

Pennsylvania

Department of Environmental Protection

Growing Greener Plus Grants Program

Funding Watershed Planning,
Restoration and Protection Efforts



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

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For more information, visit www.dep.pa.gov
Search: Growing Greener

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Overview

Growing Greener Plus refers to three grant programs described in this grant guidelines document. The three programs covered under this program are Growing Greener (Watershed Restoration and Protection), Surface Mining Conservation and Reclamation Act (SMCRA) Bond Forfeiture and Abandoned Mine Drainage (AMD) Set-Aside grants. The three grant programs can be applied to via the Commonwealth of Pennsylvania's Electronic Single Application website at www.esa.dced.state.pa.us.

Ninety-six percent of water-quality-impaired watersheds in Pennsylvania are polluted because of nonpoint source pollution. Some of the primary activities that generate nonpoint source pollution include, AMD, urban and agricultural runoff, atmospheric deposition, on-lot sewage systems, earthmoving, stream hydromodification and timber harvesting. Nonpoint source pollution comes from many different sources. It originates from many places or a widespread area when rainfall or snowmelt runs over the land or through the ground, picks up pollutants depositing them into rivers, lakes, wetlands, and coastal waters or introduces them into groundwater. Pennsylvania's Nonpoint Source Management Program establishes the overall strategy Pennsylvania will use to implement watershed restoration and protection activities. The purpose of Growing Greener, SMCRA and AMD remediation grants is to address nonpoint source pollution through local, watershed based planning, restoration and protection efforts.

Purpose

Growing Greener

The Environmental Stewardship and Watershed Protection Act, known as the Growing Greener Watershed Restoration and Protection Program (Growing Greener), was passed into law in December 1999. The statutory authority for the grants is found in Section 6105(b) of the Environmental Stewardship and Watershed Protection Act (27 Pa.C.S. §§ 6101—6113). The primary purpose of the program is to restore impaired waters and protect waterways from nonpoint source pollution within the Commonwealth. Requirements for the Growing Greener are found beginning on page 3.

Surface Mining Conservation and Reclamation Act Grants (Bond Forfeiture and AMD Set-Aside)

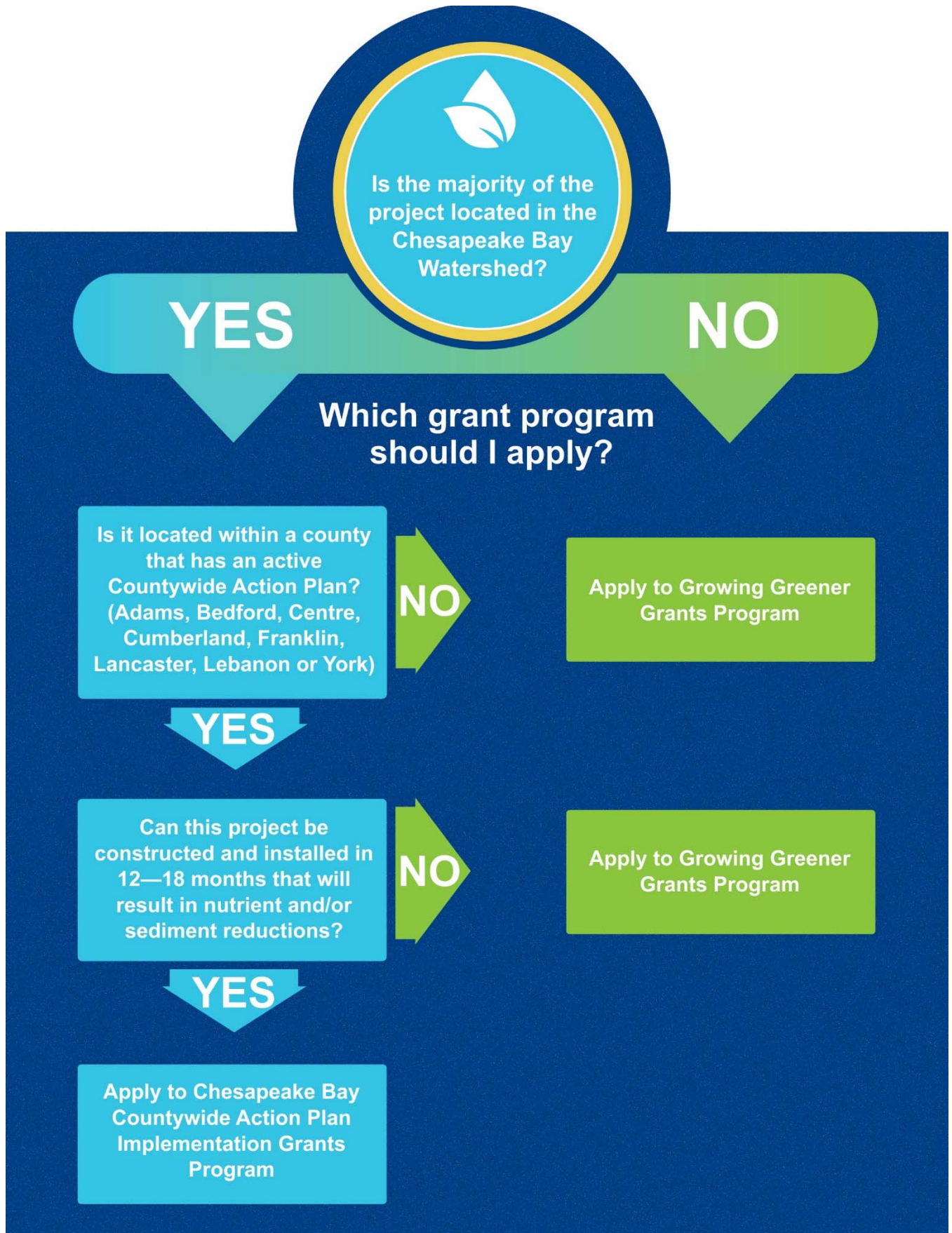
Grants under this program are authorized through Section 18 of SMCRA of 1977. Guidelines for SMCRA grants begin on page 14, and guidelines for AMD Set-Aside grants begin on page 16.

What's New

This year, if Growing Greener applicants are located within a county that has an active Chesapeake Bay Phase 3 Watershed Implementation Plan (WIP) Countywide Action Plans (CAP) and are applying for projects that can be constructed and installed in 12-18 months that result in nutrient and/or sediment reductions, applicants should contact their county lead entity and/or county Community Clean Water Coordinator to apply locally for a Chesapeake Bay Countywide Action Plan Implementation Grant. For contact information, please see page 35. To view the CAPs, visit

(www.dep.pa.gov/Business/Water/Pennsylvania%E2%80%99s%20Chesapeake%20Bay%20Program%20Office/WIP3/GetInvolved/Pages/Countywide-Action-Plans.aspx) .

Please use the following flow chart to determine which grants program to apply:



Application Deadlines

The application period is from **April 22 – June 25, 2021**, with applications due through the Commonwealth eGrants system (www.esa.dced.state.pa.us) by 5 p.m. on June 25, 2021.

All Growing Greener grant applicants should contact the appropriate Department of Environmental Protection (DEP) staff as soon as possible to discuss the anticipated project, but no later than **Friday, June 4, 2021**. Contact information is listed on pages 33 and 34. Applicants are strongly encouraged to also contact their County Conservation District Watershed Specialist by **June 4, 2021**.

In addition, for **nutrient and sediment reducing projects** within the Chesapeake Bay watershed only, please use the table below for the appropriate contact and deadline.

Chesapeake Bay Watershed Projects to Reduce Nutrient and Sediment Nonpoint Source Pollution

County Name for Project(s)	Contact	Deadline
Adams, Bedford, Centre, Cumberland, Franklin, Lancaster, Lebanon, and York (Construction Only)	<ul style="list-style-type: none"> • Community Clean Water Coordinators to apply directly to the new Chesapeake Bay Countywide Action Plan Implementation Grants Program 	<ul style="list-style-type: none"> • Contact Community Clean Water Coordinators for details
Adams, Bedford, Centre, Cumberland, Franklin, Lancaster, Lebanon, and York (Design and Permitting Only)	<ul style="list-style-type: none"> • Community Clean Water Coordinator to sign form and acknowledge project • DEP staff • County Conservation District Watershed Specialist 	<ul style="list-style-type: none"> • June 4, 2021
Berks, Blair, Bradford, Cambria, Chester, Clearfield, Clinton, Columbia, Dauphin, Fulton, Huntingdon, Juniata, Lackawanna, Luzerne, Lycoming, Mifflin, Montour, Northumberland, Perry, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, and Union (Design, Permitting and/or Construction)	<ul style="list-style-type: none"> • Community Clean Water Coordinator to sign form and acknowledge project • DEP staff • County Conservation District Watershed Specialist 	<ul style="list-style-type: none"> • June 4, 2021
All other counties (Design, Permitting and/or Construction)	<ul style="list-style-type: none"> • DEP staff • County Conservation District Watershed Specialist 	<ul style="list-style-type: none"> • June 4, 2021

Eligibility

Eligible Applicants

Eligible applicants or sponsors must be one of the following:

- Incorporated watershed association
- County, including county planning commission, or municipality
- County conservation district
- Council of governments or
- Other authorized organization that is one of the following:
 - A tax-exempt corporation under Section 501(c)(3) of the Internal Revenue Code and registered with the Pennsylvania Bureau of Charitable Organizations. If an applicant/sponsor is claiming an exemption from registering with the Bureau of Charitable Organizations, the applicant/sponsor must provide proof of such exemption with the application. Conservation commissions or foundations created by state or federal legislation or action are exempt from the incorporation requirement.
 - Educational institution
 - Municipal authority

Applications submitted by ineligible applicants or sponsors will not be considered.

Project Eligibility

There are specific eligibility criteria for Growing Greener (Watershed Restoration and Protection), SMCRA Bond Forfeiture and AMD Set-Aside grants. These include:

- Grant applications must be complete and submitted by the due date.
- Grant applications must be uploaded and submitted through the Commonwealth eGrants system (www.esa.dced.state.pa.us).
- Budget information is correct, meets the requirements for matching funds, equipment and administrative costs and includes only eligible expenses (for additional information and details about ineligible projects or expenses see page 8).
- Applicants have contacted either DEP's Regional/Mining Office staff for a local project or Watershed Support Section staff for a regional or statewide project, by the staff contact deadline noted above.
- For nutrient and sediment reducing projects in the Chesapeake Bay Watershed, applicants contacted the appropriate Countywide Action Team point of contact by the deadline noted above.

Grant recipients and subcontractors must be in good standing with the Commonwealth, which will be verified with two program checks: eFACTS compliance check and Contractor Responsibility Program check. Grant recipients and subcontractors must pass DEP's eFACTS check to ensure permit compliance. Grant recipients and subcontractors also must pass a Contractor Responsibility Program check to ensure that grant recipients and contractors do not have any tax delinquencies or other obligations with the Commonwealth, in addition to any performance issues, suspensions or debarments with the Commonwealth or suspensions or debarments with the federal government.

There are program-specific criteria regarding the eligibility of projects focused on AMD remediation funded through the Bond Forfeiture and AMD Set-Aside grants. Projects to address mining-related issues may be funded from SMCRA Bond Forfeiture funds if the site is within an Alternative Bond System (ABS) Legacy Bond Forfeiture site, from AMD set-Aside funds if the project is covered by a Qualified Hydrologic Unit Plan (QHUP) or is located in a watershed where a QHUP is being developed and from Growing Greener Watershed Restoration and Protection funds for a limited number of projects not located within bond forfeiture sites, QHUPs or watersheds where QHUPs are under development.

Priorities

In the grant application review process, DEP prioritizes projects that address priority areas. These priority areas include:

Watershed Restoration

- **Design and Construction Projects** – Projects that will:
 - Directly address causes and sources of impairment as listed in DEP’s latest final Integrated Water Quality Report (www.dep.pa.gov, Search: Integrated Report).
 - Implement watershed restoration priority projects as listed in DEP’s latest final Integrated Water Quality Report’s Restoration Priorities. To view the priority watersheds for restoration, visit gis.dep.pa.gov/IRViewer2020/ click on the Section 303(d) tab, scroll to “Restoration Priorities” and click on “Restoration Priority Watersheds” or the corresponding map.
 - Reduce nitrogen, phosphorus and sediment nonpoint source pollution loads from agricultural and urban runoff, by implementing and maintaining Best Management Practices (BMPs).
 - Reduce AMD-related iron, aluminum, acidity and sedimentation.
 - Implement stream restoration, bank stabilization and/or stormwater management projects to reduce runoff volumes, increase infiltration, improve water quality and assist in future flood prevention.
 - Restore floodplains to mitigate the risk of flood damage in the watershed.
 - Implement projects that support municipal separate storm sewer system (MS4) communities implementing BMPs consistent with an approved Pollution Reduction Plan (PRP). The preference is for innovative strategies that go above and beyond the minimal level of permit compliance.

- **AMD Bond Forfeiture and Set Aside Projects** — Projects submitted for SMCRA AMD Bond Forfeiture or Set-Aside grants will be evaluated based on the eligibility criteria outlined beginning on page 14 and page 16, respectively.

Planning

- Plan development for agricultural erosion and sediment control or nutrient and manure management.
- Watershed assessment and restoration (new or revised plans).

Watershed Protection

- **Healthy Waters Initiative** – Projects that will:
 - Curtail threats that are projected to lessen the integrity of a healthy waterbody or watershed attaining water quality standards. The goal is to protect healthy, intact aquatic ecosystems and watersheds and prevent their environmental degradation.

Statewide and Regional Initiatives

- DEP will accept countywide, regional or statewide initiatives to restore or protect water resources by providing funding for larger-scale countywide, regional or statewide watershed restoration or protection initiatives, including large-scale BMP implementation projects. This could include projects such as riparian buffer plantings and watershed group support, such as capacity building for watershed organizations. Applicants may apply for any of the project categories, including project design and/or construction; planning; education and outreach; operation, maintenance and repair/replacement; technical assistance; evaluation, assessment and monitoring tools; or watershed group organization/support.

Chesapeake Bay Phase 3 Watershed Implementation Plan (WIP) Activities

DEP encourages applicants within the Chesapeake Bay Watershed to apply for projects that implement recommendations of the Phase 3 WIP related to nutrient and sediment reductions included under the Chesapeake Bay TMDL. If the project is located in Tier 3 or 4 counties, including Berks, Blair, Bradford, Cambria, Chester, Clearfield, Clinton, Columbia, Dauphin, Fulton, Huntingdon, Juniata, Lackawanna, Luzerne, Lycoming, Mifflin, Montour, Northumberland, Perry, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, and Union counties, applicants may apply for design, permitting and construction. For projects in the pilot and Tier 2 counties including Adams, Bedford, Centre, Cumberland, Franklin, Lancaster, Lebanon, and York, applicants are also encouraged to submit design and permitting projects. Refer to the “What’s New” Section on page 1 for more information.

Special Focus Areas

Planning or implementation projects that address and/or incorporate:

- Repair and/or replacement of existing AMD treatment systems;
- Harmful algal blooms;
- Climate resiliency related to water quality improvements;
- Per- and polyfluoroalkyl substances.
- Restore floodplains to mitigate the risk of flood damage in the watershed.

Environmental Justice

Projects occurring in Environmental Justice Areas. Environmental Justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies. EJ embodies the principles that communities should not be disproportionately exposed to adverse environmental impacts and anyone can have a seat at the table in the decision-making process that affects their environment. If you have any questions regarding environmental justice, please [contact DEP’s Office of Environmental Justice](#).

Pennsylvania DEP identifies an EJ Area where 20 percent or more individuals live at or below the federal poverty line, and/or 30 percent or more of the population identify as non-white minority, based on data from the U.S. Census Bureau and the federal guidelines for poverty. DEP has created an interactive mapping tool called [EJ Areas Viewer](#) to determine the location of all EJ Areas throughout the Commonwealth. Launch EJ Areas Viewer here: dep.pa.gov/EJViewer.

Additional Considerations

- Preference will be given to applicants proposing projects that address the Commonwealth Investment Criteria that will increase job opportunities and foster sustainable businesses (www.phmc.state.pa.us/bhp/pkp.pdf).
- Preference will be given to applicants proposing projects in designated environmental justice areas (dep.pa.gov/EJViewer).
- Preference will be given to projects proposed in approved Act 47 financially distressed municipalities ([Act 47 Financial Distress - PA Department of Community & Economic Development](#)).
- Preference will be given to applicants proposing projects in a municipality that has a current floodplain ordinance that is in compliance with Pa. Code Title 12, Chapter 113 and the Floodplain Management Act (www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/012/chapter113/chap113toc.html&d=) and (www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=1978&sessInd=0&act=166). See also www.pema.pa.gov/Floodplain-Management/Pages/default.aspx.
- Preference will be given to applicants proposing projects that implement floodplain restoration/reconnection that ultimately increases flood resiliency.
- Preference will be given to applicants in a county with a [DEP-approved Act 167](#) plan.
- Preference will be given to projects proposing to continue countywide or watershed-based plan implementation.
- Preference will be given to projects that show more than the minimum match requirement will be met within the grant period of performance.
- For projects involving a water quality monitoring component, preference will be given for data that will be shared with the DEP Clean Water Program and is collected in accordance with the “Existing and Readily Available Information” document found on the DEP website at: (www.dep.pa.gov/Business/Water/CleanWater/WaterQuality/IntegratedWatersReport/Pages/Existing-and-Readily-Available-Data.aspx).
- For existing grantees, failure to submit timely and complete reports and reimbursement requests may result in decreased competitiveness.

Funding Allocation

For Growing Greener, the Department intends to award up to 50 percent of available funds (not including AMD Set Aside or SMCRA Bond Forfeiture projects) to address nutrient and sediment nonpoint source pollution within the Chesapeake Bay Watershed. This funding would be directed toward design and permitting projects for Adams, Bedford, Centre, Cumberland, Franklin, Lancaster, Lebanon, and York counties and design, permitting and construction projects for the other Chesapeake Bay counties. Growing Greener grant funds also will support new AMD treatment projects; BMP

implementation and planning support for MS4 and agricultural areas; flooding restoration/prevention projects/plans; and other types of DEP priority projects as listed above. The funds will also be used to support nutrient and sediment control BMPs statewide.

Ineligible Projects

Growing Greener grants will not fund:

1. Projects implemented out of state.
2. Projects proposing to construct post-construction stormwater management BMPs to address changes in runoff caused by new or proposed construction activities.
3. Projects on state-owned land for which letters of landowner commitment from the appropriate managing state agency have not been obtained.
4. Projects which will preclude the access to or use of any forested land for the practice of sustainable forestry and commercial production of timber or other forest products.
5. Projects to treat abandoned mine drainage for which an AMDTreat report output (amd.osmre.gov) is not included.
6. Projects for which landowner letters are not included or in the process of being obtained, as applicable.
 - a. Landowner Access Authorization
 - Required if project involves monitoring only.
 - b. Landowner Letter of Commitment (non-AMD)
 - Required if project involves design and/or installation of any BMPs.
 - c. Landowner Letter of Commitment (AMD)
 - Required if project involves design and/or construction on a bond forfeiture site.
7. Other eligibility requirements listed on page 4.

Ineligible Expenses

The following expenses will be considered ineligible:

1. Outdoor recreational construction, such as gazebos, pavilions, decks, walking paths, trails and bridges, unless as part of a combined effort (e.g., with the Pennsylvania Department of Conservation and Natural Resources) that incorporates green infrastructure, or is to implement an education and outreach effort.
2. Dredging of streams, lakes, ponds or other waterways, unless as part of a dam removal or floodplain restoration project, or as incidental to the completion of other types of projects.
3. Administrative expenses greater than five percent of grant request amount.
4. Registration fees as part of education and outreach workshops.
5. Clothing or other give-away materials, except for personal protective equipment (PPE).
6. Membership dues to organizations not directly related to the project implementation.

For further information, refer to *A Primer for Fitting Charges within Budget Categories*.

Growing Greener Watershed Protection or Restoration Project Categories

1. Planning

Proposals for developing or revising plans that address agricultural erosion and sediment control, nutrient or manure management, along with watershed management focused on watershed-specific resources, sources and causes of water quality degradation or impairment and that have a realistic schedule of tasks will be favored for funding.

Watershed Assessment and Restoration Plans (New or Revised)

- A watershed management plan should cover the following components: Comprehensive water resources assessment, emphasizing water quality.
- Evaluation and prioritization of projects and initiatives.
- Description of proposed project implementation.
- Monitoring and long-term maintenance aspects to measure and ensure ongoing success.

Agricultural Erosion and Sediment Control or Nutrient and Manure Management Plans

- Agricultural Erosion and Sediment Control plans with narratives, maps, and documentation aligned with plan requirements. Information, including the plan template, can be viewed at www.dep.pa.gov/Business/Water/CleanWater/AgriculturalOperations/Pages/Agricultural-Erosion-and-Sediment-Control.aspx.
- Nutrient Management Plans must contain all plan components as required under the Act 38 nutrient management program. Current and standardized planning tools can be found at extension.psu.edu/programs/nutrient-management/tools.
- Manure Management Plans must contain all plan components as required. For more information and plan requirements, review the Manure Management Plan Workbook at www.dep.pa.gov/Business/Water/CleanWater/AgriculturalOperations/ManureManagement/Pages/default.aspx.

2. Education and Outreach

Projects that result in educating the target audience about actual environmental conditions, nonpoint source pollution and implementation of BMPs. For each proposal:

- Describe the methods of communication, message, target audience, recruitment plan and expected number of participants.
- Describe the evaluation method to assess success, such as a pre- and post-program survey.
- Describe how the project will be tailored to the specific watershed and will relate to any watershed plan goals, objectives or priority actions.

Videos, brochures, websites and newsletters as stand-alone tools without a corresponding implementation plan and mechanism for evaluation of success are not preferred. For any workshop where a registration fee is charged, the amount must be deducted from any reimbursement request.

3. Design and/or Construction

Projects that result in the design and/or construction of watershed restoration and protection projects. For large, complex projects, such as treating large AMD discharges or floodplain restoration, lengthy design and permitting processes may be required. For these types of projects, two separate grant applications, made in two separate grant years as phases, are strongly recommended. The first application phase would fund project design, permitting, evaluations for natural diversity and historical impacts and other pre-construction activities. The second application phase would be to fund construction.

The proposal should:

- Identify the approximate size and location of the problem area(s). Include photos of the existing conditions at the site(s).
- Describe what attempts have been made or will be made to address the source(s) and cause(s) of the problem at other sites, especially those that eliminate or treat the problem at the source (e.g. treatment of urban runoff at the source rather than through downstream dredging).
- Describe how the measures to be implemented will have a significant impact on restoring or protecting water quality. The type and quantity of BMPs to be constructed should be included, along with the anticipated life span of the BMP, if known.
- Describe how restoration projects relate to water quality problems throughout the watershed.
- Quantify the estimated environmental benefits/results that can be expected from the project, including pollutant load reductions and/or length of stream improved; projects may not be funded without this information.
- Describe the roles and responsibilities of each group involved in the project.
- Describe landowner(s) involvement; include signed landowner letter(s) of commitment.
- Describe contractor involvement, contracting procedures, construction inspection provisions and any competitive bid process to be used.
- Include an operation and maintenance plan.
- Include the use of AMDTreat software (amd.osmre.gov) for rough sizing and cost estimating for all applications for design and/or construction of AMD treatment facilities.
- Indicate the project schedule, tasks, deliverables and timelines.
- Include land use planning form or approval letter from the municipality/planning office.

4. Operation, Maintenance and Repair/Replacement

The need for long-term operation, maintenance and repair and replacement (OM&R) has been recognized as a requirement to ensure the continuing success of watershed restoration projects. This category is not intended to fund routine operation and maintenance activities, nor is it intended to repair or replace systems damaged by operator negligence. The purpose of this funding category is to fund non-routine operation, maintenance and repair/replacement items for existing watershed restoration projects. It is not expected to be used to cover all OM&R costs, but only those that cannot be covered by project sponsors using local resources. Example OM&R projects include: lab analysis of water samples collected for monitoring purposes; major structural repairs to streambank stabilization, stream restoration or stormwater management BMP projects damaged by flooding; replacement of materials being used up in the system (e.g., compost, limestone); and partial system reconstruction where the system is not operating as

designed. Dedicated sponsors, with landowner approval, are expected to conduct much of the operation and routine maintenance tasks. Proposals for OM&R projects should:

- Identify on a map the approximate size and location of the critical areas to be treated. Include photos of the existing site(s) documenting current conditions.
- Describe the impacts to the watershed should this system fail to provide effective treatment.
- Indicate the project schedule, tasks and timelines, including obtaining necessary permits and approvals.
- For projects proposing treatment of specific source, such as AMD, include water quality data and cite the source of the data.
- Identify the funding source of the original construction project that resulted in the system needing OM&R funding.
- Describe what routine measures have been done prior to this application for the efficient operation of the facility to preclude the need for more expense replacements.
- A final detailed plan that identifies the OM&R needs, responsible parties and established financial resources will be a project deliverable for all OM&R projects to treat AMD. The applicant must state in the plan if it expects any party other than itself, to be responsible for the long-term project repair/replacement. Applicants should not expect DEP to be responsible for long-term project OM&R.

5. Technical Assistance

Applicants for this project type are expected to provide mentoring and other assistance to local organizations involved in watershed restoration at no cost to the local organization. Technical assistance projects provide a technical service directly to local organizations in a defined geographical area.

Previous technical assistance grants have been given for data management, geographic information, general and specialized science advice, technical engineering work and general program management. Technical assistance services must support DEP priorities and program initiatives with an emphasis on helping local organizations achieve technical capability.

6. Evaluation, Assessment and Monitoring Tools for Watershed Management

Applicants will develop tools, techniques and methodologies to aid Pennsylvania's watershed restoration and protection community to implement, monitor and evaluate watershed restoration and protection plans and activities. Applications proposing information technology tools shall be consistent with DEP's *Guidance for Data Management* (www.dep.pa.gov/Pages/default.aspx, Search: Growing Greener, click on "Help for Grant Recipients"). Example projects include:

- Research leading to improved efficiency and effectiveness of BMPs.
- Information technology aiding in the access and use of watershed data.
- Modeling for watershed management.

7. Watershed Group Organization/Support

Applicants will develop new or reinvigorate existing or inactive watershed organizations. This project category aims to increase the capacity of local watershed organizations by supporting member recruitment, retention, training and development, board development, handling legal and organizational issues, risk management and other topics to help these organizations improve water quality in small watersheds through public engagement, education and on-the-ground restoration projects. Projects should educate and engage residents in watershed improvement while achieving measurable results. Proposals should:

- Identify the physical area of focus for the group using natural boundaries converging at stream or river outflow(s).
- Identify the watershed the group will advocate for, who will help and how the organization will aid the watershed and residents.
- Describe the process and timeline to identify stakeholders, develop goals and objectives, formulate mission statements and develop a constitution and bylaws.
- Identify existing nonpoint sources of pollution and if water quality monitoring will be needed.
- Discuss provisions for a public meeting and consideration of filing articles of incorporation, as applicable.
- Describe how the group plans to recruit and retain volunteers.
- Include a plan describing the long-term sustainability of the organization.

8. Healthy Waters Initiative

The goal of the Healthy Waters Initiative (HWI) is to protect healthy, intact aquatic ecosystems and watersheds. Applicants will implement projects designed to curtail threats that are projected to lessen the integrity of a healthy waterbody or watershed. HWI aims to avoid rather than treat a problem.

HWI projects will use existing data for projecting the trend of a condition or demographic that can be correlated to some loss of integrity to a waterbody or watershed. Trends in factors that are shown to be headed towards a threshold that will degrade environmental integrity are to be used in planning and applying practices. Projects should forecast and develop ways to keep the factors from crossing a described threshold that would cause identifiable harm or negative impacts to a healthy, intact ecosystem. A project might apply foresight in development of ordinances, protections or offsetting, but could instead endorse green technologies or changes in conduct and actions that will address identified pressures.

Watersheds with a recognized, important distinction (e.g., with a Source Water Protection Plan in place; designated as a Scenic River) or carrying an elevated designation (e.g., Exceptional Value Waters or High Quality Waters; Class A Wild Trout Streams) or carrying another verified special classification, use or intrinsic merit will be given priority. However, any waterbody that is threatened is a potential candidate for HWI projects. Examples of conditions of concern include threats associated with changing land use, nonpoint source pollution, invasive species, lack of green practices, non-sustainable development, an attaining subwatershed within a larger hydrologic unit code 12 watershed with significant impairments or other conditions that will reduce the environmental health or integrity of a waterbody if left unchecked. Additional

consideration will be given to those projects and areas with demonstrated local interest and involvement in protection.

The applicant must describe and identify:

- The watershed under consideration and qualifying designation or distinctions.
- The threat, trend of threat and threshold to be avoided, documented with valid, existing data.
- Methods used to show that indicators of integrity are trending towards and projected to go beyond a reasonably established vulnerability point.
- Proposed practices or activities that will curtail threat of degradation and maintain or improve water quality.
- A reasonable time and activity schedule which includes planning and implementing practices to protect and preserve healthy waters.
- A strategy to inform and involve the public, officials, planners and/or other stakeholders on findings and recommendations for continued sustainability of healthy water bodies.

Surface Mining Conservation and Reclamation Act Grants (Bond Forfeiture and AMD Set-Aside) Project Categories

The primary focus of these grant categories is the design, construction and/or rehabilitation of treatment facilities on ABS Legacy AMD discharge sites, but grants may also be awarded for ABS bond forfeited land reclamation projects. Projects most likely to significantly address the impacts of AMD discharges in a cost-effective way will receive preference for funding.

SMCRA (Bond Forfeiture) Grants

Eligible Applicants

Eligible applicants must be one of the following types of organizations or obtain a sponsor that is one of the following types of organizations:

- County or municipality
- County conservation district
- Council of governments
- Municipal authority
- School district
- Other appropriate incorporated nonprofit organization including the following:
 - Incorporated watershed association
 - Entity whose mission it is to further the protection, enhancement, conservation or preservation of the Commonwealth's environmental resources

Applications submitted by ineligible applicants or ineligible sponsors will not be considered.

Eligible Projects

Projects eligible for grants under this grant program are limited to the sites that fit the definition of "ABS Legacy Sites" (i.e., bond forfeiture sites) in 25 Pa. Code § 86.1 (i.e., mine sites, permitted and bonded from July 31, 1982, to August 4, 2001, under the ABS where bonds have been forfeited). Applicants must contact the local DEP district mining office staff (see page 34 for contact information) to identify which ABS legacy bond forfeiture sites need remediation.

Letters of Commitment

If the project involves design and/or construction, the applicant must provide one of the following with the application: 1) a SMCRA landowner letter of commitment; 2) a consent of landowner to right of entry for study and design of mine reclamation project; 3) a consent to right of entry for design and study and for construction, operation and maintenance of mine drainage treatment facility.

Insurance Requirements

In the event a SMCRA bond forfeiture grant is awarded, the applicant shall require its subcontractors to purchase and maintain at their expense the following types of insurance, issued by companies licensed to do business in the Commonwealth or in jurisdictions with similar regulatory requirements:

- A. Worker's compensation insurance sufficient to cover all the employees of the subcontractor working to fulfill the grant agreement.
- B. Comprehensive general liability insurance, including bodily injury and property damage insurance, to protect the Commonwealth, the applicant and subcontractor from claims arising out of the performance of the grant activities. The amount of bodily injury insurance shall not be less than \$1,000,000 for injury to or death of persons in a single occurrence. The amount of property damage insurance shall not be less than \$500,000 per occurrence of property damage.
- C. Automotive liability insurance, including bodily injury and property damage insurance, to protect the Commonwealth, applicant and subcontractor from claims arising out of the performance of the grant activities. The amount of bodily injury insurance shall not be less than \$1,000,000 for injury to or death of persons in a single occurrence. The amount of property damage insurance shall not be less than \$500,000 per occurrence of property damage.

Required insurances shall include as named insured's property owners in the project area from whom consents for right of entry have been obtained. Such coverage shall be required unless coverage for lesser amounts is deemed sufficient and approved in writing by DEP. Prior to commencing work under any grant, the grantee will be required to provide to the Commonwealth certificates of insurance from its subcontractors.

Contact the DEP district mining office staff for the district where the site is located with any questions (contact information on page 34).

AMD Set-Aside Grants

Section 18(j) of the Surface Mining Conservation and Reclamation Act of 1977 allows DEP to award grants to municipalities, municipal authorities and appropriate nonprofit organizations from the SMCRA Fund. This includes AMD Set-Aside grants.

Eligible Applicants

Eligible applicants must meet be one of the following types of organizations or obtain a sponsor that is one of the following types of organizations:

- County or municipality
- County conservation district
- Council of governments
- Municipal authority
- School district
- Other appropriate incorporated nonprofit organization including the following:
 - Incorporated watershed association
 - Entity whose mission it is to further the protection, enhancement, conservation or preservation of the Commonwealth's environmental resources

Applications submitted by ineligible applicants or ineligible sponsors will not be considered.

Eligible Projects

Projects eligible for grants under this grant program must be located in watersheds covered by a Qualified Hydrologic Unit Plan (QHUP, formerly Hydrologic Unit Plan) or in areas where a QHUP is being developed as defined by the federal SMCRA under the 2006 reauthorization (www.dep.pa.gov, Search: Qualified Hydrologic Units).

The primary focus of the grants is abatement of AMD and/or treatment of AMD through treatment facility system construction. Grants may also be awarded for the design of treatment systems, or the operation and maintenance of existing passive and active treatment systems. Priority will be given to projects supportive of goals established in the appropriate QHU.

Letters of Commitment

If the project involves design and/or construction, the applicant must provide one of the following with the application: 1) a SMCRA landowner letter of commitment; 2) a consent of landowner to right of entry for study and design of mine reclamation project; 3) a consent to right of entry for design and study and for construction, operation and maintenance of mine drainage treatment facility.

The selection of projects will closely follow DEP AMD Set-Aside Program Implementation Guidelines developed in 2016 (DEP document# 546-5500-001; www.dep.pa.gov/Business/Land/Mining/AbandonedMineReclamation/Pages/AMD-Set-Aside-Program.aspx), particularly with regard to costs versus benefits, treatment system selection and assurance of long-term (i.e., approximately 25 years) operation and maintenance of the treatment facility. Proposed passive treatment systems that would treat discharges that fall under the “High Risk” category in Table 1 (Risk Analysis Matrix for Category (4) Passive Treatment Systems) in the DEP AMD Set-Aside Guidelines will not be funded in most circumstances. Assurance of long-term operation and maintenance is acceptable if it identifies a schedule of monitoring and maintenance as well as the responsible party. Relying on future state funding is unacceptable as assurance for routine monitoring and maintenance.

Table 1 - Risk Analysis Matrix for Category (4) Passive Treatment Systems

Risk Analysis Matrix				
Summation of Fe and Al Concentration	Design Flow Rate for each treatment cell			
	< 25 gpm	≥ 25 < 50 gpm	≥ 50 < 100 gpm	≥ 100 < 200 gpm
< 5 mg/L	Low	Low	Low	Low
> 5 but < 15 mg/L	Low	Medium	Medium	Medium
> 15 < 25 mg/L	Low	Medium	Medium	Medium
> 25 < 50 mg/L	Medium	Medium	Medium	High
> 50 mg/L	High*	High*	High	High
Summation of Fe and Al Concentration	Design Flow Rate for each treatment cell			
	> 200 < 400 gpm	> 400 < 800 gpm	> 800 < 1600 gpm	≥ 1600 gpm
< 5 mg/L	Medium	Medium	Medium	High
> 5 but < 15 mg/L	Medium	High	High	High
> 15 < 25 mg/L	High	High	High	High
> 25 < 50 mg/L	High	High	High	High
> 50 mg/L	High	High	High	High

* Systems in consideration for discharges in these two categories will drop to “Medium” risk if the following conditions are met:

- A thorough analysis of the proposed system determines that the design addresses plugging and short-circuiting concerns
- An O&M plan is developed that details added attention to O&M (including identification of personnel who will provide O&M, and identification of responsibilities) to address plugging and short-circuiting concerns and sludge management
- Total treatment system costs are <\$400,000 OR the Applicant indicates in writing that they will purchase a performance bond for an amount at least equal to the Engineer’s cost estimate for construction and will maintain said bond for a period of no less than five (5) years from the date the system is placed into service.. The level of performance guaranteed by the bond will be the design standard, which is what will be rated/considered during the evaluation.

AMD Set-Aside General Priority Activities

- Completion of AMD abatement and treatment projects that will assist in meeting the restoration goals in watersheds where Hydrologic Unit Plans and Qualified Hydrologic Unit have been established.
- Projects that address maintenance needs and upgrades of existing AMD passive and active treatment systems where the failure to do so will result in loss of restored stream miles. Systems must be within approved Hydrologic Unit Plans or Qualified Hydrologic Units.
- Projects that will create new restoration plans or expand existing restoration plans for consideration as a Qualified Hydrologic Unit.

Priority Watersheds

Cambria District

- West Branch Susquehanna River (headwaters to Emigh Run, Cambria County)
- Sugar Run (Blair County)
- Clearfield Creek (headwaters to Brubaker Run, Cambria County)
- Stonycreek River (Beaverdam Creek to Paint Creek, Somerset County)
- Chartiers Creek (from South Fayette Township line downstream to Heidelberg, Allegheny County)
- Little Conemaugh River (Cambria County)

Wilkes-Barre District

- Schrader Creek (Bradford County)
- Rausch Creek (Schuylkill County)
- Swatara Creek (headwaters to the Schuylkill-Lebanon county line)
- Tioga River (Tioga County)
- Schuylkill River (headwaters to Schuylkill-Bucks county line)
- Black Creek (Carbon County)

If you have any questions concerning AMD Set-Aside Grants, please contact the following DEP staff:

Bituminous Region
Cambria Office
Jon Smoyer
josmoyer@pa.gov

Anthracite Region
Wilkes-Barre Office
Todd Wood
570-830-3171
twood@pa.gov

How to Complete the Application

The application document and attachments must be completed and uploaded into the Commonwealth eGrants system (www.esa.dced.state.pa.us) by 5 p.m. on Friday, June 25, 2021.

For assistance with the eGrants system, please contact the Pennsylvania Department of Community and Economic Development's Customer Service Center by phone at 800-379-7448 or by email at ra-dcedcs@pa.gov. For examples of the Growing Greener Plus Grants Program application forms, please see Appendix A.

1. Short Title

Provide a short, descriptive title for the project. The title should be 10 words or less and clearly communicate the project type, such as "Orange Creek AMD Treatment System Construction" or "Muddy Run Stream Bank Stabilization Design and Permitting".

2. Project Description

Provide a brief, concise project description of no more than two sentences.

3. Applicant/Sponsor Information

Provide information for the project applicant or, if applicable, project sponsor. To be eligible, the applicant must meet one of the criteria listed below or the applicant must partner with a sponsor that meets one of the following criteria to act as grantee on the applicant's behalf. When a sponsor is used, the sponsor is the entity that enters into the grant agreement and is responsible for all aspects of the project, including payment for work performed. Provide the applicant organization/sponsor's legal entity name.

- Watershed organization that promotes local watershed conservation efforts (organization must be incorporated).
- County, including county planning commission, or municipality.
- County conservation district.
- Other authorized organization involved in research, restoration, rehabilitation, planning, acquisition, development, education or other activities that further the protection, enhancement, conservation, preservation or enjoyment of Pennsylvania's environmental, conservation, recreation or similar resources. The organization must be:
 - A nonprofit, tax-exempt corporation under Section 501(c)(3) of the Internal Revenue Code and registered with the Pennsylvania Bureau of Charitable Organizations. If an applicant/sponsor is claiming an exemption from registering with the Bureau of Charitable Organizations, the applicant/sponsor must provide proof of such exemption with the application. Conservation commissions or foundations created by state or federal legislation or action are exempt from the incorporation requirement.
 - An educational institution.
 - A municipal authority.

4. Organization Type

Choose the organization type for the applicant/sponsor.

Tier 1 – First 25% of Reductions	Tier 2 - Second 25% of Reductions	Tier 3 - Third 25% of Reductions		Tier 4 - Last 25% of Reductions		Minimal Loading Counties
Lancaster York	Franklin Lebanon Cumberland Centre Bedford	Northumberland Perry Snyder Adams Columbia Lycoming Dauphin	Juniata Huntingdon Tioga Mifflin	Bradford Schuylkill Union Chester Fulton Lackawanna Susquehanna Clinton	Berks Blair Clearfield Montour Cambria Potter Sullivan Luzerne	Somerset Wyoming Elk Indiana Cameron Wayne McKean Jefferson Carbon

8. Impairment Sources and Causes and Environmental Benefits

List the impairment source(s), cause(s) and reach code(s) for the receiving waters of your project. Use DEP’s most recent, final Integrated Water Quality Report to obtain this information. Complete the measurable environmental benefits section. To reference the Integrated Report, visit (www.dep.pa.gov/Business/Water/CleanWater/WaterQuality/IntegratedWatersReport/Pages/2020-Integrated-Water-Quality-Report.aspx).

If a HWI, Technical Assistance, Watershed Group Organization/Support, Education and Outreach or a statewide, regional or countywide project, summarize the sources and causes of impairment (reach codes not needed).

9. Contacts

Please review the table on page 3 for project proposals for reducing nutrient and sediment nonpoint source pollution within the Chesapeake Bay Watershed. **Applicants in all counties are strongly encouraged to contact their county conservation district** when developing projects and preparing their grant application. Visit www.dep.pa.gov/Business/Water/PlanningConservation/CountyConservationDistricts/Pages/default.aspx and click on “County Conservation Districts Directory” for contact information.

Applicants must contact the appropriate DEP staff prior to preparing the grant application (see pages 33 and 34 for contact information). DEP staff can provide technical assistance and administrative insight. Applicants should contact the appropriate DEP staff as soon as possible, but no later than Friday, June 4, 2021.

Grant Program	DEP Contact
Growing Greener	Regional Watershed Managers
Growing Greener (statewide or multiple regions)	Chesapeake Bay Office staff
AMD Set-Aside	Bureau of Abandoned Mine Reclamation staff
SMCRA Bond Forfeiture	District Mining Office staff

10. Budget Summary

Using only whole numbers, such as \$110,505.00, complete the Task and Deliverable Budget Excel worksheet. Complete the budget summary on the application’s budget tab with clear and concise

information about the match sources. All significant deliverables need to have their own budget or task worksheet.

The Task and Deliverable Budget Worksheet is an Excel document which includes a separate sheet for each deliverable, match, and grand totals. It may be found: dep.pa.gov/growinggreener. Growing Greener funds from another project cannot be used as a match. Administrative costs are limited to five percent.

The dollar amounts for each of the categories in the budget summary must match those developed in the Task and Deliverable Budget Worksheet. Projects whose budgets do not match may not be considered for funding. When calculating mileage, be sure to round your projected miles travelled to a number that will result in a whole number. When calculating salaries/benefits, be sure to round your hourly rate to the nearest dollar to result in a whole number. Projects must be cost-efficient.

Growing Greener has a minimum 15% match requirement, but any additional match provided will improve the competitiveness of the application. All match must be expended within the grant period of performance.

11. Prevailing Wage

If the grant project includes construction work where the total project cost is greater than \$25,000, the Act of 1961 (P.L. 987, No. 442), as amended, known as the Pennsylvania Prevailing Wage Act (43 P.S. §§ 165-1—165-17), may apply. Construction is defined to mean public work projects including construction, reconstruction, demolition, alteration and/or repair work other than maintenance work. It is the responsibility of the applicant or sponsor to contact the Pennsylvania Department of Labor and Industry, Bureau of Labor Law Compliance. Visit www.dli.pa.gov, Search: prevailing wage quick links, for more information.

12. Projects on Grantee-/Non-Grantee-Owned Lands

If the project is located on land that is not owned or controlled by the grantee, a Landowner Letter of Commitment (DEP document # 1010-FM-GC0001m for non-AMD projects; DEP document # 1010-FM-GC0001n for AMD projects; dep.pa.gov/growinggreener) is required to be submitted with the application for all design and/or construction and operation, maintenance and repair/replacement projects. The Landowner-Grantee Agreement (LGA) (DEP document # 1010-FM-GC0076; dep.pa.gov/growinggreener) will be required before any reimbursable work commences on project. For monitoring projects, the Landowner Access Authorization (DEP document # 1010-FM-GC0001o; dep.pa.gov/growinggreener) is required. If the grantee owns/controls the land, grantee landowner conditions (GLCs) will be made part of the grant agreement. Both the LGA (DEP document # 1010-FM-GC0076; dep.pa.gov/growinggreener) and GLCs will include an OM&R Plan identifying maintenance tasks and responsible parties ensuring that the conservation practice/BMP is properly maintained throughout the lifespan of the practice.

If the landowner is known at the time of application, the applicant must provide a Landowner Letter of Commitment (DEP document # 1010-FM-GC0001m for non-AMD projects; DEP document # 1010-FM-GC0001n for AMD projects; dep.pa.gov/growinggreener) or an executed LGA (DEP document # 1010-FM-GC0076; dep.pa.gov/growinggreener) with the application. Once an award is made, the grantee must provide the executed LGA along with their signed grant documents if not included in the original application or indicate in the scope of work that an executed LGA will be provided prior to commencement of work.

If the landowner is not known at the time of application submittal, this should be identified by the applicant. If an award is made, the grantee must indicate in the scope of work that the LGA will be provided prior to commencement of work.

Work on lands owned by the Pennsylvania Department of Conservation and Natural Resources (DCNR) will require an activities agreement (AA); the AA serves in lieu of a LGA and must be submitted in accordance with LGA submittal requirements described above.

13. Projects on State-Owned Lands

If the project is located on land owned or controlled by the Commonwealth of Pennsylvania (e.g., Bureau of Forestry, Bureau of State Parks, Pennsylvania Game Commission, Pennsylvania Fish and Boat Commission), the appropriate agency must be contacted for landowner consent and submit a Landowner Letter of Commitment Landowner Letter of Commitment (DEP document # 1010-FM-GC0001m for non-AMD projects; DEP document # 1010-FM-GC0001n for AMD projects; dep.pa.gov/growinggreener) with the application.

DCNR Bureau of Forestry: Ryan Szuch – rszuch@pa.gov

DCNR Bureau of State Parks: Rachel Reese – rareese@pa.gov

Pennsylvania Game Commission: Mike DiMatteo – mdimatteo@pa.gov

Pennsylvania Fish and Boat Commission: Bernie Kiesnoski – bkiesnoski@pa.gov

14. Sustainable Forestry

The Environmental Stewardship and Watershed Protection Act requires that no monies shall be used for any purpose that directly or indirectly precludes access to or use of any forested land for the practice of sustainable forestry and commercial production of timber or other forest products.

15. Land Use Planning

Grant applications are evaluated for consistency with the DEP Policy for Consideration of Comprehensive Plans and Zoning Ordinances in DEP Review of Grants and Funding for Facilities and Infrastructure (DEP document # 012-0200-002; www.dep.pa.gov/Citizens/GrantsLoansRebates/Growing-Greener/Pages/Act-67--68.aspx) under Acts 67 and 68 of 2000. Grant applicants must complete and submit the appropriate form or letter(s) as identified in the Land Use Policy for projects involving Design and/or Construction, Technical Assistance or Developing a Watershed Plan (DEP document # 012-0200-004; www.dep.pa.gov/Citizens/GrantsLoansRebates/Growing-Greener/Pages/Act-67--68.aspx).

The Land Use Planning Form (DEP document #1000-FM-OA0081; dep.pa.gov/growinggreener) and Multi-Municipal Planning Form (DEP document #012-0200-004; dep.pa.gov/growinggreener) are available at dep.pa.gov/growinggreener. Questions concerning project consistency with local land use regulations should be directed to the relevant county planning agency.

16. Commonwealth Investment Criteria

The Commonwealth has established criteria to promote sustainable development. Additional consideration will be given to projects that address the Commonwealth Investment Criteria (files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/lib/pubpartcenter/KeystonePrinciplesandCriteria.pdf). Choose the “Yes” box and complete the table if the project will:

INCREASE JOB OPPORTUNITIES. Retain and attract a diverse, educated workforce through the quality of economic opportunity and quality of life offered in Pennsylvania's varied communities. Integrate educational and job training opportunities for workers of all ages with the workforce needs of businesses. Invest in businesses that offer good paying, high quality jobs that are located near existing or planned water and sewer infrastructure, housing, existing workforce and transportation access (highway or transit).

FOSTER SUSTAINABLE BUSINESSES. Strengthen natural resource-based businesses that use sustainable practices in energy production and use, agriculture, forestry, fisheries, recreation and tourism. Increase our supply of renewable energy. Reduce consumption of water, energy and materials to reduce foreign energy dependence will lead by example: support conservation strategies, clean power and innovative industries. Construct and promote green buildings and infrastructure that use land, energy, water and materials efficiently. Support economic development that increases or replenishes knowledge-based employment or builds on existing industry clusters.

Provide the number of anticipated new jobs created and the number of anticipated jobs that will be retained from the project in the appropriate box, if applicable.

17. Environmental Justice

A list of Environmental Justice (EJ) areas, can be found at www.dep.pa.gov/PublicParticipation/OfficeofEnvironmentalJustice, click on "PA Environmental Justice Areas".

18. Act 47 Financially Distressed Municipality Act

A list of financially distressed municipalities can be found at [Act 47 Financial Distress - PA Department of Community & Economic Development](#).

19. AMDTreat Output (AMD projects only)

A printed report from AMDTreat must be included in the proposed scope of work. The AMDTreat software is available to the public on the Office of Surface Mining website at amd.osmre.gov.

For AMD Remediation Projects, the Western Pennsylvania Coalition for Abandoned Mine Reclamation (WPCAMR) or the Eastern Pennsylvania Coalition for Abandoned Mine Reclamation (EPCAMR) may be contacted for technical guidance. Coalition contacts are: WPCAMR, Andy McAllister at andy@wpcamr.org; EPCAMR, Robert Hughes at rhughes@epcamr.org.

20. Online Submittal

Within the Commonwealth eGrants system, complete the online application. Upload the Detailed Project Description with the Checklist for Application Completeness, Task and Deliverable Budget Worksheet with whole numbers only (Excel), project location or site maps and aerial or site photos. Additional uploads, depending on project, may include: AMDTreat output report, Chesapeake Bay Countywide Action Plan Project Category form, Landowner Access Authorization form, Letters of Commitment or Support, Landowner-Grantee Agreement form, Land Use Planning form or Landowner Consent to Right of Entry for Study and Design of Mine Reclamation (construction and maintenance).

Grant Proposal Requirements

Detailed Project Description

The following outline must be used for all applications to prepare a detailed project description of no more than 10 pages in length. The project description must be easy to understand, concise and complete with information included for each of the following components. As appropriate, include other specific project type requirements with the Proposed Scope of Work as listed beginning on page 5 of this guide. Include a “Not Applicable” statement for appropriate sections.

- 1. Executive Project Summary**—Briefly summarize the proposed project.
- 2. Environmental Need**—Describe in concise detail how the project will address or support the following in relation to improving water quality or remediating environmental degradation:
 - a. Improvement of water quality.
 - Identify sources and causes of impairment, if applicable, based on the latest DEP Integrated Report.
 - Listed on the 303(d) list of impaired waters, if applicable.
 - TMDLs, if applicable.
 - b. Restoration or protection of designated uses of water, according to water quality standards in 25 Pa. Code Chapter 93 (www.dep.pa.gov, Search: Designated Uses).
 - c. Pollutant load reductions.
 - Describe how the current baseline conditions and any changes will be quantified.
 - d. Improvement or protection of riparian corridors.
 - e. Existing watershed restoration and/or protection plans or other community or regional efforts, such as Watershed Implementation Plans or Countywide Action Plans
- 3. Justification of Funding**—Explain why the project should be funded, including information that:
 - a. Supports Pennsylvania Nonpoint Source Management Plan (2019 update) (DEP document #3700-BK-DEP4490; www.dep.pa.gov/Business/Water/PlanningConservation/NonpointSource/Pages/default.aspx) and local watershed initiatives.
 - b. Implements any TMDL or alternative restoration plans.
 - c. Designs and permits BMP implementation projects as part of the Chesapeake Bay Phase 3 WIP Countywide Action Plans.
 - d. Addresses priorities, as listed beginning on page 5 of this guide.
 - e. Describes coordination efforts with partners, such as municipalities and/or watershed organizations.
 - f. Continues success of past projects.
 - g. Describes previous work performance with Growing Greener grants.

- 4. Environmental Justice**—Will the project be implemented in an EJ Area or benefit a community located in an EJ Area? If so:
- Describe the community and how the project will beneficially impact the environmental and/or public health of an underserved community.
 - Describe your organization’s history of community involvement where the grant will be implemented.
 - Describe how the grant would facilitate working with an underserved population and/or organization to address local environmental and/or public health issues.

5. Match

Briefly describe each source of match (i.e., cash or in-kind services) provided by the individual, staff or contractor; these amounts must be itemized and listed on the Excel Task and Deliverable Budget Worksheet (dep.pa.gov/growinggreener). Describe the task to be performed and/or the item provided. Documentation of match should be provided in the form of a letter from each source or, if not available, an explanation of why this documentation is not available.

For Growing Greener and AMD Set-Aside projects, a 15% match of the grant request is required. Eligible match contributions will be permitted for up to three years prior to the grant submittal deadline date through the life of the grant agreement as long as the eligible match expenditures are directly related to the project. Only cash and in-kind match funds already committed and reserved for the project can be included within the budget and deliverables worksheet. All applied for match dollars yet to be confirmed by the provider may be described in the project description section including an indication of their status for approval, understanding that these uncommitted match funds may not be authorized for inclusion when calculating the 15% match obligation. If the project is relying on applied for match funds to meet the 15% match obligation, indicate this in the budget summary section of the task and deliverables worksheet and provide documentation and justification in the application package.

Match contributions cannot include other DEP funding sources or DEP in-kind services, including laboratory analysis. If a grant is awarded, any match identified as “Applied For” in the application must be secured and a letter of commitment must be provided when the grant agreement is developed. A grant agreement will not be executed for projects with “Applied For” match or for projects where match cannot be appropriately documented at the time of grant agreement development, except when approved by the Grants Center.

6. Proposed Scope of Work

The narrative should address the items within each project type. Applicants need to:

- State the goal or purpose of project, along with the source(s) and cause(s) of impairment according to the 303(d) list; baseline loadings, including how they were derived; how the improvement will be monitored; and the loadings at the project’s conclusion to determine success.
- List the project’s expected environmental results. The scope of work must discuss how improvement will be measured (e.g., nitrogen load reduced, pH change expected, feet of impaired streambank restored, sediment load reduced).
- Describe the project deliverables. The deliverables should directly correspond to the activities on the Task and Deliverables Budget Worksheet (DEP document # 1010-FM-GC0001e; dep.pa.gov/growinggreener).
- Include the type and amount of the various practices or activities planned to be implemented under the project.

- Describe the landowner’s interest in the project, complete DEP’s Landowner Letter of Commitment (DEP document # 1010-FM-GC0001m for non-AMD, 1010-FM-GC0001n for AMD; dep.pa.gov/growinggreener) or Landowner-Grantee Agreement (DEP document # 1010-FM-GC0076; dep.pa.gov/growinggreener) and submit it with the application materials.
- Describe any special approvals or permits needed to complete the project.
- Describe any long-term operation and maintenance activities to be carried out and funded.
- Provide an implementation schedule timeline for all significant tasks under the project, including a list of all parties involved with completing tasks.
- Identify contractor involvement, contracting procedures and construction inspection provisions. Describe the process that will be used for selecting contractors.
- Describe data that are expected to be collected during the project’s implementation and how that data will be provided to DEP. Any GIS data or electronic databases produced from the grant must be identified and provided to DEP without restrictions by the conclusion of the project. Data collected in accordance with DEP standards outlined in the “Existing and Readily Available Information” document found on the DEP website at (www.dep.pa.gov/Business/Water/CleanWater/WaterQuality/IntegratedWatersReport/Pages/Existing-and-Readily-Available-Data.aspx) is preferred.
- Include AMDTreat output, if applicable.
- Describe, if applicable, how the project will result in increased job opportunities and how the project will foster sustainable businesses as described in the Commonwealth Investment Criteria.
- Describe, if applicable, how the project will have a direct or indirect impact on an environmental justice community.
- Describe how property or equipment acquired with the grant will be disposed of or converted for continued use by the grantee.
- Include a disclosure of any potential conflicts of interest relating to personal financial gains from the proposed project’s implementation.
- Include photos of the existing conditions at the site(s). Additionally, include photos showing examples of similar improvement or remediation techniques to those being proposed.
- Provide a detailed plan that identifies the operational, maintenance and repair/replacement needs, responsible parties and established financial resources to the DEP project advisor before any reimbursable work is begun for all projects. Long-term project repair/replacement must also be addressed in the OM&R plan, including responsible parties, anticipated cost and an estimated schedule for when repair and replacement is expected.
- BMP verifications and reporting must be made to DEP once every five years or as stipulated in contract documents to satisfy federally approved verification and reporting protocols for specified BMPs constructed in the Chesapeake Bay watershed. This verification and reporting requirement begins with the completion of the project and will be expected of grantees to ensure project integrity throughout its expected lifespan.

7. Contractor Provisions

Preference will be given to projects that use a competitive selection process, such as requests for proposals (RFP) and/or competitive bidding. The applicant will select the process, but the intent is to encourage the most cost-effective and efficient use of funding without mandating unnecessary

requirements. Contractor involvement, contracting procedures and construction inspection provisions should be identified. Applicants choosing not to use a competitive selection process must provide adequate justification in the project description.

DEP encourages grant applicants and recipients to solicit and use small, diverse businesses as prime contractors and encourages all prime contractors to make a significant commitment to use small, diverse businesses as subcontractors and suppliers. For more information about the Pennsylvania Department of General Services' Bureau of Diversity, Inclusion and Small Business Opportunities, visit www.dgs.pa.gov or email GS-BDISBO@pa.gov.

8. Project Data Submission

Grantees are required to submit data, information and applicable project deliverables. All submittals must be done in accordance with DEP's *Guidance for Data Management*, which can be viewed at www.dep.pa.gov, Search: Growing Greener, click on "Help for Grant Recipients".

9. AMD Remediation Projects

For AMD remediation projects, the Western Pennsylvania Coalition for Abandoned Mine Reclamation (WPCAMR) or the Eastern Pennsylvania Coalition for Abandoned Mine Reclamation (EPCAMR) may be contacted for technical guidance. Coalition contacts are: WPCAMR, Andy McAllister at andy@wpcamr.org; EPCAMR, Robert Hughes at rhughes@epcamr.org.

10. Equipment Disposition

All equipment purchases revert to the Commonwealth unless a written request for conversion is received and approved prior to approval of the final report.

Additional Attachments

One of the following forms may be required as an attachment to the application.

Landowner Authorization

Landowner Access Authorization (DEP document # 1010-FM-GC0001o; dep.pa.gov/growinggreener) (required if the project involves only monitoring) – The applicant or sponsor organization shall obtain landowner authorization to access the property to perform the monitoring. This is the only signed form allowed; no substitutions are permitted.

Landowner Letter of Commitment (DEP document # 1010-FM-GC0001m; dep.pa.gov/growinggreener) (required if the project involves design and/or installation/replacement of a conservation practice/BMP) – A signed letter of commitment from the landowner(s) must be included in the application. If the project is located on land owned or controlled by the Commonwealth, contact the appropriate Commonwealth representative. This is the only signed form allowed; no substitutions are permitted.

Landowner Letter of Commitment (SMCRA) (DEP document # 1010-FM-GC0001n; dep.pa.gov/growinggreener) (required if the project involves design and/or construction on a bond forfeiture site) – A signed letter of commitment from the landowner must be provided with the application. This is the only signed form allowed; no substitutions are permitted.

Photos and Maps

1. Project location map – A map showing the location of the project site relative to a nearby population center.
2. Project site map – A map(s) showing site level detail to include locations of proposed BMPs, receiving waters, existing civil and natural features and any other useful information.
3. Project site photo – Photo(s) of the existing site and aerial photo of site.

Confirmation of Application Sharing Within the Chesapeake Bay Watershed

Applicants proposing to implement BMPs to reduce nutrient and sediment loads in the Chesapeake Bay Watershed should send the proposed application to the appropriate point of contact (Countywide Action Team point of contact or the county conservation district watershed specialist in all other Chesapeake Bay counties) and request confirmation of receipt to include with the application. Please review the contact table on page 3. Items needed to confirm receipt include either a read receipt (if the application is sent via electronic mail) or a certified letter receipt (if the application is sent via mail).

Award Requirements

If Your Project Is Funded....

- A formal grant agreement will be developed by the DEP Grants Center that includes a scope of work, budget and terms and conditions.
- The period of performance for the grant award will commence with the date of the official announcement of the grant awards. The project must be completed within 3 years from the contract execution date.
- Reimbursement will only be for actual project costs authorized in the budget and scope of work and incurred within the grant period of performance.
- An application for reimbursement package must be submitted quarterly. This package will consist of an Application for Reimbursement (AFR), an Application for Reimbursement Supplemental Sheet (AFR-Supplemental), and a Work Progress Report (WPR) outlining the progress made throughout the quarter. The AFR package is required quarterly based upon the schedule below or more frequently if authorized by DEP. Even if no work was completed in the quarter, a WPR must be submitted. Failure to submit timely and complete reports and reimbursement requests may result in decreased competitiveness. The report submission schedule is as follows:

Quarter	Reporting Period	Submission Deadline (on or about)
1	January – March	April 15
2	April – June	July 15
3	July - September	October 15
4	October - December	January 15

- BMP verifications and reporting must be made to DEP once every five years or as stipulated in the contract documents to satisfy federally approved verification and reporting protocols for specified BMPs constructed in the Chesapeake Bay watershed. The verification and reporting requirement will begin with the project’s completion and will be expected of grantees to ensure project integrity through its expected lifespan.
- Any nutrient reduction credits realized from the Commonwealth-funded portion of the project and recognized by DEP are the property of the Commonwealth, which maintains full ownership thereof. The grantee recognizes and releases all rights, claims, title or ownership to the nutrient reduction credits that are generated by the Commonwealth-funded portion of the work specified in the grant agreement, for the time period covered by the GLCs or the LGA as applicable.
- Any aquatic resource compensation credits, including but not limited to wetland, waterway, aquatic habitat, floodplain or riparian credits, realized from the Commonwealth-funded portion of the project, and recognized by DEP, are the property of the Commonwealth, which maintains full ownership thereof. The grantee recognizes and releases all rights, claims, title or ownership to the aquatic resource compensation credits, in perpetuity, that are generated by the Commonwealth-funded portion of the work specified in the grant agreement.
- Any GIS data or electronic databases produced by the grant must be provided to DEP without restrictions in accordance with DEP’s *Guidance for Data Management*.
- Lab analysis done under the grant must be provided by a state-certified lab.

- For any construction of AMD passive treatment systems, grantees will be required to include with the final report one digital copy of the AMDTreat form, the OM&R Plan that includes the “As-Built” drawings and site schematics in PDF format along with any water quality information in Excel format.

Applicants or sponsors chosen for funding under the grant programs will be required to execute a formal grant agreement with DEP. The agreement will include a detailed scope of work, project schedule, budget and other requirements.

Right-to-Know

DEP’s amended *Public Access to Information and Right-to-Know Law Policy* (DEP document # 012-0200-005; www.dep.pa.gov/Citizens/PublicRecords/RightToKnowLaw/Pages/default.aspx) clarifies the existing records management procedures of DEP to fulfill obligations under the Pennsylvania Right-to-Know Law as amended by Act 3 of 2008. The policy informs the public how to obtain DEP records. The policy can be viewed at www.dep.pa.gov, Search: Public Records and click on “Right-to-Know Law”.

Data Management

Any GIS data or electronic databases produced as result of the grant must be provided to DEP without restrictions. Grantees also are required to submit data, information and document deliverables in a format consistent with DEP’s established funding program guidelines to support the tracking of program accomplishments. All submittals must be done in accordance with DEP’s *Guidance for Data Management*, which can be viewed at www.dep.pa.gov/growinggreener, click on “Help for Grant Recipients”.

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PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION CONTACT INFORMATION

DEP Regional Watershed Managers

Northwest Regional Office
230 Chestnut St.
Meadville, PA 16335-3481
814-332-6894
rlbrook@pa.gov

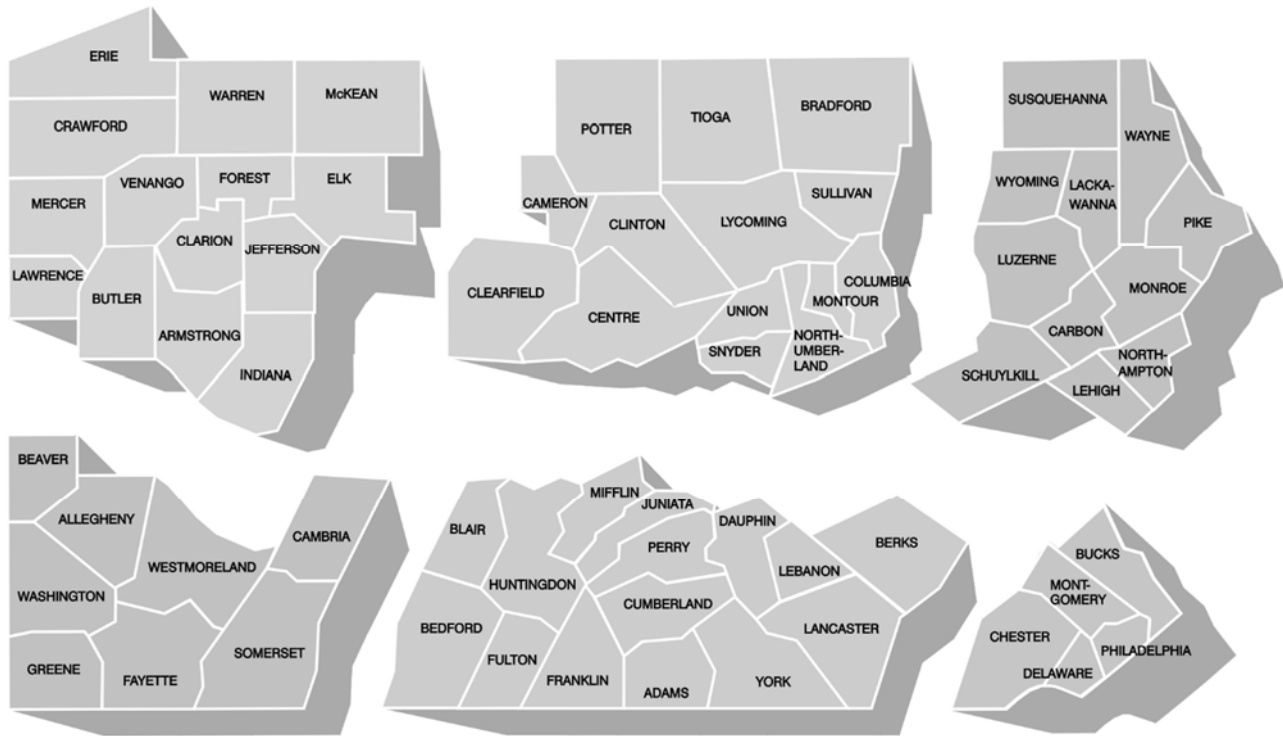
Environmental Group
Manager
Ron Lybrook

Northcentral Regional Office
208 W. Third St., Suite 101
Williamsport, PA 17701-6448
570-327-3593
jfellow@pa.gov

Watershed Manager
Jason Fellon

Northeast Regional Office
2 Public Square
Wilkes-Barre, PA 18701-1915
570-826-2509
shkleiner@pa.gov

Watershed Manager
Shane Kleiner



Southwest Regional Office
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412-442-4338
wbrogan@pa.gov

Watershed Manager
Will Brogan

Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200
717-705-4799
dagates@pa.gov

Environmental Group
Manager
David Gates

Southeast Regional Office
Two East Main Street
Norristown, PA 19401
484-250-5822
daburke@pa.gov

Watershed Manager
David Burke

DEP Mining Staff

District Mining Offices

Pottsville District Mining Office (Contact, Dan Koury)

5 W. Laurel Blvd.
Pottsville, PA 17901-2522
570-621-3466
570-640-8879 (cell)
dkoury@pa.gov

Counties Served: Berks, Bucks, Carbon, Chester, Columbia, Dauphin, Delaware, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Montour, Northampton, Northumberland, Pike, Philadelphia, Schuylkill, Susquehanna, Wayne, Wyoming and York

Moshannon District Mining Office (Contact, Aaron Pontzer)

186 Enterprise Drive
Phillipsburg, PA 16866
814-342-8200
814-923-9502 (cell)
apontzer@pa.gov

Counties Served: Bradford, Cameron, Centre, Clearfield, Clinton, Lycoming, Potter, Snyder, Sullivan, Tioga and Union,

Knox District Mining Office (Contact, Christopher Yeakle)

White Memorial Building, P.O. Box 669
Knox, PA 16232-0669
814-787-0842
814-211-7034 (cell)
cyeakle@pa.gov

Counties Served: Beaver, Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren

Cambria District Mining Office (Contact, DJ Chverchko)

286 Industrial Park Road
Ebensburg, PA 15931-4119
814-472-1890
814-242-6581 (cell)
dchverchko@pa.gov

Counties Served: Adams, Bedford, Blair, Cambria, Cumberland, Franklin, Fulton, Huntingdon, Indiana Juniata, Mifflin, Perry, and Somerset

New Stanton District Mining Office (Contact, Jeff Parr)

131 Broadview Road
New Stanton, PA 15672
724-925-5542
jeparr@pa.gov

Counties Served: Allegheny, Armstrong, Fayette, Greene, Washington and Westmoreland

Bureau of Abandoned Mine Reclamation

Wilkes-Barre District Office (Contact, Kim Snyder)

2 Public Square
Wilkes-Barre, PA 18701-1915
570-830-3176
kisnyder@pa.gov

Counties Served: All anthracite counties

Cambria District Office (Contact, Dean Baker)

286 Industrial Park Road
Ebensburg, PA 15931-4119
814-472-1821
deabaker@pa.gov

Counties Served: All bituminous counties

Bureau of Abandoned Mine Reclamation – AMD Set-Aside Grants

Anthracite Region (Contact, Todd Wood)

2 Public Square
Wilkes-Barre, PA 18701-1915
570-830-3171
twood@pa.gov

Bituminous Region (Contact, Jon Smoyer)

286 Industrial Park Road
Ebensburg, PA 15931-4119
josmoyer@pa.gov

DEP Central Office

Statewide Projects
(Contact, Scott Carney)
 DEP Chesapeake Bay Office
ra-epgrowinggreener@pa.gov

**Pennsylvania Chesapeake Bay Phase 3 Watershed Implementation Plan Countywide
 Action Plan / Community Clean Water Coordinator Contacts**

Ricky Whitmore	717-334-0636 X3053	rwhitmore@adamscounty.us	Adams
Mike LaSala	717-627-4440	mike@landstudies.com	Bedford Chester Schuylkill
Erin Letavic	717-564-1121	eletavic@hrq-inc.com	Centre Cumberland Blair Huntingdon Fulton Dauphin Perry Juniata Mifflin Cambria
Caitlin Lucas	814-410-5870	clucas@franklinccd.org	Franklin
Allyson Gibson	717-368-4831	agibson@LancasterCleanWaterPartners.com	Lancaster
Mary Kate Gallagher	717-277-5275 X150	Marykate.gallagher@lccd.org	Lebanon
Rachel Stahlman	717-771-9870 X1763	rstahlman@ycpc.org	York
Joshua Glace	570-374-5700 X4011	jglace@larsondesigngroup.com	Lackawanna Luzerne Susquehanna Tioga Potter Bradford
Eve Adrian	570-329-4761	eadrian@lyco.org	Lycoming
Matthew Vanaskie	272-230-7496	mvanaskie@hrq-inc.com	Northumberland
Josh Satteson	570-524-6744	jsatteson@hrq-inc.com	Snyder Union
Sean Levan	570-271-1140	slevan@ptd.net	Montour
Nancy Corbin	570-317-9477	Nancy.corbin@columbiaccd.org	Columbia
Carrie Richmond	570-928-7057	chrichmond@sullivancounty-pa.us	Sullivan
Denny Puko	412-526-0941	dennypuko@dpukoplanning.com	Clinton
Willi Null	814-765-2629	wnullccd@atlanticbnn.net	Clearfield
Dean Druckenmiller	610-372-4657	Dean.druckenmiller@berksccd.com	Berks

Appendix A
Growing Greener Plus Grants Program
Application Form Examples

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Chesapeake Bay Countywide Action Plan Project Category Form

County Name: Clear County

Project Title: Davis Farm Agricultural BMPs Design and Permitting

Acknowledgement that the above listed project is not eligible for CAP Implementation Grant. Examples of eligible projects for Growing Greener include, but are not limited to: AMD treatment, operation, maintenance and repair/replacement, technical assistance, evaluation, assessment and monitoring tools, watershed group organization/support, education and outreach, or design and permitting.

Community Clean Water Coordinator Name (typed): Amy Powell

Community Clean Water Coordinator Name (signed): *Amy Powell*

Date: May 12, 2021

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LANDOWNER LETTER OF COMMITMENT

I, Deborah Reyes (property owner) do hereby authorize and agree to permit Clear County Conservation District (Applicant) to enter my property, with the intent to design and/or install/replace Conservation Practices/Best Management Practices (CP/BMPs) on my property for the purpose of improving water quality on Little Anders Creek (specific waterway).

I understand that if an Environmental Stewardship and Watershed Protection (Growing Greener or Section 319) grant award is made by DEP, I will be required to execute a Landowner–Grantee Agreement with an Operation and Maintenance Plan. This Agreement will identify specific maintenance tasks and the parties that will be responsible to perform those tasks to ensure that the CP/BMP is properly maintained.

Deborah Reyes
Property Owner Signature

Kelly Smith
Applicant Signature

Deborah Reyes
Property Owner Name (Printed)

Kelly Smith
Applicant Signature (Printed)

May 12, 2021
Date

May 12, 2021
Date

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LANDOWNER LETTER OF COMMITMENT (SMCRA)

I, Deborah Reyes (property owner)
do hereby authorize and agree to permit Clear County Conservation District (Applicant) to enter
my property, with the intent to design and/or install Conservation Practices/Best
Management Practices (CP/BMPs) on my property for the purpose of improving water quality on
Little Anders Creek (specific waterway).

I understand that if a Surface Mine Conservation and Reclamation Act award is made by DEP, I will
be required to execute a Consent to Right of Entry Agreement.

Deborah Reyes
Property Owner Signature

Kelly Smith
Applicant Signature

Deborah Reyes
Property Owner Name (Printed)

Kelly Smith
Applicant Signature (Printed)

May 12, 2021
Date

May 12, 2021
Date

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GROWING GREENER PLUS GRANT APPLICATION

Application Completeness Checklist

(Complete and submit as the last page of your application package.)

Short Title:

Korb 4 AMD Discharge Design and Treatment (design, permitting and construction)

Applicant/Sponsor:

Clear County Conservation District

APPLICATION

Check the appropriate box. Check the N/A Box if "Not Applicable".

Those designated with an asterisk (*) are required with all applications.

	Included	N/A	
1.	<input checked="" type="checkbox"/>		Detailed Project Description.*
2.	<input checked="" type="checkbox"/>		Project Location Map in proper format (PDF).
3.	<input checked="" type="checkbox"/>		Project Site Map in proper format (PDF).
4.	<input checked="" type="checkbox"/>		Project aerial photo in proper format (PDF).
5.	<input checked="" type="checkbox"/>		Completed Task and Deliverable Budget Worksheet (Excel) for each deliverable using only whole numbers.*
6.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Copy of the AMD Treat report (AMD projects only).
7.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Signed Landowner Access Authorization Form (DEP document #1010-FM-GC0001o) (for monitoring projects only) Not required for SMCRA grants (Bond Forfeiture).
8.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Signed Letter of Commitment (DEP document #1010-FM-GC0001m for non-AMD or DEP document #1010-FM-GC0001n for AMD) or Landowner – Grantee Agreement (DEP document #1010-FM-GC0076) from landowner(s) (for design/construction or O,M&R projects only).
9.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Confirmation of Application Sharing within the Chesapeake Bay Watershed (email or certified mail receipt) and Chesapeake Bay Countywide Action Plan Project Category form.
10.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use (for design/construction, technical assistance, watershed management plans projects only). A. Planning Form or approval letter. B. Multi-Municipal Planning Form; letters from municipalities or appropriate planning offices.

The following are optional items that you may want to include with your application:

- | | | | |
|-----|-------------------------------------|-------------------------------------|---|
| 11. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Current Letters of Commitment from project partners for identified match. |
| 12. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Consent of Landowner to Right of Entry for Study and Design of Mine Reclamation Project or a Consent to Right of Entry for Design and Study and for Construction, Operation and Maintenance of Mine Drainage Treatment Facility. (SMCRA Bond Forfeiture projects only). |

Application information must be uploaded & submitted no later than 5 p.m. on June 25, 2021. Late submissions will not be considered. All submissions must be made through eGrants. Any additional materials submitted after the submission deadline will not be accepted. Hand-delivered, faxed, emailed or incomplete applications will not be accepted.

Applications submitted by ineligible applicants or ineligible sponsors (in the event a sponsor is identified) will not be considered.

Applications failing to demonstrate the required amount of match will not be considered.

Reminder: Applicants are encouraged to submit an additional copy of the application to the county conservation district where the project is located. Submittal method acceptable by the county conservation district is at the discretion of each individual county conservation district.

Document Number _____



LANDOWNER – GRANTEE AGREEMENT

This Agreement, made this May 12, 2021
(Date)

by Deborah Reyes

(Landowner(s))

residing at 123 Main Street telephone # (814) 724-1234

Hometown, PA 12345
(city) (ZIP)

and Clear County Conservation District _____
(Grantee)

Project description: The goal of this project is to design and construct a passive treatment system utilizing vertical flow ponds to remove the AMD pollution created by the Korb 4 discharge under 90th percentile loading conditions.

The Project is located at: 10 Orange Creek Road, Hometown, PA 12345

Latitude: 41.027 Longitude: -78.653

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 participate in the Pennsylvania Department of Environmental Protection (“PA DEP”) Grant Program and 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. A map of the Project site, including adjacent streams and roads, is attached hereto as Exhibit A (“Premises”).
 - 1. Landowner agrees that the PA DEP and/or Grantee, its employees, agents and contractors shall have the right to enter upon the Premises to perform the work described in “Attachment D, Scope of Work” of the DEP Grant Agreement. 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 Conservation Practices/Best Management Practices ("CP/BMPs") needed to correct the problems identified in "Attachment D, Scope of Work" of the DEP Grant Agreement shall be performed according to the *(Check all that apply)*:
 - a) The NRCS Pennsylvania Field Office Technical Guide,
 - b) The Guidelines for Natural Stream Channel Design in Pennsylvania,
 - c) The USDA NRCS National Engineering Handbook,
 - d) A Handbook for Constructed Wetlands, Volume 4, Coalmine Drainage,
 - e) The Stormwater Best Management Practices Manual,
 - f) Plans developed by or certified by a Registered Professional Engineer and approved by PA DEP,
 - g) Manure Management or Nutrient Management plan developed for the operation.
4. The CP/BMPs shall be maintained pursuant to Section 2, Paragraph C of this Agreement.
5. The Landowner Grantee shall be responsible for adherence to the standards set forth in Section 2, Paragraph C 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 CP/BMPs, 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. Any marketable credits toward nutrient effluent limits (nutrient reduction credits) that may be realized on account of the Commonwealth funded portion of this Project and recognized by the DEP, are the property of the Commonwealth of PA, which maintains full ownership thereof. The Landowner and Grantee recognize and release all rights, claims, title or ownership to the nutrient reduction credits that are generated as a result of the Commonwealth funded portion of the work specified in this Agreement, for the time period covered by this Agreement.
8. Any aquatic resource compensation credits, including but not limited to wetland, waterway, aquatic habitat, floodplain or riparian credits, realized from the Commonwealth funded portion of the project, and recognized by the Pennsylvania Department of Environmental Protection, are the property of the Commonwealth of Pennsylvania, which maintains full ownership thereof. The Landowner and Grantee recognize and release all rights, claims, title or ownership to the aquatic resource compensation credits, in perpetuity, that are generated as a result of the Commonwealth funded portion of the work specified in this Agreement.
9. Landowner agrees to refund all or a portion of the value of the CP/BMPs installed, as determined by the Grantee and DEP, if before the expiration of the term of this Agreement, the Landowner (a) destroys, alters or modifies the CP/BMPs installed, or (b) voluntarily relinquishes control or title to the land on which the CP/BMPs have been established, and the new landowner and/or operator of the land does not agree to maintain the CP/BMPs for the remainder of the term of this Agreement. If the new landowner agrees to assume Landowner's obligations and to maintain the CP/BMPs 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, successors, and assigns.
11. The term of this Agreement shall be for the duration of Project construction and a period of 20 years thereafter.

Section 2 – Additional Agreement Provisions

A. Tenant provision

“Landowner” is a Tenant under a _____	
(Term of Lease)	(Oral/Written)
Lease agreement effective _____, with _____	
(Date)	(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. Special Conditions (Site specific concerns)

None

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

Attached

Section 3 – Agreement Signatures

Deborah Reyes

(Landowner Signature)

May 12, 2021

(Date)

Deborah Reyes

(Landowner Name Please Print)

May 12, 2021

(Date)

(Landowner Signature)

(Date)

(Landowner Name Please Print)

(Date)

Kelly Smith

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

May 12, 2021

(Date)

Kelly Smith

(Grantee Representative Please Print)

May 12, 2021

(Date)

OPERATION, MAINTENANCE AND REPAIR PLAN

Proper operation and maintenance of Best Management Practices “(BMPs)” is critical for their success and longevity. The goal of this project is the establishment of AMD Treatment on Anders Creek for water quality improvement.

(List BMPs)

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

Intake/Weir		
Settling Pond (2)		
Wetland Treatment Cell (5)		

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

- 3) Allowed activities:

- Removing debris
- Regular flushing on schedule
- Inspection and monitoring site

Prohibited activities:

- Major repairs or replacement without consulting conservation district
-
-

- 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	Inspecting settling pond and wetland cells for debris
Maintenance required	Removing debris
Schedule	Weekly
Responsible Party	Landowner
Practice	
Maintenance required	
Schedule	
Responsible Party	
Practice	
Maintenance required	
Schedule	
Responsible Party	

SAMPLE