

Taos Soil & Water Conservation District Range Improvement Program Information

Taos SWCD's (the "District") Range Improvement Program can be used for technical/cost-share assistance towards natural resource projects that positively impact non-irrigated range land within the District's service area. The District's service area includes all private land located in Taos County, excluding lands located within the Town of Taos. Occasionally, the District also cost-shares on permittee projects located on public land if that Permittee owns land within the District's service area. Additionally, the District may provide technical assistance on public land if it is determined by the District that the technical assistance will impact private land located within the District's service area.

This program is intended for non-irrigated agricultural acreage where the applicant is currently grazing livestock. It is not intended to assist landowners who are not actively utilizing their land for agriculture. To qualify, the parcel of land must be at least forty (40) acres and have an intact external/boundary fence. Individual landowners who have participated in Taos SWCD cost-share programs must wait at least one full year before they are eligible to apply for assistance again.

Applications for the Range Improvement Program are accepted when the District office is open during regular business hours all year. The District has two batching periods (July 1 to December 31 is referred to as Batching Period 1 and January 1 to June 30 is referred to as Batching Period 2). Completed applications are reviewed during the six months following the end of the Batching Period where the completed application is received. All Range Improvement Program applications are first reviewed for completeness and eligibility. Eligible applications are then scheduled for site visits by the District Manager. During this site visit, the applicant must be present to discuss goals and any issues relating to the potential project. The District Manager will also assess the current uses and condition of the land. Applicant availability during this review stage is essential and required. Two attempts will be made to contact the applicant. If the District does not receive a response within 30 days of the second attempt to contact, the application will be filed as non-responsive and the applicant will be required to submit a new application if they would like to be considered for cost-share assistance. Occasionally, the District receives more applications than can be viewed in the six-month window following the end of the batching period. In those cases, the District will attempt to complete the review as soon as possible. Once all Range Improvement Program applications for the Batching Period are reviewed and visited, the District Manager will present them to the Taos SWCD Board of Supervisors for funding consideration.

Approvals, denials, and allocations are determined by the Board of Supervisors and their decision is based on available budget, number of acres and/or landowners a project will benefit, documented productivity, landowner readiness and responsiveness, the overall number of applications received, and project feasibility. If approved, Range Improvement projects are restricted to a maximum allocation of \$4,500.00 per project and the amount allocated will vary based on individual circumstances.

On occasion, the Board of Supervisors may, at its sole discretion, determine that extenuating circumstances warrant a Special Project classification and they may assign a project allocation that exceeds the above described maximum allocation. When Special Project classification is assigned, the relevant board meeting minutes will note the extenuating circumstances that led to that classification.

After the Range Improvement applications are reviewed by the Board of Supervisors, applicants will receive a letter (via USPS Certified Mail) indicating whether their application has been approved or denied. Some projects may be approved for Technical Assistance Only meaning that the District can provide technical assistance but the applicant must cover implementation costs on their own. If an application has been denied, the applicant may (within thirty days) submit an appeal to the Board of Supervisors. This happens on occasion when an applicant

realizes that the District may not have been aware of relevant information that could possibly elevate the potential project's priority rating.

If an application is approved, the applicant is considered a "Cooperator" and must call the District to schedule an Orientation meeting. The Orientation meeting is a group meeting that includes a program overview and allows Cooperators to sign necessary paperwork to get their projects started. Orientations meetings must be scheduled within thirty days of the date of the approval letter but the meeting (after scheduled) can take place beyond the thirty-day window. Orientation meetings are required once (they were implemented in 2018) so if a Cooperator has already attended one Orientation, they will need to schedule a meeting with the District Manager (within the same thirty-day window) to discuss any program changes and sign necessary paperwork. This necessary paperwork includes an IRS Form W-9 because District payments to Cooperators is considered to be taxable income. The District will issue a 1099 to the Cooperator following the calendar year that the Cooperator is paid for the project.

Once the Cooperator attends an Orientation meeting (or District Manager meeting) and their required paperwork is complete, their project will be categorized as "ready for design". Cooperators who are "ready for design" will need to wait for staff availability and are encouraged to check with the District periodically for a status update on their project. When the District assigns a representative to a project, the Cooperator will be contacted to schedule a visit at the project site. The District representative will discuss Cooperator goals and issues being faced. They may also survey relevant elevations to further determine feasibility, assess soil conditions, and begin project planning.

Once a project plan is agreed upon, the Cooperator will be required to obtain bids for any contract work needed (if applicable). The Cooperator will purchase any agreed-upon materials and submit invoices (with receipts attached) to the District for reimbursement. If a contractor is needed, the District may provide a list of contractors but it is important to note that Taos SWCD has not inspected or vetted the contractors on these lists and does not endorse any private sector individual. Landowners must do their own investigation prior to hiring a contractor.

If a Cooperator possesses the ability to undertake a project on their own, they may request a meeting with the District Manager to discuss this possibility. If the District Manager approves this, the Cooperator will be required to sign an additional liability release and various acknowledgments related to the project.

If the Cooperator is soliciting bids, they will have **four (4) weeks** to find at least three (3) contractors to submit bids. The bids are submitted directly to the Taos SWCD office. Project funding and estimates are not discussed with contractors during the bidding process. Once the District has received at least three (3) bids, staff will contact the Cooperator to review bids and make an award. The District cost-shares the lowest bid 85/15 (85% District, 15% Landowner) up to the initial allocation amount assigned when the project was approved. If a landowner chooses to hire a contractor that did not submit the lowest bid, the District does not increase their allocation (District's cost-share amount is limited to 85% of the low bid up to the total project allocation). In that scenario, the Cooperator would need to make up for the difference in cost.

Example: A Range Improvement Program application is approved by the Board of Supervisors and is assigned an allocation of \$4,500.00. After the project planning is complete and the three bids are received, it is determined that the lowest bid or final project cost is \$4,350.00. When the project is complete and has passed District inspection, the Cooperator would submit all relevant receipts and the District would pay to the Cooperator a total of \$3,697.50 (85% of the low bid or project cost). Alternatively, say the low bid or project cost is \$5,500. In that scenario, the District would pay the Cooperator a total of \$4,500 even though it does not equal 85% of the low bid or project cost. This is because the project had an approved allocation of \$4,500 and the District payment cannot exceed that amount. The Cooperator would be required to make up the difference in cost.

After the bid is awarded, the contractor will have sixty (60) days to complete the project and may be required to coordinate periodic inspections with a District representative. It is important to note that if applicable, the contractor will be working for the Cooperator, not the District. The Cooperator will be responsible for payment(s) to the contractor.

Once the project has been completed and a District representative has confirmed that it complies with any required specifications, they will submit a final inspection report to District administrative staff for preparation of project close-out documentation and payment. Cooperators are required to sign an acknowledgment that indicates that they are satisfied with their completed project before the project payment is released from the District.

Cooperators are responsible for operation, ongoing maintenance, and any liability related to natural resources projects cost-shared by the District.