

CONDITIONS OF AWARD

Environmental Practice Name: _____

Location/County: _____

Upon the receipt of funds from the Maryland Department of the Environment (the "Department"), the following conditions are understood and accepted by the applicant as conditions binding upon the recipient organization.

1. The recipient agrees to permit and assist State employees to monitor the environmental practice during normal working hours.
2. The recipient agrees to allocate sufficient funds and operate and maintain the environmental practice for the purposes for which it was constructed and achieve the needed nutrients and/or sediment reductions.
3. The recipient agrees to provide any reasonable information concerning the environmental practice in a manner and form prescribed by the Department.
4. The recipient agrees to maintain adequate records related to the environmental practice performance and nutrients and/or sediments reductions for a period of three years following the Department's payment for the reductions.
5. The recipient agrees to comply with Title VI of the Civil Rights Act of 1964 - no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under program or activity for which the applicant received funding.
6. The recipient is required to make good-faith efforts to utilize Minority and Women's Business Enterprises (M/WBE) to participate in procurements involving purchase for resale of reductions from a third party. Please visit MDE's website for guidance.
7. The recipient agrees to ensure that the nitrogen, Phosphorus or sediment load reductions shall meet the following criteria:
 - a. The environmental practices generating the purchased nitrogen, phosphorus and sediment load reductions shall be located in the State of Maryland
 - b. The purchase of nitrogen, phosphorus and sediment load reductions may not be from the agricultural sector, and shall not be permitted from environmental practices implemented on agricultural land as defined in COMAR 15.20.12.02.
 - c. The load reductions to be purchased shall have been created on or after July 1, 2017.
 - d. The load reductions may not be used for any other purpose.
 - e. Any load reductions purchased pursuant to this program shall be based on projects, practices, or activities initiated after the award.

8. The recipient agrees that the Department may deny any request for funds if the recipient fails to comply with any of the above Conditions of Award, Memorandum of Understanding, or the originally submitted Application for funding.
9. The recipient agrees that the State Board of Public Works may terminate funding upon the recommendation of the Department if the Department determines in its discretion that there is:
 - a. failure to perform without good cause; or
 - b. gross abuse or corrupt practices in the administration of the project; or
 - c. poor, non-standard, or unsafe procedures in operating the environmental practice; or
 - d. failure to comply with any of the Conditions of Award or applicable State laws, regulations, or Departmental policies; or
10. The recipient agrees to repay the State (with interest, based on current bond rate and assessed from the date the said funds were received), on demand, any funds received that were misapplied (i.e., not expended in accordance with the terms of these Conditions of Award or applicable State laws, regulations and Departmental policies). In the event that the recipient fails to refund upon demand any misapplied funds, the State shall have the right to offset or withhold any funds in the possession of any State agency (that may be due to the recipient) in an amount equal to the misapplied funds plus interest.
11. The recipient agrees to return, within 30 days of a written request by the Department, any excess funds received. In the event that the recipient fails to refund upon demand any excess funds released by the State, the State shall have the right to offset or withhold any funds in the possession of any State agency (that may be due to the recipient) in an amount equal to the overpayment.

I certify that the information provided with the financial assistance application is true to the best of my knowledge and agree to comply with the above Conditions Award.

ATTEST

(NAME OF OWNER)

WITNESS

By: (NAME OF OFFICER)

(TITLE)

DATE