

Request for Applications (RFA)  
RFA 0181 - Source Water Buffer Program  
New York State Department of Agriculture and Markets

**ADDENDUM**

(July 5, 2022)

**Appendix 1 – SAMPLE Conservation Easement Template (dated July 2019) is revised as follows:**

**6(g). Subdivision.**

~~The Property is currently comprised of [portions of] *{Specify the number of parcels}* \_\_\_\_\_ [deed] *{OR}* [tax map] parcels owned by Grantor. Grantor shall maintain such parcels comprising the Property, and all interests therein, under unified ownership (whether joint or undivided), as though a single parcel.~~

The Property is currently comprised of [*{Specify the number}* \_\_\_\_\_ entire [deed] *{OR}* [tax map] parcels] *{OR}* [*{Specify the number}* \_\_\_\_\_ entire [deed] *{OR}* [tax map] parcels and portions of \_\_\_\_\_ parcels] *{OR}* [portions of *{Specify the number of parcels}* \_\_\_\_\_ [deed] *{OR}* [tax map] parcels] owned by Grantor. Grantor shall maintain such parcels comprising the Property, and all interests therein, under unified ownership (whether joint or undivided), as though a single parcel.

The subdivision of the Property is prohibited.

Lot line adjustments, which do not create additional building lots, are permitted only with the prior written permission of the Grantee, which permission shall ensure that such lot line adjustments shall not result in a reduction in the size of the Property.

**12. Extinguishment of Development Rights.**

Except as otherwise reserved to the Grantor in this Easement, all development rights appurtenant to the Property are hereby released, terminated and extinguished, and may not be used on or transferred to any portion of the Property as it now or hereafter may be bounded or described, or to any other property adjacent or otherwise, ~~or used for the purpose of calculating permissible lot yield of the Property or any other property.~~

**Appendix 2. Source Water Buffer Program Hourly Rate Recommendation (dated July 2019) is revised as follows:**

**Recommended hourly rates are updated on an annual basis.** The following rates were acquired from SWCDs as a result of **New York State Soil and Water Conservation Committee's** inquiry as part of the ~~2017~~ annual report submission.

The **new recommended** hourly rates ~~which~~ can be used by SWCDs in lieu of providing justification for calculating their actual salary, benefit and overhead, to calculate total personnel services costs for the Source Water Buffer Program. **Recommended hourly rates are published for managerial, senior technical,**

technical, secretarial, and SWCD Engineer. Please refer to the most current SWCD Hourly Rate Recommendation memo for a listing of the available hourly rates.

	Hourly Rate	Overhead	Total
Managerial	\$56	\$5	\$61
Senior Technical*	\$44	\$5	\$49
Technical	\$35	\$5	\$40
Secretarial	\$36	\$5	\$41
NRCS Area Engineer	\$70	\$5	\$75

\*10 years of experience or more

In the above figures, Rates used for NRCS personnel the NRCS Area Engineer Rate and the \$5 per hour overhead cannot be paid with State funds but need to be shown in the Sponsor column under Engineering and Overhead Expenses in the appropriate budget category. The budget form provides a column for the \$5 per hour overhead figures. The remainder of the hourly rate figures for each category (i.e. Managerial - \$56, Senior Technical - \$44, Technical - \$35, Secretarial - \$36) can be requested for State funding as long as there is adequate match in the grant.

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

These rates, including overhead expenses, can also be used for local agency personnel (NRCS, CCE) as well as private sector consultants. These individuals will also have the option to use and fully justify their own actual rates. Overhead expenses cannot be used for actual rates.