



**LAKE CHAMPLAIN WATERSHED
ENVIRONMENTAL ASSISTANCE PROGRAM**

**Lake Champlain Basin Program Announcement
In partnership with
The U.S. Army Corps of Engineers**

Invitation for Letters of Request

Watershed Restoration Projects in the Lake Champlain Basin

The Lake Champlain Basin Program is pleased to announce an Invitation for Letters of Request for Watershed Restoration Projects in the Lake Champlain Basin. Rather than cash awards, this program is for awards of US Army Corps of Engineers services. Applicants must be governmental entities, or organizations representing governments having jurisdiction in the Lake Champlain Basin (New York or Vermont). Rural and/or urban projects are eligible as described in this Invitation for Letters of Request.

The Invitation for Letters of Request is available from the LCBP website <http://www.lcbp.org> or by calling the Basin Program office at (802) 372-3213 or toll free at (800) 468-LCBP to receive a copy via US Postal Service.

Letters of Request may be submitted to the US Army Corps of Engineers, New York District at any time for determination of a project's eligibility. If a project is deemed eligible, a Project Summary will be developed by the applicant in conjunction with the Corps. The Project Summary will be submitted to the Lake Champlain Basin Program for technical review and ranking. Upon ranking, approval and subject to the availability of funds, projects will be selected for implementation.

Lake Champlain Basin Program Invitation for Letters of Request

Released November 2, 2009.

The Lake Champlain Basin Program (LCBP), in partnership with the U.S. Army Corps of Engineers (USACE), is soliciting Letters of Request for watershed restoration projects from local governments for ecosystem restoration, preservation, and protection projects consistent with the *Lake Champlain General Management Plan* authorized under Section 542 of the Water Resources Development Act of 2000.

Background

About the Lake Champlain Basin Program

The Lake Champlain Basin Program is a partnership between state, provincial, and federal government agencies, as well as many local groups, all working together to protect and enhance the environmental integrity and the social and economic benefits of the Lake Champlain Basin. The Basin Program completed *Opportunities for Action: An Evolving Plan for the Future of Lake Champlain* in 1996 (revised in 2003), and this plan was signed by the governors of both New York and Vermont. This management plan addresses a range of issues from water quality to recreation. The highest priorities in the plan are reducing phosphorus pollution, reducing pollution from toxic substances, and developing a management program for nuisance non-native aquatic species.

About Section 542 and the Lake Champlain General Management Plan Assistance Program

In December 2000, Public Law #106-541, the Water Resources Development Act of 2000 (WRDA 2000) was signed by the President. Section 542 of WRDA 2000 authorized the Secretary of the Army to establish a program for providing environmental assistance to non-Federal interests in the Lake Champlain Watershed. Congress is authorized to appropriate up to \$32,000,000 to carry out this program; funds will remain available until fully expended.

The goal of the Lake Champlain Watershed Environmental Assistance Program is to provide assistance with planning, designing and implementation of large scale projects that protect and enhance water quality, water supply, ecosystem integrity and other water related issues within the watershed. It defines the Lake Champlain Watershed as the land areas within Addison, Bennington, Caledonia, Chittenden, Franklin, Grand Isle, Lamoille, Orange, Orleans, Rutland, and Washington Counties in the State of Vermont; the land areas that drain into Lake Champlain and that are located within Essex, Clinton, Franklin, Warren, and Washington Counties in the State of New York; and the near-shore areas of Lake Champlain within the counties referenced.

About the U.S. Army Corps of Engineers - Lake Champlain Basin Program Partnership

The LCBP is the administrative partner of the USACE to implement this program under the terms of the General Management Plan. The LCBP has issued this Invitation for Letters of Request to be submitted to the USACE NY District. The USACE NY District will work with eligible applicants to develop and submit a Project Summary to the LCBP. The LCBP will screen, rank and recommend projects to the USACE for implementation, based on the potential for success and ability to address the priority areas of concern identified in *Opportunities for Action*. The USACE will select projects among those highest ranked for implementation, upon approval and subject to the availability of funds. Selected projects will be eligible for partnership with USACE through a Project Cooperation Agreement (PCA) between the project applicant and USACE. Please note that this award is for USACE services. Summaries of projects not selected for assistance will be maintained and periodically screened and prioritized by LCBP for a period of time not to exceed three years.

Letters of Request may be submitted to the USACE, NY District at anytime. Project Summaries will be periodically reviewed throughout the year by the LCBP. LCBP reviews will normally take place at least twice a year, in the fall and spring. Selection of projects for implementation may occur throughout the year, subject to the availability of funding.

Assistance Program Goals

The goals of this program are to provide assistance with planning, designing and implementing projects that contribute to the protection and enhancement of water quality, water supply, ecosystem integrity and other water related issues; while preserving and enhancing the economic and social character of the communities within the watershed. The emphasis of this Invitation for Letters of Request is on water quality protection for projects too large to be funded at the local municipal level.

Under this Invitation for Letters of Request, the USACE will assist successful applicants by facilitating restoration projects in the following categories:

- River Corridor Management
- Non-Point Source pollution prevention
- Invasive species prevention
- Land Use Mapping
- Other water quality initiatives detailed in *Opportunities for Action, An Evolving Plan for the Future of the Lake Champlain Basin, 2003*, and consistent with the *Lake Champlain General Management Plan* developed under Section 542. Both of these plans are available from the LCBP and online at www.lcbp.org

Applicants may request assistance for a variety of project types, e.g. planning studies, designs, construction of already existing designs, design and construction of a project, etc. If you are requesting that the Corps construct already existing designs, please be aware that designs must meet Corps standards. Applicants may go to <http://www.nan.usace.army.mil/business/buslinks/contract/ae/index.htm> for examples of design plans that the Corps uses during the construction phases. Applicants are encouraged to attend the pre-application workshop (see Page 7).

Eligible Applicants

Any municipal entity within the Lake Champlain Watershed is eligible to respond to this Invitation for Letters of Request and for subsequent project implementation under this program. Municipal entities are defined as any county, city, town, village, or an entity designated to act on their behalf such as a county Soil and Water Conservation District or a Regional Planning Commission. Two or more eligible municipalities may submit a joint application for inter-municipal proposals. All Letters of Request must be submitted to the USACE and evaluated and processed according to the provisions described in this Invitation for Letters of Request.

NOTE: Letters of Request from community-based organizations, neighborhood groups, not-for-profit groups and other organizations can be considered only if the project involves the participation of, and is submitted by, a government sponsor that is eligible under the terms of this Invitation for Letters of Request, and willing to serve as the fiscal agent for its non-governmental partner.

Applicant Project Goals

Projects which address the following priority areas of concern will be a high priority for the FY10 Lake Champlain Environmental Assistance Program. The emphasis for the Request for Letters of Request is on water quality protection for projects too large to be funded at the local level, particularly for the priorities identified below:

1. **Reduction of phosphorus inputs to Lake Champlain** to promote a healthy and diverse ecosystem and provide for sustainable human use and enjoyment of the Lake.
2. **Reduction of toxic contamination** to protect public health and the Lake Champlain ecosystem.
3. **Minimization of the risks to humans from water-related health hazards** in the Lake Champlain Basin.
4. **Control of the introduction, spread, and impact of nonnative nuisance species** in order to preserve the integrity of the Lake Champlain ecosystem.

Details on these and other priority areas of concern can be found online at www.lcbp.org.

Application Submission

Application process, formatting and organization requirements are detailed below. A respondent may submit Letters of Request for more than one project. **If proposed projects involve existing designs, one copy of design plans should be submitted with the Letter of Request.**

All Letters of Request are to be sent to:

*District Engineer
U.S. Army Corps of Engineers, New York District
ATTN: Planning Division
26 Federal Plaza, 21st Floor
New York, NY 10278*

For general questions on this program, please consult the LCBP website www.lcbp.org or contact Erich Howe, Technical Associate at (800) 468-5227 (from NY or VT) or (802) 372-3213, or email ehowe@lcbp.org.

Application Procedure

1. Submit a Letter of Request to the USACE (see below for detailed instructions). The USACE will determine if a project is eligible to receive assistance through this program and will so inform the applicant.
2. If a project is deemed eligible, the USACE will work with the applicant to complete a Project Summary.
3. The Project Summary will be submitted to LCBP for review and ranking. LCBP will provide recommendations to the USACE based on this review.
4. Upon approval and subject to the availability of Federal funds, the USACE will proceed with project implementation for the highest ranking projects. The USACE will select projects based on LCBP's recommendations, availability of Federal and non-Federal funds, and other factors, as appropriate.
5. Upon selection, the USACE will proceed with Project Management Plan and Project Cooperation Agreement negotiations with the applicant.
6. Project Summaries of projects not selected for implementation will be maintained and periodically screened and prioritized by the LCBP for a period not to exceed three years.

Letter of Request Requirements

Letters of Request must be submitted according to the detailed instructions in Attachment A and format in Attachment B.

Project Evaluation and Selection Criteria

Projects which address the priority areas of concern (Page 4) will be a high priority for the FY10 Lake Champlain Environmental Assistance Program. Additionally, applications will be reviewed and ranked according to how well they address the following:

- 1) Demonstration of *Effectiveness* - Project objectives should effectively address one or more of the priorities identified in *Opportunities for Action*. The Project Summary should indicate the extent to which the project will result in tangible benefits or improvements that can be measured.
- 2) Demonstration of *Efficiency* - The merit and feasibility of the proposed methods for carrying out the project in a cost-effective way will be evaluated. Corps support involves a process that is more appropriate for large scale projects.
- 3) Demonstration of *Acceptability* - A project should be acceptable to any applicable local, State and or Federal resource agency and the applicant should be able to obtain any required permits, titles or easements. Evidence of public support for the plan is encouraged.
- 4) Demonstration of *Completeness* - A project must provide and account for all necessary investments or other actions needed to ensure the realization of the planned restoration outputs. This may require relating the plan to other types of public or private plans if these plans are crucial to the outcome of the restoration objective.
- 5) Demonstration of ability of the local entity to provide the required 35% non-federal match.

Notification of Approval

After the submittal of the Letter of Request, the USACE will contact eligible applicants. The USACE will then work with eligible applicants to complete and submit a Project Summary to the LCBP for review.

Applicants selected for support will be notified by the Lake Champlain Basin Program. Selection will occur throughout the year, dependant upon available funding.

After a Project is Selected for Assistance

Prior to submission, all applicants should be familiar with the general process through which each project that is implemented under the Section 542 Lake Champlain Watershed Environmental Assistance Program.

Projects will be chosen according to pre-determined criteria (see above). Corps and non-federal sponsors of the chosen project(s) will identify a project scope of work, budget, and schedule that is mutually agreeable. Upon agreement, the Corps and sponsor will execute a legal agreement called a Project Cooperation Agreement (PCA) which provides formal assurances of cooperation by both parties. Upon execution of the PCA, the Corps

will receive Federal funds to execute the Scope of Work according to the agreed upon budget and schedule. If approved by the Corps, some credit may be afforded to the sponsor for work done prior to the PCA execution or during the project and real estate credit if applicable.

About Budgeting

In general, total project costs under Section 542 of WRDA 2000 will be cost-shared 65% Federal and 35% non-Federal matching funds. Funding for the non-Federal matching share may come from any non-Federal funding source, which may be in-kind services or supplies. In-kind services may occur prior to PCA execution (i.e., before Corps involvement) only with specific USACE approval, or after PCA execution. The balance of the required 35% non-Federal matching share must be provided in cash to be made available to the USACE for use in the project immediately after the PCA is executed. The term “in-kind” is defined as those tasks completed by the local sponsor in substitution of a cash contribution and must be approved by the USACE.

Proposed project budgets will be reviewed with the understanding that they are the best estimates of the applicant in response to this Invitation for Letters of Request. In preparation of the Project Cooperation Agreements with successful applicants, the USACE will confer with the applicant and the LCBP to further review project plans, and may require certain design revisions to ensure that the resulting project meets the design standards of the USACE. This review could result in some increase in overall project costs beyond that anticipated by the applicant. Any budget adjustments required to ensure that the proposed project will meet USACE standards will be determined prior to finalization of the Project Cooperation Agreements, based on the full agreement of all parties, and will not be subject to change thereafter, except by mutual consent of the applicant and the USACE.

Pre-Application Workshop

A pre-application workshop will be held at on **3 December 2009 at 10:00 AM** at the Lake Champlain Basin Program office at the Gordon Center House, 54 West Shore Road, Grand Isle, VT. All those interested in having the Letter of Request, Project Summary and general application process explained and having the opportunity to ask *process* questions are encouraged to attend.

Attachment A
Letter of Request Requirements

The Letter of Request must include the following information:

- A. NAME OF PROJECT & LOCATION
- B. NAME OF APPLICANT/SPONSOR. PLEASE INCLUDE CONTACT INFORMATION INCLUDING, PHONE, FAX, ADDRESS, AND EMAIL ADDRESS.
- C. DISCUSS NON-FEDERAL SPONSOR INTEREST: Briefly describe the sponsor's level of need and interest.
- D. PROJECT DESCRIPTION
- Identify the specific location of the project (state, county, town, river or creek, latitude & longitude).
 - Describe the nature and severity of the environmental problem.
 - Identify the studies performed to date, as well as the reports or material utilized in the planning or design of this project (if planning or design has already been performed).
 - Describe the specific problem(s) to be addressed and note the specific action(s) in *Opportunities for Action* that will be addressed by this project.
 - Include an estimated schedule and cost of the project, including design.
 - Briefly describe the known issues that might affect the acceptability of any recommended solutions, from the perspective of local government and/or the public.

In General, describe the type of work to be accomplished & the expected results as well as any other relevant information.

Attachment B
Sample Letter of Request

District Engineer
U.S. Army Corps of Engineers, New York District
ATTN: Planning Division
26 Federal Plaza, 21st Floor
New York, NY 10278

Dear Sir:

The purpose of this letter is to seek assistance of the U.S. Army Corps of Engineers under Section 542 of the Water Resources Development Act of 2000, in implementing a critical restoration project on the (*river or creek*) in the vicinity of (*city or town, etc.*).

Briefly:

- *Describe the nature and severity of the environmental problem.*
- *Identify the studies performed to date, as well as the reports or material utilized in the planning or design of this project (if planning or design has already been performed).*
- *Describe the specific problem(s) to be addressed and note the specific action(s) in Opportunities for Action that will be addressed by this project.*
- *Include an estimated schedule and cost of the project, including design.*
- *Describe the known issues that might affect the acceptability of any recommended solutions, from the perspective of local government and/or the public.*

It is understood that the (*non-federal sponsor*) would be able to pay at least 35 percent of the total cost of a project; to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the project; and pay the minimum cash requirement.

Please contact (*name, address, telephone*) for further information.

Sincerely,
(*Name and title of public official authorized to request study*).