	Integrated Systems for Elimination of Excess Manure	Create integrated programs for removal or beneficial use of excess manure	N/A
	Forested and Grassed Riparian Buffers	Plant grassy vegetation or forest buffers along streams	Forest and Grass Buffers**
Stormwater	PRP Implementation for MS4 Communities	MS4 implementation of management practices to achieve the reductions identified in their respective PRPs	Urban Tree Planting, Bioretention/Rain Gardens, Bioswales, Urban Stream Restoration, Urban Forest Buffers, Wet Ponds and Wetlands
	New Riparian Forest Buffers	Plant trees and shrubs alongside streams	Urban Forest Buffers
	Control Measures for Illicit Discharges	Facilitate municipal ordinance amendments to control illicit discharges to storm sewer systems	N/A
	Industrial Stormwater	Develop preferred BMPs for use in industrial stormwater discharge permits to reduce pollutants of concern	N/A
	E&S Control and PCSM Program	Continue permitting, inspecting, and ensuring compliance with Pennsylvania’s erosion and sediment control and post-construction stormwater permit requirements	N/A
Forestry	Forested Riparian Buffers	Plant trees and shrubs or grassy vegetation along streams	Forest and Grass Buffers**
	Tree Canopy	Plant trees in developed areas	Urban Tree Canopy
	Woods and Pollinator Habitat	Convert lawn and turf areas to woods and meadows	Tree Planting
	Forest, Farm and Natural Area Conservation	Provide credits for land conservation and revise zoning and ordinances to conserve existing natural areas	N/A
	Stream and Wetland Restoration	Support efforts to restore local streams and wetlands	Stream Restoration

* Does not include associated management practices.

** Implemented at a minimum 35 feet width.

**APPENDIX B
LANDOWNER – GRANTEE AGREEMENT**

This Agreement, made on _____ (date), by _____

(Landowner(s)), residing at _____

(street address), _____ (city), PA _____

(ZIP), and _____ (Grantee).

Project Description:

The Project is located at:

Latitude: _____ **Longitude:** _____

Section 1 – Agreement Provisions

- A. In consideration of the benefits that incur from the investment in the property, and/or monies received, the Grantee and the undersigned Landowner agree to comply with the terms set forth in this Agreement.
- B. Landowner represents and agrees that he/she is the sole owner of the real property on which the Project is to be performed, or has secured a sufficient property interest, including any easements or right-of-ways, necessary to grant access for the completion and maintenance of the project.
 - 1. Landowner agrees that the Grantee, its employees, agents and contractors shall have the right to enter upon the premises to perform the work described the "Project Description" provided above. The right to enter shall also include periodic monitoring visits for the life of this Agreement.
 - 2. By offering the premises for implementation of this project, Landowner agrees to allow access, design preparation and implementation and repair of the Project for the duration of construction and for the time period identified in Section 1, Paragraph B (11) of this Agreement.
 - 3. Grantee agrees that the all nutrient and sediment load reduction practices ("practices") implemented under this Agreement shall be performed according to the *(Check all that apply)*:

- The NRCS Pennsylvania Field Office Technical Guide
- The Guidelines for Natural Stream Channel Design in Pennsylvania
- The USDA NRCS National Engineering Handbook
- A Handbook for Constructed Wetlands, Volume 4, Coalmine Drainage
- The Stormwater Best Management Practices Manual
- Plans developed by or certified by a Registered Professional Engineer and approved by PA Department of Environmental Protection
- Manure Management or Nutrient Management plan developed for the operation

4. Practices shall be maintained pursuant to Section 2, Paragraph B of this Agreement.
5. The Landowner Grantee shall be responsible for adherence to the standards set forth in Section 2, Paragraph B and shall not act in any manner inconsistent with the terms of this Agreement.
6. The Landowner Grantee agrees not to destroy, alter or modify the practices, except to perform needed repairs, for the period covered by this Agreement, nor to undertake any action on land under the Landowner's control which tends to defeat the purposes of this Agreement.
7. The Landowner and Grantee recognize and release all rights, claims, title or ownership to any marketable nutrient reduction credits toward nutrient effluent limits that are generated as a result of the project for the time period covered by this Agreement.
8. The Landowner and Grantee recognize and release all rights, claims, title or ownership to the aquatic resource compensation credits, including but not limited to wetland, waterway, aquatic habitat, floodplain or riparian credits, in perpetuity, that are generated as a result of the project for the time period covered by this Agreement.
9. Landowner agrees to refund all or a portion of the value of the practices installed, as determined by the Grantee, if before the expiration of the term of this Agreement, the Landowner (a) destroys, alters or modifies the practices installed, or (b) voluntarily relinquishes control or title to the land on which the practices have been established, and the new landowner and/or operator of the land does not agree to maintain the practices for the remainder of the term of this Agreement. If the new landowner agrees to assume Landowner's obligations and to maintain the practices for the remainder of the term of this Agreement, then a new Landowner-Grantee Agreement shall be executed by the new landowner.
10. This Agreement shall be binding on the parties, their heirs, legal representatives, and assigns.
11. The term of this Agreement shall be for the duration of Project construction and a period of 10 years thereafter.

Section 2 – Additional Agreement Provisions

A. Tenant Provision (*Complete as necessary*)

"Landowner" is a Tenant under a _____ (*term of lease*) _____ (*oral/written*)

Lease agreement effective _____ (*date*), with _____

(*Landlord name*) as Landlord, covering property located at _____

(*Address*). Landowner enters this Agreement subject to the superior rights of the landlord in the Premises, and for a term subject to the duration of Landowner's leasehold interest.

B. Operation, Maintenance and Repair Plan (To be attached)

Section 3 – Agreement Signatures

(Landowner Signature)

(Date)

(Landowner Name Please Print)

(Date)

(Landowner Signature)

(Date)

(Landowner Name Please Print)

(Date)

(Grantee Representative Signature)
Must be an officer of the organization

(Date)

(Grantee Representative Please Print)

(Date)

OPERATION, MAINTENANCE AND REPAIR PLAN

Proper operation and maintenance of nutrient and sediment load reduction practices ("practices") is critical for their success and longevity. The goal of this project is the establishment of for improvement of water quality.

1) Components of the Project (List all practices being installed within this project):

Practice	Location Summary	Practice Extent

2) Parties agree to perform all Maintenance Tasks as described in the chart at the end of this document.

3) Allowed activities:

-
-
-
-

Prohibited activities:

-
-
-

4) The Landowner(s) Grantee shall be considered to be in breach of this Agreement if he/she does not maintain and repair the project in compliance with this plan or willfully neglects any other terms of this agreement.

5) The Landowner(s) Grantee agrees to comply with all Federal, State, local laws, rules and regulations. This would include noxious weed control.

6) The Landowner(s) Grantee shall be responsible for all normal, routine maintenance and normal, routine repair of the site and project.

7) Other Special Conditions:

-
-
-
-

Maintenance Tasks

Practice	
Maintenance required	
Schedule	
Responsible Party	
Practice	
Maintenance required	
Schedule	
Responsible Party	
Practice	
Maintenance required	
Schedule	
Responsible Party	