

2018 Request for Proposals for Producer Funding under the Ohio River Basin Water Quality Trading Pilot Project Agricultural Conservation Practices in Indiana

The Ohio River Basin (ORB) Water Quality Trading (WQT) Pilot Project is accepting proposals from producers in Indiana within the Ohio River Basin drainage to provide cost-share for agricultural conservation projects that reduce loading of Nitrogen and Phosphorous to waterways. Approximately \$100,000 of total funding is available under this notice.

If accepted, producers will sign agreements with their local Soil and Water Conservation Districts for the implementation of the conservation practices. Incentive payments (cost share dollars) are provided by the Electric Power Research Institute (EPRI), who is the program administrator. American Farmland Trust is a project partner with EPRI and will facilitate the application process, as detailed below. Additional details about the program can be found at <http://wqt.epri.com>.

- **Maximum Funding request per project: \$15,000**
- **Maximum cost-share percent: 75%**
- **Application Deadline: August 15, 2018**
- **Award Notifications: August 31, 2018**
- **SWCD-Landowner Contracts in Place: September 28, 2018**
- **Project Installation Deadline: October 1, 2019**
- **Project Contract Length: 5 years for seasonal practices (i.e. cover crops); 10 years for structural projects (i.e. HUAPs).**
- **Source of funding: Electric Power Research Institute**

This RFP Package includes the following sections:

1. Overview
2. Farm History Documentation for Baseline Eligibility
3. Questions and Answers for the SWCDs
4. Sample Contract for SWCD-Producer
5. Application
6. Checklist for Application Submittal

All Questions and Applications to:

Brian Brandt, Director
American Farmland Trust
5655 N. High St., Suite 203
Worthington, OH 43085
614-430-8130
bbrandt@farmland.org

State Contact Related to this RFP:

Tara Wesseler-Henry, District Support Specialist
Indiana State Dept. of Agriculture
2590 N. Park Rd.
Connersville, IN 47331-3040
765-745-0306
twesseler@isda.in.gov

1. Funding Details & Requirements

EPRI will be funding multiple conservation projects to generate nutrient credits in Indiana. Full Project applications should be submitted **no later than 5pm ET on August 15, 2018**. Incomplete applications submitted after 5pm ET on August 15 will not be considered. Early submissions are encouraged to resolve missing information prior to the deadline. SWCDs and producers will be notified of selected projects by August 31st.

Project Selection

EPRI will make final funding decisions and will be looking for the following elements:

- Nutrient reductions achieved per dollar of funding requested. Meaning, cost-effectiveness of the BMP at reducing nitrogen and phosphorous runoff. In generally, competitive project proposals result in less than \$4 of cost-share per pound of TN (Total Nitrogen). More competitive funding proposals will be lower dollars of EPRI funding per pound of TN. Some producers have increased the competitiveness of a request by reducing the cost-share request and increasing landowner investment. See details below on estimating pounds of TN from the project.
- Extent to which potential ancillary benefits are produced (species, carbon, air quality, etc).
- FULLY complete application package.
- Confidence that producer will follow terms of the contract.

Eligible Areas

All projects must be installed in Indiana and within the Ohio River Basin drainage. Figure 1 shows the watershed areas (HUC 4) of Indiana eligible for funding: Wabash, Great Miami, Little Ohio, Upper Ohio.

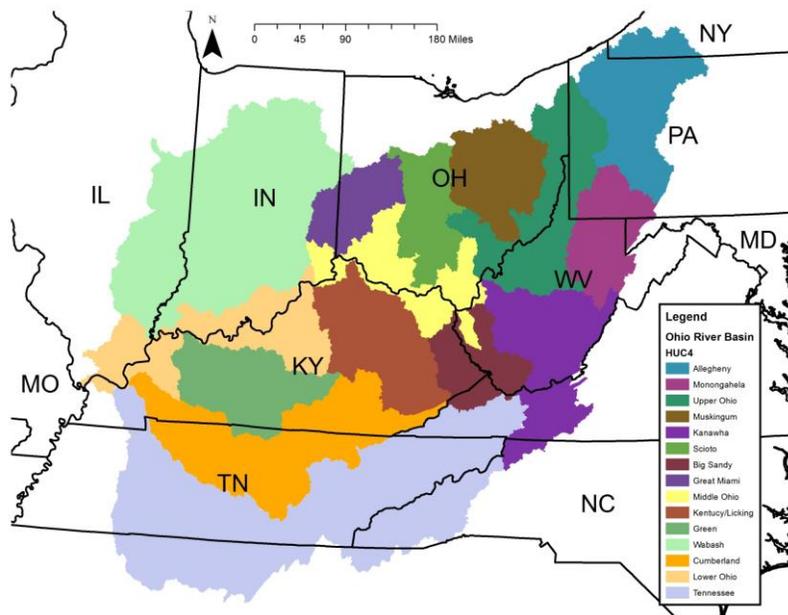


Figure Error! No text of specified style in document.. Watersheds in the Ohio River Basin.

Eligible BMPs

Pre-approved BMPs include: (1) cover crops, (2) nutrient management, (3) vegetative filter strips, (4) grass waterways, (5) livestock exclusion, (6) heavy use protection areas, and/or (7) conservation tillage. Other BMPs may be considered on a case-by-case basis. All implemented BMPs should be designed and installed using appropriate NRCS Practice Standards available through the appropriate Field Office Technical Guide. If a producer wants to modify existing NRCS standards or maintenance specifications (e.g. allowing possible haying or grazing of buffer strips), they need to include an explanation of those modifications as part of their application to the SWCD and State Agency.

Baseline Requirements

For a producer to receive funding, the farm must reduce its loading of TN or TP below current conditions (i.e., beyond what is currently being achieved with existing land uses and management practices) as of August 1, 2015 AND otherwise comply with presently-applicable legal requirements (Figure 2). If funded, agricultural producers will need to provide three years of farm practice history to document their current conditions. Federal, state, and local incentive payments (also referred to as “cost share” dollars) can be used to achieve current conditions; however, they cannot be used to generate nutrient credits and generally will make project applications less competitive.

The local SWCDs and the Division of Soil and Water Conservation within the Indiana State Department of Agriculture maintains up to date information about state laws. Within Indiana, the primary agency for environmental issues is the Department of Environmental Management (IDEM). All confined feeding operations require prior approval from IDEM and require manure management plans (which would constitute a baseline requirement for individual farms). Funding will only be provided for BMPs that go BEYOND what is required by local, state, or federal law AND which are beyond what would have otherwise already occurred.

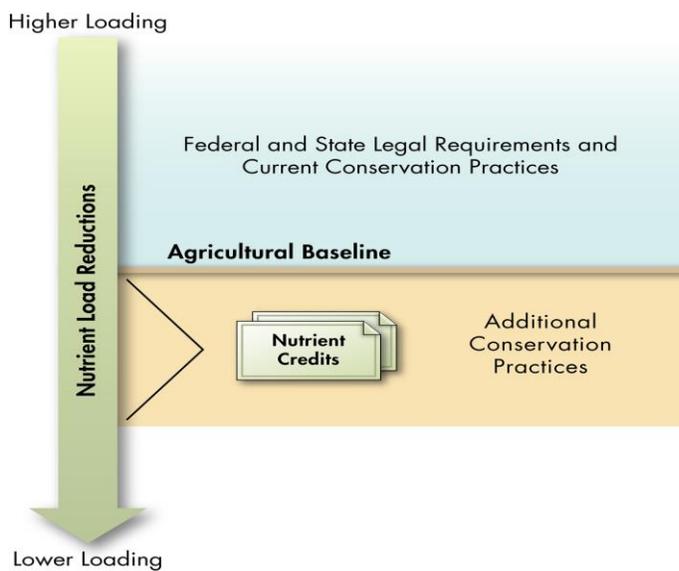


Figure 2: Baseline Eligibility Requirement

EQIP Eligibility

Applicants must be EQIP eligible (producers must not have exceeded their payment limitation, producers must not have exceeded the Adjusted Gross Income provision, and producers must be in compliance with the Highly Erodible Land and Wetlands Conservation Provision). However, they do not need to file paperwork with NRCS; simply complete the application package to certify that the producer is EQIP eligible.

Producer Payment Schedule

Payments will be provided when costs are incurred AND after the project installation has been verified.

Nutrient Reduction Estimates

The project is using the USDA endorsed Nutrient Tracking Tool (NTT) for estimating nutrient reductions (<http://ntt.tiaer.tarleton.edu/welcomes/new?locale=en>). The funding application does NOT require the landowner or SWCD to estimate nutrient reductions from the proposed project. However, if the SWCDs would like support to estimate load reductions, they can contact Brian Brandt at American Farmland Trust (AFT), contact information provided below.

Public Release of Information

Materials submitted to the state (e.g., application, farm practice history) may be subject to public requests for disclosure under a state's Freedom of Information Act or related disclosure laws.

Responsibilities

The Indiana State Department of Agriculture (ISDA), relevant SWCDs, and funded producers will have the following key responsibilities:

ISDA

- Participate in project application approval decisions with EPRI.
- Provide funding to SWCDs.
- Annually monitor, inspect, and verify the implemented BMPs.

Soil and Water Conservation District

- Review potential projects for eligibility, size, and value.
- Conduct outreach to producers and help them complete and submit the Application.
- After projects are accepted, collect the farm history data to submit to EPRI, if requested.
- Make payments to the producer.
- Provide technical service to producers to implement and maintain BMPs.
- SWCD reimbursement is set at 10% of the producer contract amount.

Producers

- Complete Application.
- If proposal is accepted, sign contract with SWCD and submit farm practice history records, if requested.
- Sign a contract with the relevant SWCD to maintain the practice for the contract period. Structural practices will require a 10-year contract; seasonal practices are based on annual contracts that will automatically renew up to 5 years. Reference EPRI sample contract below.
- Implement and maintain BMPs per contract.
- Allow ISDA verifiers to conduct annual monitoring, inspection and verification of BMPs.

Interactions with Media

SWCDs must obtain EPRI approval before scheduling any media events about this project.

All Questions and Applications to:

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Connersville, IN 47331-3040
765-745-0306
twesseler@isda.in.gov

2. Farm History Documentation for Baseline Eligibility

SWCD staff should review the farm history during the project proposal phase. Once the project has been accepted for funding, the relevant documentation listed below may be requested by EPRI and should be readily available. The information will be used to demonstrate eligibility for meeting minimum baseline requirements.

Farm History Documentation Requirements

Grass waterway

Preferred: Remote sensing, including aerial and satellite imagery at a level of resolution appropriate to see the absence of grass waterways in the area proposed 3 years prior to the project (in 2015, 2016 and/or 2017). Attach geo-referenced time-stamped aerial photograph with Tax Parcel Number and GPS coordinates and map of production area showing placement of grassed waterway.

Alternative/supplemental: Some farms may have an EQIP Conservation Activity Plan completed by a Technical Service Provider that identifies the need for grassed waterways based on on-site inspection and evaluation (e.g. Agricultural Energy Management, Landscape or Organic Transition; Drainage Water Management; etc.). The CAP may help document the previous presence/absence of grassed waterways.

Vegetative filter strips

Preferred: Remote sensing, including aerial and satellite imagery at a level of resolution appropriate to see the absence of a filter strip in the area proposed 3 years prior to the project (in 2015, 2016 and/or 2017). Attach geo-referenced time-stamped aerial photograph with Tax Parcel Number and GPS coordinates and map of production area showing placement of proposed filter strip.

Alternative/supplemental: Some farms may have an EQIP Conservation Activity Plan completed by a Technical Service Provider that identifies the need for vegetative filter strips based on on-site inspection and evaluation (e.g. Agricultural Energy Management, Landscape or Organic Transition; Drainage Water Management; etc.). The CAP may help document the previous presence/absence of vegetative filter strips.

Heavy Use Pads

Remote sensing, including aerial and satellite imagery at a level of resolution appropriate to see the absence of a heavy use pad in the area proposed 3 years prior to the project (in 2015, 2016 and/or 2017). Attach geo-referenced time-stamped aerial photograph with Tax Parcel Number and GPS coordinates and map of production area showing placement of proposed heavy use pad.

Alternative/supplemental: For farms with nutrient management plans or comprehensive nutrient management plans, the technical documents can be used to document the absence of a previous heavy use pad. NRCS or SWCD technical staff may also be able to make an on-site determination of previous history.

Conservation tillage

Preferred: Remote sensing, including aerial and satellite imagery at a level of resolution appropriate to see the absence of conservation tillage in the area proposed 3 years prior to the project (in 2015, 2016 and/or 2017). Best times for field verification is spring (April 1 to June 30) or fall, after harvest from October 1 to November 30. Examining the fields in the fall for old residue is more challenging than in the spring because the old residue is more decomposed than in the spring and is often buried under the current year's harvested residue. Field verification after snowfall is not desirable. Attach geo-referenced time-stamped aerial photograph with Tax Parcel Number and GPS coordinates and map of production area showing acres under new tillage practices.

Alternative/supplemental: Farm Service Agency maps plus FSA-578 Forms (crops and acreage data) provide information about crop sequences.

Livestock Exclusion

Preferred: Remote sensing, including aerial and satellite imagery at a level of resolution appropriate to see the absence of a fenced riparian zone (similar to a filter strip) in the area proposed 3 years prior to the project (in 2010, 2011 and/or 2012). Attach geo-referenced time-stamped aerial photograph with Tax Parcel Number and GPS coordinates and map of production area showing placement of proposed fencing.

Cover Crops

Preferred: Remote sensing, including aerial and satellite imagery at a level of resolution appropriate to see the absence of cover crops in the area proposed 3 years prior to the project (in 2015, 2016 and/or 2017). Remote sensing must be done between October - November or during March when the cover crop is actively growing. Attach geo-referenced time-stamped aerial photograph with Tax Parcel Number and GPS coordinates and map of production area showing placement of cover crop.

Alternative/supplemental: Some farms may have an EQIP Conservation Activity Plan completed by a Technical Service Provider that identifies the need for cover crops based on on-site inspection and evaluation (e.g. Agricultural Energy Management, Landscape or Organic Transition; Drainage Water Management; IPM CAPs, etc.). The CAP may help document the previous presence/absence of cover crops. In addition, SWCD staff will have records from farmers who have received cost-share funds from federal or state sources for cover crop implementation.

Nutrient management

Preferred: Farm management records and sales receipts (fertilizer purchase records) from August 2015 to present to confirm current activities. These are unlikely to be falsified or inaccurate because they are critical records used to manage farm operations. However, farmers' records can be crosschecked with records from synthetic and organic N fertilizer suppliers if additional scrutiny is desired. Demonstrating that the farm is following a comprehensive nutrient management plan or nutrient management plan to make these reductions provides additional assurance that fertilizer reductions will be accompanied by the appropriate placement, rate and timing adjustments.

Forested Riparian Buffer

Preferred: Remote sensing, including aerial and satellite imagery at a level of resolution appropriate to see the absence of riparian buffer in the area proposed 3 years prior to the project (in 2015, 2016 and/or 2017). Attach geo-referenced time-stamped aerial photograph with Tax Parcel Number and GPS coordinates and map of production area showing placement of riparian buffer.

Cropland converted to Pasture

Preferred: Remote sensing, including aerial and satellite imagery at a level of resolution appropriate to see the production of crops in the area proposed 3 years prior to the project (in 2015, 2016 and/or 2017). Attach geo-referenced time-stamped aerial photograph with Tax Parcel Number and GPS coordinates and map of production area showing acreage proposed for conversion.

Alternative/supplemental: Verify using FSA aerial maps and the associated FSA-578 form. Cropped acres or "croppable" acres will typically be assigned a field number on an FSA map and these acres, by crop type, will be recorded on the FSA 578 form. Permanent pasture typically will not be assigned a field number on an FSA map and the pasture acres will not be recorded on FSA-578 form.

3. Sample SWCD-Landowner Contract

SAMPLE AGREEMENT FOR EXAMPLE PURPOSES ONLY.

THIS IS NOT THE ACTUAL AGREEMENT. PROJECTS MUST BE SELECTED FOR FUNDING WITH OFFICAL NOTIFICATION OF AN AWARD FROM EPRI PRIOR TO CONTRACT EXECUTION.

Producer Agreement

[Seasonal / Structural] Practices

	Tract No.		Agreement No.	
Name of Producer				
Address				
City		Zip		
Phone				

Planned Practice(s) ¹	Estimated Payment By Year ²				
	2018	2019	2020	2021	2022
Actual payment					
Estimated Credits (N and/or P)					
Actual Credits (N and/or P)					

¹ Note: Attach additional pages clearly describing practice(s) and schedule of installation (if applicable).

Estimated cost of practice(s) \$ _____

Payment not to exceed \$ _____

Owner/Operator Responsibilities:

I (we), the undersigned owner(s)/operator(s), agree to participate in the Ohio River Basin Interstate Water Quality Trading Project by installing and maintaining the practice(s) indicated above.

All nutrient credits resulting from those reductions will inure to the benefit of the Electric Power Research Institute (EPRI) or EPRI's designee to use and apply as described in the Pilot Trading Plan, as amended and available at <http://wqt.epri.com>.

I (we) agree:

1. To maintain my (our) eligibility, baselines and minimum quality standards for the project.
2. To install the practice no later than October 1, 2019 and maintain the practice(s) indicated above through the term of this agreement.
3. To maintain all records generated under, or relevant to, this agreement and to make those records available for review by the SWCD and its designees.
4. To allow reasonable access at reasonable times by the SWCD, ISDA, or its designees to monitor, inspect and verify the practice(s) indicated above.
5. To take or cause to be taken, in consultation with the SWCD and ISDA, all appropriate precautions to prevent the failure of a practice, and to initiate immediate and appropriate corrective action upon discovery of a failure in any of the practice(s) indicated above.
6. To coordinate closely and in good faith with the SWCD and ISDA on the parties' shared goal of efficient, effective and, wherever possible, amicable resolution of any problems or disputes.
7. Payments will be conditioned on the on-site verification of the practice(s) indicated above.
8. Any failure in any of the practice(s) indicated above that is within the control of the landowner that continues unabated for more than 90 days, or is corrected and then recurs within a 12 month period, may result in cancellation of this agreement. In the event of cancellation, the SWCD shall have the right to recover the amounts paid hereunder (up to and including the full amount indicated above).
9. That EPRI and ISDA shall be third party beneficiaries under this agreement, with a direct right (but not obligation) of enforcement in the event of a threatened or actual gap, defect, or failure in any of the practice(s) indicated above.
10. That all items of cost upon which reimbursement is requested must be supported by receipts for payments made to vendors and/or a list of owner/operator time, equipment, and costs. All such supporting information must be verified by the SWCD as proper and reasonable.
11. That I (we) may not sell, convert or otherwise encumber the property in any manner that reasonably could (a) interfere with implementation, operation or maintenance of the practice(s) indicated above, or (b) impair my (our) ability to meet (or continue to meet) the eligibility criteria, baselines or minimum quality standards set forth in this agreement and associated funding notice.
12. That I (we) hereby agree that EPRI shall hold all right and title to any additional environmental credits, other than nutrient credits, including, but not limited to wetland, stream, or species

4. Questions and Answers

Questions and Answers

- Is there a cap on individual contracts?
 - Yes. The payment limit per producer contract is \$15,000.
- What will be the SWCD reimbursement?
 - Up to 10% of producer contract.
- Are structural designs required before project is approved and under contract?
 - No, they are not required until contract is in place.
- Is there a standard payment per practice?
 - No, we select projects based on the cost per pound of TN reduction, not on the practice type. Since efficiency of practices varies depending on farm location, soil types, slope, and other factors, we are not able to set a standard payment per practice.
- Is there a 24h notification requirement to do on-site monitoring of the BMP?
 - Yes. The sample producer contract provides for reasonable access with reasonable notice with a minimum of a 24 h notification.
- Is a conservation plan required for farmers to participate?
 - No, unless it is required by state law (baseline requirement).
- Are farmers required to be EQIP eligible?
 - Yes, however they do not need to submit any paperwork to their local NRCS office. All they need to do is complete the forms provided in this application package.
- What information do we collect to confirm that farmers are EQIP eligible?
 - The only information you need are the answers provided in the application form. No additional forms are needed.
- Do we need to fill out a NRCS CPA 52 form for the project (environmental evaluation worksheet required by NRCS)
 - No. A NRCS CPA 52 form is not needed.
- If a BMP fails or otherwise does not function, are landowners required to re-install the BMP or compensate EPRI for the failed practice?
 - Producers, in consultation with the SWCD, are expected to take all appropriate precautions to prevent the failure of a practice, and to initiate immediate and appropriate corrective action upon discovery of a failure.

- To what extent will personal information be publicly released in the project?
 - Since the State Agencies are involved in the application process, the applications, farm practice history and other application package documents may be subject to a Freedom of Information Act (FOIA) request.

- If the land owner just purchased the farm, they may have only a one year history on management practices. Will that be enough?
 - The state can use aerial layers they use for their GIS maps (2013, 2015 and 2017) and this may suffice in some cases. For seasonal practices, we've also provided some possibilities for alternative documentation.

- If the producer doesn't maintain the practice, are the SWCDs liable?
 - The producer will be subject to recovery of the funds provided. For structural practices, the State Agency reserves the right to collect the money paid to the farmer according to the contract terms. For seasonal practices paid on an annual basis, the SWCD can stop paying them. If there isn't another farmer available, the State Agency may move the funds to another district. The SWCD must immediately notify the State agency and EPRI of any discovery of failure in BMP.

5. Checklist for Application Submittal

INDIANA APPLICATIONS DEADLINE - AUGUST 15, 2018, 5pm ET

Qualification Criteria

- Applicants must be EQIP eligible (producers must confirm EQIP eligibility in the application form: Have not exceeded their \$300,000 payment limitation, have not exceeded the Adjusted Gross Income provision, and are in compliance with the Highly Erodible Land and Wetlands Conservation Provision).
- Documentation of farm practice history for baseline confirmation is available (August 1, 2015 to present)
- Application request is not to exceed \$15,000.
- Eligible projects will be located in the Ohio River Basin area.
- Practice proposed will reduce loading of TN or TP below current conditions, as defined by the farm's last 3 years of operations.
- The applicant is in compliance with all applicable federal and state water quality requirements.
- Federal, state, and local incentive payments (also referred to as "cost share" dollars) or other federal, state, and local grant funding can be used to achieve current conditions; however, they cannot be used to generate credits.

Questions and Application Submittal via e-mail to:

Brian Brandt, Director – Ag Conservation Innovations
American Farmland Trust
5655 N. High St., Suite 203
Worthington, OH 43085
614-430-8130
bbrandt@farmland.org

**Ohio River Basin Water Quality Trading Pilot Project Application: INDIANA
Applications Deadline 5pm ET, August 15, 2018**

County (SWCD): _____

SWCD Staff Lead: _____

SWCD Staff Lead e-mail: _____

Check appropriate title of Applicant (check all that apply): Owner Operator

Name: _____

Street Address: _____

City, State, Zip: _____

Telephone number: _____

Email: _____

Does this practice involve a partnership or joint venture with others? ___ Yes ___ No

Is the applicant also the landowner? ___ Yes ___ No

If not, is there written documentation of permission to install the practice/practices binding the landowner to the cost share if the tenant no longer rents/leases the land? ___ Yes ___ No

Type of operation (check all that apply): Cropland Livestock Other

Brief description of farm operation: _____

Location of practice(s): *include aerial photo or map that shows project location and nearest waterbody.*

Address: Same as above

Latitude: _____ Longitude: _____

List Practice(s) the applicant is proposing (attach additional sheets if necessary)

Practice(s)	Size (acres or linear feet)	Total Estimated Cost of Practice	OPTIONAL*: Estimated Annual Nitrogen Load Reduction (in lbs) TN	OPTIONAL*: Estimated Annual Phosphorus Load Reduction (in lbs) TP
Total				

*Estimating the TN and TP reductions is OPTIONAL. However, the competitiveness of the funding request will strongly depend on the cost-effectiveness of the project from a TN and TP load reduction perspective. See Overview section for more information. SWCDs that would like help calculating load reductions can contact Brian Brandt, bbrandt@farmland.org.

Project Cost:

Total Project Cost: _____

Total EPRI Funding Requested (cannot exceed \$15,000): _____

(EPRI Funding Requested / Total Project Cost) x 100 (cannot exceed 75%): _____

Describe the proposed practice(s) to be implemented (attach additional pages if necessary):
(Include on-site photographs from farm showing current conditions.)

Maps, Photos, and Details.

Please provide a map with detailed information regarding the proposed project, as follows:

Map with drawn field boundaries (fences)

ID primary field use & note secondary (i.e. hay/ fall pasture)

Mark surface water on map

 Mark gullies, critical areas, sink holes etc. on map

 Mark existing livestock water sources and note if livestock are excluded from streams

Livestock type & Number _____

Average Weight _____

Current Grazing System (continuous; rotated weekly, monthly, etc) _____

Winter feeding description _____

Crop type rotation schedule and crops rotated with _____

Tillage type & Equipment (What order and how many passes of each piece) _____

Do you apply commercial fertilizers and/or animal waste on this farm? (If Yes what fields and how much in each field (e.g.: 8 loads in field4) _____

Identify from the list below any additional conservation practices you have implemented and identify them on the map:

___ Wetlands _____

___ Ponds/Water and Sediment Control Basins _____

___ Grass/Forest Buffer _____

___ Grass Waterway _____

___ Contour Buffer _____

___ Terrace System _____

___ Do you have any fields that contain tile drainage (please indicate which fields contain tile drainage on map). Indicate average depth of tile in fields _____

Provide pictures of fields were practices will be installed.

Baseline Eligibility

Have any of the proposed practices above been implemented on the farm since August 1, 2015?

Yes No

Are the proposed practice(s) being implemented a result of a regulatory action, as part of an existing settlement, or other legal action?

Yes No

Is applicant willing and able to demonstrate 3 years of farm practice history if the project is chosen (from August 1, 2015 forward)?

Yes No

What is the status of technical assistance provided for this project to date?

(Please check all that apply)

- Initial Investigation Survey Design
 Conservation plan Self-Assessment

Has the applicant previously received cost-share for this practice? Yes No

If yes, please explain: _____

Potential Ancillary Benefits or Priority Concerns addressed (check all that apply)

- Carbon Sequestration
- Water Quantity
- Habitat Enhancement
- Excessive Run-off
- Soil Health and Erosion
- Fertilizer Use Reduction
- Rare Species
- Agricultural Viability
- Pollinators

Is the applicant willing to participate in a media event or field day highlighting his/her involvement in agricultural publications? Yes No

Is the applicant aware that his/her Application and associated documents may be subject to public disclosure by way of a Freedom of Information Act request? Yes No

Briefly describe any prior conservation practices implemented by the Applicant:

Signatures and Certifications

I certify that this project meets all eligibility requirements as described in the Funding Notice; that the project will comply with all local, state, and federal regulations; that the proposed practices are not otherwise required to meet a regulatory obligation; and that all statements contained herein are true and accurate. Further, I hereby certify that I have available complete and accurate farm history records from August 1, 2015 forward and that I will make these records available upon request to my local SWCD, my state agriculture department, and/or the Electric Power Research Institute.

Applicant Signature: _____

Print Name: _____

Date: _____

I hereby certify that I have examined the farm history records, photos, and or satellite images to confirm eligibility and that the BMPs proposed in this funding application meet eligibility requirements as specified in the RFP. I further certify that the project and the producer, as proposed in the application, is in compliance with local, state and federal regulations.

SWCD staff signature _____

Print Name _____

Date _____