

FUND TO ADDRESS PFAS CONTAMINATION

ANNUAL REPORT FISCAL YEAR 2025



MAINE DEPARTMENT OF
**AGRICULTURE
CONSERVATION
& FORESTRY**



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I. INTRODUCTION

The Department of Agriculture, Conservation and Forestry (DACF), Office of the Commissioner, is pleased to submit this third annual report on the Fund to Address PFAS Contamination (the PFAS Fund) to the Joint Standing Committees on Agriculture, Conservation and Forestry; Environment and Natural Resources; and Health and Human Services.

The PFAS Fund is housed in the Office of the Commissioner and is staffed by a director and two public service coordinators.

II. ANNUAL REPORTING REQUIREMENT

Under 7 M.R.S. §320-K(7), by March 1 annually, DACF is to submit an annual report that provides the following information to the Joint Standing Committees on Agriculture, Conservation and Forestry; Environment and Natural Resources; and Health and Human Services:

- The status of a plan to establish funding priorities, administration, and oversight;
- Uses of the PFAS Fund;
- Status of carrying out the purposes of the Fund as described in 7 M.R.S. §320-K(4);
- Additional needs identified by the agricultural community;
- What funds have been dispersed from the Fund, and for what purpose those funds were dispersed; and
- Activities of the advisory committee, including but not limited to the number of meetings held, a summary of each meeting, and recommendations for legislation from the advisory committee.

III. PLAN FOR ADMINISTRATION OF THE FUND TO ADDRESS PFAS CONTAMINATION

The *Plan for Administration of the Fund to Address PFAS Contamination* was adopted by the PFAS Fund Advisory Committee on July 10, 2023. The implementation plan includes 23 strategies to achieve the objectives described in 7 M.R.S. §320-K(4). The strategies are divided into four categories, each of which will be addressed in the next section:

- Direct support for impacted producers
- Land acquisition and management
- Research
- Health

A critical step toward launching the implementation phase of the PFAS Fund was establishing routine technical rules to define eligibility criteria, administrative procedures, evaluation criteria, and appeals procedures for any programs through which the Department grants financial assistance. The following rules became effective on March 17, 2024.

- 01-001 C.M.R. c. 400: Administrative Cost Grants
- 01-001 C.M.R. c. 401: Income Replacement
- 01-001 C.M.R. c. 402: Support for No-Cost Technical Assistance
- 01-001 C.M.R. c. 403: Infrastructure Investment Grants
- 01-001 C.M.R. c. 404: Assistance Obtaining New Loans
- 01-001 C.M.R. c. 405: Real Estate Purchases
- 01-001 C.M.R. c. 406: Competitive Research Grants
- 01-001 C.M.R. c. 407: Financial Support for PFAS Blood Serum Testing
- 01-001 C.M.R. c. 408: Financial Support for Mental Health Care

IV. USES OF THE FUND / STATUS OF CARRYING OUT THE PURPOSES OF THE FUND

A. Direct Support for Impacted Producers

The implementation plan describes eight strategies to carry out the purposes identified in 7 M.R.S.A. §§ 320-K(4)(E-G), which states that the Fund may be used to support commercial farms by, for example, investing in infrastructure, supporting the development of enterprise budgets, and issuing income replacement payments. Table 1 lists these eight direct support strategies and their status.

The PFAS Fund launched a robust program to provide financial and technical assistance to producers impacted by PFAS contamination in March 2024, coincident with the effective date of rules 01-001 C.M.R. c. 400-404.

Table 1. Status of direct support strategies.

| Status | Strategy |
|---|---|
| ✓ | I.A: Provide up to 24 months of lost income to producers who had to reduce or cease sales due to PFAS contamination. |
| ✓ | I.B: Provide technical assistance and professional services to assist producers in navigating options for remaining viable despite the presence of PFAS. |
| ✓ | I.C: Establish one or more "PFAS Response Navigators" to guide impacted farmers through the recovery process. The primary role of the PFAS Response Navigators will be to work with PFAS-impacted commercial farmers to help identify and connect with support programs for which they are eligible. |
| ✓ | I.D: Establish a mechanism to compensate farmers for the time they spend responding to PFAS contamination, separate from routine farm operations. |
| ✓ | I.E: Provide support for infrastructure projects intended to help impacted farms transition their production practices and that are valued above \$150,000 (DACF has an existing program to support projects valued up to \$150,000). |
| ✓ | I.F: Reduce lenders' liability and bear some of the costs associated with obtaining new loans for farms impacted by PFAS contamination. Also, develop educational materials for lenders. |
| ✓ | I.G: Provide support for public relations and marketing at various points along the PFAS trajectory (e.g., crisis communications, emerging from crisis). Also, in its own communications, DACF will emphasize farms' success stories. |
| ✓ | I.H: Develop a "PFAS Response Kit." It will be a physical binder with information about all the resources supported by the PFAS Fund, as well as information about other resources available to farmers impacted by PFAS contamination. A PDF version will also be available on DACF's website. |
| Key: ✓ = Established, * = In Progress, X = Not Started | |

Implementation (Strategies I.A-H)

PFAS Fund staff created a **Master Application** for an array of grant programs administered by both the PFAS Response Program¹ and the PFAS Fund (see Appendix A). Applicants can use the multipart form to apply for any of the following programs for which they are eligible:

- **Administrative Cost Grant:** The PFAS Fund may provide one-time grants of \$3,522² to partially compensate commercial farms for their time spent responding to PFAS (e.g., interacting with DACF staff, informing customers, and considering options for modifications to their operations).
- **Income Replacement:** The PFAS Fund may provide up to 24 months of lost income, adjusted for inflation, to commercial farms that have stopped selling some or all products due to PFAS contamination. The 24 months do not need to be consecutive.
- **Professional Services:** The PFAS Fund may provide grants for professional services (e.g., business planning, engineering, marketing, accounting, legal) that help guide a farm's response to the discovery of PFAS.
- **Clean Feed Assistance:** The PFAS Response Program may pay for clean feed when it is necessary for the health and welfare of livestock and/or to achieve depuration goals in the absence of available clean feed from the farm.
- **Equipment and Inputs:** The PFAS Response Program may pay for equipment and related input costs that allow a commercial farm to convert its operations to accommodate new products and production methods (e.g., harvesting equipment needed for a new crop, fencing).
- **Infrastructure:** The PFAS Response Program and the PFAS Fund may pay for permanent physical assets and structures that will help a commercial farm transition to new products and production methods (e.g., storage silos, packing shed). PFAS Response is responsible for projects up to \$150,000 and the PFAS Fund supports projects valued greater than \$150,000.
- **Debt Service on Existing Loans:** The PFAS Response Program may grant up to \$50,000 toward the payment of loans directly related to farm infrastructure that was built or installed prior to the discovery of PFAS contamination (e.g., high-tunnel, greenhouse, farm store) that have not yet contributed to income or are no longer useful to the producer because of PFAS contamination. These grants are intended to fill a gap left by the Income Replacement program in specific instances.
- **New Loan Assistance:** The PFAS Fund may provide financial support for extra costs associated with obtaining a new loan due to the presence of PFAS. For example, the PFAS Fund may pay fees for obtaining a Guaranteed Farm Loan through USDA's Farm Service

¹ DACF's PFAS Response Program is housed within the Bureau of Agriculture, Food, and Rural Resources. The seven-member staff assist impacted farms by conducting comprehensive testing to determine sources of exposure and the levels of PFAS in various media, including soil, water, forage, compost, manure, milk, and vegetative and animal tissue. Working with the Maine CDC, staff also assess the results and work with impacted farmers to create mitigation plans to reduce contamination at the farm level, produce safe products, and enable farms to remain viable. The PFAS Response Program has also provided about \$3.1 million in financial support to impacted producers as of January 2025. Some of the financial assistance programs previously administered by the PFAS Response Program shifted to the PFAS Fund in March 2024 (e.g., income replacement).

² The \$3,522 figure is the product of 80 hours times the average hourly rate for a farm manager, according to the U.S. Bureau of Labor Statistics.

Agency or the cost of an environmental site assessment that is required by a lending institution.

In March 2024, hard copies of the Master Application were mailed to all farms that had interacted with the PFAS Response program as of the mailing date. Subsequently, PFAS Response staff have hand-delivered copies to newly identified farms as part of their ongoing work to assess PFAS contamination on farms. The application is also available as a fillable PDF document on DACF's [website](#).

In July 2024, the PFAS Fund released the **PFAS Response Kit**. The Response Kit is a reference document that is designed to help producers better understand the State's processes for investigating and responding to PFAS contamination, the potential impact of PFAS on producers' livelihoods and well-being, and the public and private resources available to help them navigate these challenges. It includes applications, informational handouts, and publications from various organizations. It also addresses communications with customers and public relations in furtherance of Strategy I.G (provide support for public relations and marketing). Like the Master Application, the PFAS Response Kit was mailed to impacted farmers, is delivered by DACF staff to newly identified farms, and is available [online](#).

Also in July 2024, the PFAS Fund launched the **PFAS Navigator Program** in partnership with the University of Maine Cooperative Extension's Maine Agricultural Mediation Program. The PFAS Fund supports a part-time program coordinator and two part-time navigators, all of whom work with producers to identify goals, interests, and needs for their farms and their families. Through collaborative conversations, navigators help farmers connect with existing technical, financial, and social assistance programs and resources. Program staff are a "touch point" for farmers' questions and will also provide support to farmers as they navigate forms and applications for PFAS-related assistance programs. This is a voluntary, confidential, and no-cost program. Farmers interested in working with a navigator can reach out to the Program Coordinator, Shiela Leonard at um.PFASNavCoord@maine.edu or 207-955-1977 or visit [Maine Cooperative Extension's PFAS Navigator program webpage](#).

To date, the PFAS Navigator Program has worked with nine agricultural producers to secure three administrative cost grants and support additional applications that are still in progress (e.g., infrastructure, professional services). The navigator program has been crucial in helping producers organize information and submit the necessary documentation. Producers have highlighted the importance of having a consistent point of contact who can provide ongoing guidance. All producer participants have shared that the program has not only assisted with practical challenges but also had a positive impact on their mental health and well-being. The support provided by the PFAS Navigator Program has alleviated some of the stress and uncertainty that comes with navigating PFAS contamination issues, making producers feel more empowered and informed about their next steps.

Year 1 Awards

Between March 2024 and mid-February 2025, 20 farms received financial and/or technical assistance from the PFAS Fund. The PFAS Fund awarded over \$2.28 million in grants to producers. Of this amount, \$1,122,178 was supported by USDA grant award FSA23CPT0013603. Distributed funds include income replacement payments (\$2,188,037.79), administrative cost grants (\$70,440.00), and professional services (\$31,029.56).

B. Land Acquisition and Stewardship

The implementation plan describes four strategies to carry out the purposes identified in 7 M.R.S. §§ 320-K(4)(C-D), which states that the Fund may be used to buy, sell, and relocate a commercial farm

with PFAS-contaminated agricultural land. Table 2 lists these four land-related strategies and their status.

Real estate purchases are governed by 01-001 C.M.R. c. 405. Once the rule became effective in March 2024, the PFAS Fund began to accept inquiries for land purchases from interested sellers (Strategy II.A).

Impacted farms may choose to sell their entire property or only a portion of it. The purchase price is based on the appraised fair market value of the highest and best use of the property as if there were no PFAS.

Table 2. Status of land acquisition and stewardship strategies.

| Status | Strategy |
|---|---|
| ✓ | II.A: Purchase PFAS-contaminated land from willing sellers at fair market value as if there were no PFAS. |
| * | II.B: Manage acquired properties for public purposes (e.g., conservation, carbon sequestration) with a goal of returning the land to private ownership for agricultural production whenever possible. |
| X | II.C: Establish a program to make payments to commercial farmers who take PFAS-impacted land out of production and agree to manage it in a manner that achieves conservation or other policy goals. |
| * | II.D: Produce and distribute informational materials to professionals involved in real estate transactions and to municipal offices. These materials may include basic information about PFAS compounds: what they are, where they are found, why they are concerning, and how they can be managed. Also, a link to the Maine Department of Environmental Protection’s (DEP) PFAS investigation map, information about required residential property disclosures, and general information about like-kind exchanges under Internal Revenue Code Section 1031 (allowing business owners to minimize capital gains taxes). |
| Key: ✓ = Established, * = In Progress, X = Not Started | |

Real Estate Purchases (Strategy II.A)

Landowners initiate the process by completing an **Inquiry & Information Form** (Appendix B). They submit the form along with documentation and information about the property (e.g., number of acres, whether they want to sell all the property or just a portion, description of a residence and/or other structures, identities of all owners and lien holders, deed, etc.).

Once the PFAS Fund receives an inquiry and confirms initial eligibility, staff gather additional information from public sources (e.g., soil classification data, information about natural habitats, copies of conservation easements). Staff compile this information into a property summary that is then shared with the Land Acquisition and Management Advisory Panel.

Preliminary Review

The Commissioner of DACF established the Land Acquisition and Management Advisory Panel according to 01-001 C.M.R. c. 405 §8 to help prioritize which properties to purchase and recommend management strategies for DACF-acquired properties.

The current members of the panel are:

- Mariam Taleb, appointed as DACF representative by DACF Commissioner Amanda Beal
- Christopher Redmond, appointed as DEP representative by DEP Commissioner Melanie Loyzim
- Keel Kemper, appointed as DIFW representative by DIFW Commissioner Judy Camuso
- Meredith Eilers, appointed by Commissioner Beal as a member of the public representing expertise in land use transactions
- Mary Ann Hayes, appointed by Commissioner Beal as a member of the public representing expertise in land use planning
- Brett Sykes, Maine Farmland Trust, appointed by Commissioner Beal as a member of the public representing the agricultural sector
- Jim Buckle, The Buckle Farm, appointed by Commissioner Beal as a member of the public representing the agricultural sector

Members of the Advisory Panel use a scoring rubric to evaluate properties proposed for purchase against the prioritization criteria outlined in 01-001 C.M.R. c. 405 §8(6): degree and extent of PFAS contamination; percentage of soils classified as prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance; magnitude of financial loss; current and potential future economic viability for agricultural production; natural resource values; and maintenance costs.

The panel then recommends whether to proceed based on its evaluation of the project summary against the scoring rubric. To date, no farms have been eliminated at this initial screening stage.

Appraisal and Agreement to Move Forward

PFAS Fund staff then share the panel's recommendation with the landowner and ask the landowner to affirm that they are ready to proceed. Next, staff request bids from appraisers who have qualified for DACF's Prequalified Vendor List ([PQVL](#)) of Maine-licensed real property appraisers with experience valuing agricultural land. Appraisers are asked to adopt a hypothetical condition when developing an opinion about the highest and best use of a property (i.e., appraise the subject property as if it was not contaminated by PFAS).

Completed appraisals are shared with landowners. If the landowner is satisfied with the appraised value and is ready to vacate the premises upon closing, DACF and the landowner enter into a purchase and sales agreement using the appraised value as the expected sale price.

Due Diligence and Planning for Future Use

Once the purchase and sales agreement is signed, the PFAS Fund initiates due diligence activities as needed, including ordering a title search, boundary survey, Phase I environmental site assessment, and home inspection. The results of due diligence have the potential to increase or decrease the purchase price.

Following due diligence and any contract amendments necessitated by the due diligence results, the parties prepare to close on the property.

Land Management (Strategy II.B)

While the due diligence process is underway, the PFAS Fund and the Land Acquisition and Management Advisory Panel explore potential future uses of each property. The goal is to return the land to agricultural production whenever possible. If the level of PFAS contamination is too great to

make this a practical alternative, other uses, such as research, education, conservation, and recreation, will be explored. Each property is assessed on a case-by-case basis, and short- and long-term future uses are dependent upon the unique features of each property.

Once sales are finalized, DACF will contact the respective municipalities to discuss how future use of the property could complement the town's goals (e.g., align with a comprehensive plan) and address any concerns.

The PFAS Fund will also enroll the properties in DEP's Voluntary Response Action Program (VRAP). VRAP allows applicants to voluntarily investigate and clean up properties to DEP's satisfaction in exchange for protection from DEP enforcement actions. Until there is a practical method to remediate PFAS-impacted soils, VRAP will help to characterize enrolled properties and identify restrictions on their use, which will be documented in covenants to be recorded in the relevant registry of deeds.

Requested Statutory Change

The PFAS Fund is governed by 7 M.R.S. § 320-K, which authorizes DACF to buy and sell agricultural land contaminated by PFAS. The statute is silent, though, on DACF's ability to lease real estate and on where proceeds will be deposited. DACF, therefore, has requested clarification via L.D. 130, *An Act to Establish the PFAS Response Program and to Modify the Fund to Address PFAS Contamination*. Specifically, DACF is asking for authority to "sell, grant, lease, transfer or otherwise convey any real or personal property" acquired by the PFAS Fund and to direct the proceeds of sales or leases back into the PFAS Fund. This clarification of legal authority and the treatment of proceeds are prerequisites for the future sale or lease of properties for agricultural production.

Status of Transactions

The PFAS Fund closed on its first property on February 24, 2025. It is a 108-acre property in Waldo County that is about 75 percent forest and 25 percent open field. Historically, the field has been used for hay production and is mostly classified as Prime Farmland, with a portion being Farmland of Statewide Importance. Because of the level of PFAS contamination, the hay grown on this property should not be used as the sole source of fodder for dairy animals that receive a 100 percent grass-based diet. Agricultural products that take up less PFAS may potentially be grown on this property.

In the short term, the PFAS Fund is exploring designating the forested portion of the property as a "demonstration forest" managed by the Maine Forest Service and used to educate woodlot owners. The fields will be maintained to be available for agricultural production if and when a suitable use is identified.

Three other properties have been appraised, and the appraisals have been shared with the property owners. The PFAS Fund expects to enter into purchase and sales agreements with two of the landowners by springtime. The owners of the third property have decided not to sell.

To date, the PFAS Fund has spent \$56,154 on appraisals, legal fees, due diligence costs, and closing costs. The purchase price of the Waldo County property was \$333,000.

Informational Materials (Strategy II.D)

Strategy II.D refers to the production and distribution of informational materials to professionals involved in real estate transactions and to municipal offices. While the PFAS Fund has not produced written materials, information is being shared via other avenues. For instance, the PFAS Fund director and the PFAS Response director were invited by the Fairfield town manager to speak with the town's PFAS Committee in April 2024. In July and December 2024, the PFAS Response director spoke during events organized by the Maine Revenue Service to a total of approximately 130 Certified Maine Assessors. She discussed DACF's programs supporting PFAS-impacted producers,

particularly highlighting sampling methodologies, how to interpret lab reports, what information is and is not publicly available, and what assessors may wish to consider if they receive an abatement request from a taxpayer who feels PFAS is negatively impacting the value of the property. Additionally, in October 2024, the PFAS Response director and a representative from DEP presented “Understanding PFAS Investigation in Maine: Guidance for Realtors” during the Maine Association of Realtors’ convention.

Conservation Measures (Strategy II.C)

Strategy II.C is the only land-related strategy that has not yet been addressed. It directs the PFAS Fund to establish a program to make payments to commercial farmers who take PFAS-impacted land out of production and agree to manage it in a manner that achieves conservation or other policy goals. This proposed program would be similar to the Farm Service Agency’s Conservation Reserve Program (CRP) and Conservation Reserve Enhancement Program (CREP). In exchange for a yearly rental payment, farmers enrolled in the CRP or CREP program agree to remove environmentally sensitive land from agricultural production and plant species that will improve environmental health and quality. Notably, PFAS-impacted lands are likely ineligible for these FSA programs at this time. As envisioned by the PFAS Fund, contaminated land would be removed from agricultural production and managed to achieve conservation goals.

The establishment of a program to make conservation payments will require focused staff time, research into what conservation measures would be advisable, consideration for State objectives (e.g., as documented in Maine’s climate plan, *Maine Won’t Wait*) and dedicated long-term funding. Changes at the federal level to expand eligibility for the CRP and CREP programs to include PFAS-impacted producers would be another avenue to advance Strategy II.C.

C. Research

The implementation plan describes three strategies to carry out the purposes identified in 7 M.R.S. §§ 320-K(4)(H-L), which states that the Fund may be used to conduct research that supports farm management decisions (e.g., investigations of alternative cropping systems, differential uptake of PFAS by various crops, soil and water remediation systems). Table 3 lists these three research-related strategies and their status.

The PFAS Fund’s competitive research grants are governed by 01-001 C.M.R. c. 406.

Table 3. Status of research strategies.

| Status | Strategy |
|---|---|
| ✓ | III.A: Establish a competitive research grant program to support scientific research to inform on-farm management decisions. |
| X | III.B: Establish a research station on a property purchased by the PFAS Fund under Strategy II.A. |
| * | III.C: Compile and share scientific information resulting from the competitive research grant program (e.g., through a data portal and a bibliography/literature repository). |
| Key: ✓ = Established, * = In Progress, X = Not Started | |

Research Grants (Strategy III.A)

In September 2024, the PFAS Fund opened its first solicitation for [Major Grants for the Study of PFAS in Agricultural Systems](#) (see Appendix C). With support from USDA Award FSA23CPT0013603, the PFAS Fund will distribute \$3 million for research that will help farmers determine their best options

for maintaining and enhancing viability despite the presence of PFAS on their property. Awards will be between \$100,000 and \$500,000 each. Projects will run for up to two years from the date a contract is executed.

The priority research topics for this round of funding are:

1. PFAS in Agricultural Settings: Water, Soil, and Plant Studies
2. PFAS in Agricultural Settings: Animals and Animal Product Studies
3. Understanding and Managing PFAS in On-Farm Agricultural Settings and Products
4. Remediation of PFAS-Contaminated Land and Suitable Uses of PFAS-Contaminated Agricultural Land and Products

These research priorities were derived from priorities initially identified by the PFAS Fund Advisory Committee and Research Subcommittee, with input from farmers, during the PFAS Fund's planning phase (November 2022 to July 2023). They were further refined by the PFAS Fund's Research Advisory Panel in consultation with DACF's PFAS Response Program.

Research Advisory Panel

The Research Advisory Panel was established by the DACF Commissioner according to the terms of 01-001 C.M.R. c. 406. §5. Its role is to recommend research priorities, propose peer review strategies that assure an absence of conflicts of interest, and help identify qualified peer reviewers. The current members are:

- Mary Yurlina, PhD, appointed as DACF representative by DACF Commissioner Amanda Beal
- Tim MacMillan, PE, appointed as DEP representative by DEP Commissioner Melanie Loyzim
- Andy E. Smith, SM, ScD, appointed as DHHS representative by then DHHS Commissioner Jeanne Lambrew
- Dr. Angela Mech, PhD, appointed as University of Maine representative by President Joan Ferrini-Mundy
- Rick Kersbergen, MS, appointed by Commissioner Beal as a member of the public with expertise in agriculturally related PFAS science
- Katia Holmes, Misty Brook Organic Farm, appointed by Commissioner Beal as a member of the public representing the agricultural sector
- Susan Hunter, Hunter Farm, appointed by Commissioner Beal as a member of the public representing the agricultural sector

Solicitation and Review Process

The Request for Applications (RFA # PFNDM2024001) opened in September 2024. Mandatory pre-proposals were due by October 28, 2024, and full proposals were due by January 31, 2025. In February 2025, PFAS Fund staff completed a non-technical review of all the submitted proposals, screening for eligibility and completeness.

DACF developed a roster of 37 potential peer reviewers from diverse disciplines (e.g., plant science, soil science, chemistry, engineering, PFAS-impacted farmers). DACF held a virtual training session for peer reviewers on January 28, 2025. In preparation for the training, staff developed guidance materials and forms that reviewers must sign affirming they have no conflicts of interest, have read the training materials, and will maintain confidentiality. Proposals were shared with peer reviewers in mid-February. Each proposal will be evaluated by up to five reviewers, each of whom will assess

the technical merits of their assigned proposals and score them using a rubric that reflects the selection criteria contained in 01-001 C.M.R. c. 406 §7 (i.e., priority, need, deliverables, methodology, management, and budget).

The DACF Commissioner will make the final award selection based on the peer reviewers' recommendations, the selection criteria, and the availability of funds. The PFAS Fund anticipates announcing awards under RFA # PFNDM2024001 in late April 2025.

The PFAS Fund anticipates launching additional research solicitations in 2025, including potentially a smaller "targeted grant" program (capped at \$100,000 per grant) that emphasizes research conducted in collaboration with farmers impacted by PFAS.

Facilitation and Communication (Strategy III.C)

Strategy III.C directs the PFAS Fund to compile and share scientific information resulting from the competitive research grant program. While the research grant program has not yet generated results, the PFAS Fund is facilitating communication between researchers and Agency personnel, as well as connections between researchers and farmers.

PFAS Fund staff established quarterly meetings with the University of Maine and USDA's Agricultural Research Service office in Orono, Maine. They also served as reviewers for grants being awarded by the University of Maine (*Understanding, Remediating, and Reducing Per- and Polyfluoroalkyl Substances (PFAS) Contamination Related to Food Systems*) and USDA (*SBIR/STTR Phase I*), and helped to organize a conference held at Colby College in Waterville Maine on February 25, 2025 (*PFAS Impacts on Agricultural and Food Systems In Maine: Updates from Researchers and State Agencies*).

The PFAS Fund has also established a mechanism to connect researchers with PFAS-impacted farmers who are willing to host or otherwise support research (e.g., by providing contaminated soil or other media). Connections are made via a process that protects the identities of PFAS-impacted producers. First, researchers complete a [Researcher/Impacted Producer Connection Request Form \(PDF\)](#) and return it to PFAS Fund staff. Staff screen requests and share those that meet basic criteria for scientific merit with a cohort of farmers who have indicated a willingness to support research. Farmers then contact any researchers they are interested in working with.

PFAS Fund staff have also begun developing a database of research papers related to PFAS in agriculture. It currently contains citations for 59 papers addressing topics such as PFAS uptake in plants, PFAS uptake in animals, and PFAS and human health. The PFAS Fund will explore options for making this repository publicly available in 2025.

Research Station (Strategy III.B)

Strategy III.B calls for the establishment of a research station on a property purchased by the PFAS Fund. This strategy has not moved forward because the PFAS Fund has just recently closed on its first real estate transaction.

The PFAS Fund will need to evaluate properties for their suitability for research. This evaluation will be conducted with the assistance of the Land Acquisition and Management Advisory Panel, the Research Advisory Panel, and the academic community. Considerations include property characteristics (location, soil type, degree of contamination, media impacted), infrastructure (water, electricity, lab space, animal handling facilities), staff, budget, and equipment.

D. Health

The implementation plan describes eight strategies to carry out the purposes identified in 7 M.R.S. §§ 320-K(4)(A-B), which states that the Fund may be used to monitor health and provide medical care to

persons whose blood levels of PFAS are greater than the general population. Table 4 lists these eight health-related strategies and their status.

The PFAS Fund’s blood testing program is governed by 01-001 C.M.R c. 407 and its mental health services program by 01-001 C.M.R c. 408.

DACF and the Maine Center for Disease Control and Prevention (MECDC) share responsibility for implementing the PFAS Fund’s health-related strategies. In April 2024, the two agencies executed a Memorandum of Understanding to describe their collaboration in performing a number of PFAS-related projects slated for payment by DACF via the PFAS Fund, a USDA grant, and DACF’s PFAS Response Program.

Table 4. Status of health strategies.

| Status | Strategy |
|---|---|
| * | IV.A: Establish a program to pay for costs not otherwise covered by health insurance for PFAS blood serum testing for persons who were exposed to PFAS through the land application of residuals in Maine. |
| * | IV.B: Maine Center for Disease Control and Prevention (Maine CDC) will initiate rulemaking to make PFAS blood test results reportable under the Notifiable Disease Reporting Rule or designate PFAS test results reportable as an emergency condition. |
| X | IV.C: Develop a program to cover the cost of medical monitoring, when such monitoring is not already covered by existing health care insurance, in eligible persons whose PFAS blood serum levels indicate the need for enhanced medical monitoring (i.e., currently, blood serum levels above 20 nanograms per milliliter (ng/mL) according to the National Academies of Sciences, Engineering, and Medicine). |
| X | IV.D: Explore options to provide medical care for certain PFAS-associated conditions for individuals with elevated blood levels of PFAS and who were exposed to PFAS through the land application of biosolids. Options to consider are providing eligible individuals with lifetime access to MaineCare; enrolling eligible individuals in the Maine State employees' health plan; and if the Attorney General succeeds in the lawsuit filed in April 2023 against PFAS manufacturers, setting aside some of the settlement money for medical care for people with conditions linked to PFAS exposure. <i>Notably, no budget is currently associated with this strategy. It is included to highlight that the public health impacts of PFAS exposure exceed the scope of the PFAS Fund.</i> |
| * | IV.E: Support a clinical trial to help advance the science of PFAS reduction modalities for humans. |
| * | IV.F: Support the mental health and well-being of farmers and residents of Maine who have been adversely impacted by PFAS contamination. |
| * | IV.G: Support the development and distribution of materials to educate the public and clinicians about sources of PFAS exposure and associated health issues, as well as clinical guidance. |
| ✓ | IV.H: Support a study of farmers and farm workers to investigate whether certain levels of PFAS-contaminated soil represent a significant source of ongoing exposure to people who work with soil. |
| Key: ✓ = Established, * = In Progress, X = Not Started | |

Eligibility for Blood Testing and Mental Health Services

Eligibility for access to blood testing and mental health services supported by the PFAS Fund is limited to eligible persons who lived or worked on PFAS-contaminated property for any portion of the ten-year period preceding the discovery of PFAS contamination, when the PFAS contamination is reasonably determined to be the result of the land application of residuals, as explained more fully in rule chapters 407 and 408. Eligible individuals include farmers, their family members and workers, and non-farm residents whose exposure to PFAS can be linked to the land application of sludge, sludge-derived products, and septage.

PFAS Fund staff have begun the process of identifying eligible individuals. The first step is to identify sites that exceed either Maine's interim drinking water standard of 20 parts per trillion (ppt) for the sum of 6 PFAS (PFOA, PFOS, PFNA, PFHxS, PFHpA, and PFDA) or the Maine Remedial Action Guideline (RAG) for soil for residential use.

DEP is in the process of undertaking an investigation to evaluate soil and groundwater for PFAS and other identified contaminants at locations licensed or permitted prior to 2019 to apply sludge or septage, as directed by *An Act To Investigate Perfluoroalkyl and Polyfluoroalkyl Substance Contamination of Land and Groundwater* (P.L. 2021, c. 478). As of October 2024, DEP had collected approximately 2,919 (mostly residential) groundwater samples and approximately 1,144 soil samples. Twenty percent of water samples exceeded Maine's interim drinking water standard, and fourteen sites had PFOS concentrations in soil that exceeded the residential RAG.

DEP organizes its sampling data according to sample site numbers. Sample sites may include multiple separately owned properties. Accordingly, it was a significant undertaking for PFAS Fund staff to analyze data from three DEP databases (groundwater results, soil results, and contact information) to develop a mailing list of addresses that potentially meet the blood testing and mental health services eligibility criteria.

The next step is for the PFAS Fund to send a letter to each address and invite the recipient to respond with the names of all the individuals who live (or lived) at that address during the relevant time frame. In the case of farms, recipients will also be asked to identify people who worked on the property. People identified in these responses will be eligible for access to blood serum testing and mental health services supported by the PFAS Fund.

Blood Testing (Strategy IV.A)

In the spring of 2025, the PFAS Fund will contract with all willing and qualified vendors (medical diagnostic laboratories) to establish a program to support access to PFAS blood serum testing for eligible Maine residents. Specifically, vendors will be asked to develop a system, in consultation with DACF, to confirm eligible individuals; collect blood serum samples; analyze them for, at a minimum, n-PFOS, Sm-PFOS, n-PFOA, Sb-PFOA, PFHxS, PFNA, PFDA, and PFHpA; report results to the ordering medical provider; bill patients' insurance providers to the maximum extent possible; and invoice DACF for the portion not covered by eligible individuals' insurance coverage. DACF will pay a maximum of \$300 per sample.

Public Health Oversight of PFAS Blood Testing (Strategy IV.B)

In October 2024, Maine CDC finalized proposed language for adding PFAS to the list of notifiable conditions under the Notifiable Disease Reporting Rule. The draft language specifies which PFAS are reportable, at what blood serum levels, and within what specified time-period. Proposed changes to the rule were submitted to the Office of the Attorney General in November 2024 for pre-review prior to posting for public comment. The proposed rules are intended to be finalized by spring 2025.

Maine CDC completed toxicokinetic analyses to estimate PFOS serum levels resulting from potential exposures in Maine (e.g., consumption of contaminated water, agricultural food commodities, wild fish and game). This exercise was undertaken to investigate serum thresholds for when case follow-up on reported blood testing results would be likely to provide an opportunity for exposure intervention and reduction.

Maine CDC has initiated efforts to build the informatics infrastructure to support making PFAS blood testing results reportable. To facilitate electronic lab reporting of PFAS blood results, Maine CDC confirmed with key laboratories that HL7 formatted messaging (a protocol for exchanging healthcare data between systems using a standard for message structure and content) is supported. Maine CDC staff is currently undergoing training to develop informatics for managing dataflows and to support case investigation using the National Electronic Disease Surveillance System (NEDSS). Maine CDC also implemented an interim case management system until the electronic disease reporting database is fully functional, providing a standardized process for responding to inquiries related to PFAS blood testing. In addition to an electronic disease reporting database, Maine CDC staff has drafted a survey instrument in REDcap that can be used to collect additional information on potential sources of PFAS exposure. Maine CDC is currently exploring opportunities to integrate data from REDcap with NEDSS, as has been done for other conditions (e.g., COVID-19). Maine CDC expects testing and integration of data flows to occur in early 2025.

Mental Health Services (Strategy IV.F)

The PFAS Fund has contracted with Vermont Farm First to help create a robust mental health support system for farmers and eligible residents impacted by PFAS contamination. The system is expected to include:

1. Individual one-on-one supportive counselling;
2. A team of mental health providers to provide one-on-one counseling, who are trained to understand the unique characteristics of farming and the associated health and mental health vulnerabilities, including those caused by exposure to contaminants;
3. A trained peer support network supported with ongoing supervision;
4. Web-based resources to assist farmers address, and where possible remediate, underlying sources of stress; and
5. Optionally, a 24/7 hotline and training for agricultural service providers.

By June 2025, Farm First will produce a report for the PFAS Fund that summarizes the availability and roles of existing Maine-based support organizations and provides an overview of how these organizations can best collaborate to accomplish the goals at hand. Farm First will define the pros and cons of what each organization has to offer, make specific recommendations for how to best meet the core objectives of the project, and delineate the extent and form of involvement of each of the participating organizations. The report will also include information on the delivery of the optional services listed above, to the extent they are identified as needed during the interview, facilitated meeting, and research phases.

Clinical Trial, Medical Monitoring, Medical Care (Strategies IV.C-E)

At the time that the PFAS Fund implementation plan was adopted, there were no treatment options available in Maine to reduce the levels of PFAS in the human body. As such, the PFAS Fund Advisory Committee proposed funding a clinical trial to advance the scientific understanding of potential treatment options.

Maine CDC is currently reviewing the available literature and consulting physicians and toxicologists on potential considerations for a clinical trial. However, a recent paper on a clinical trial of administering the cholesterol-lowering drug Cholestyramine showed decreases in PFHxS, PFOA, PFNA, and PFDA blood serum levels of 15-44 % (Moeller et al., 2024). Additionally, two health centers in Maine have established approved clinical protocols for administering Cholestyramine to highly exposed individuals interested in reducing elevated blood serum PFAS.

Given these advances, on March 5, 2025, the PFAS Fund Advisory Committee approved directing the funding that was originally identified for a clinical trial toward efforts to publish the Maine health centers' Cholestyramine protocols.

Educational Materials (Strategy IV.G)

Maine CDC contracted with Jon Snow, Inc. (JSI) in November 2024 to produce educational materials for lay and clinical audiences. The first product, an FAQ for individuals who have had their well water tested for PFAS and want information on blood testing, is currently in development, with the expected delivery of this updated product by the end of February 2025. JSI is also engaged in the development of images to depict the exposure pathways present on contaminated farmland that will be routinely used for presentations as well as online and printed materials.

Farm Worker Exposure Study (Strategy IV.H)

The PFAS Fund is supporting a farm worker exposure study to investigate whether certain levels of PFAS-contaminated soil represent a significant source of ongoing exposure. Maine CDC has been collaborating with Dr. Sara Lupolt, a researcher at Johns Hopkins University with expertise in farm worker soil exposures, to advance their provisional soil screening levels for a farm worker exposure scenario into a research manuscript. Dr. Lupolt presented this work at the October 2024 International Society for Exposure Sciences annual meeting in Montreal, Canada. The manuscript will be submitted for publication in a peer-reviewed journal by March 2025. The research team will begin meeting in April 2025 on the design of the pilot stage of a farm worker exposure study (which will be informed by the work done in collaboration with Dr. Lupolt). The goal is to begin fieldwork in the summer of 2025.

V. ADDITIONAL NEEDS IDENTIFIED BY THE AGRICULTURAL COMMUNITY

The PFAS Fund Advisory Committee held public meetings on October 24, 2024, and January 16, 2025, to solicit feedback on the implementation of the PFAS Fund. One impacted farmer stressed the need to move rapidly on blood testing, medical monitoring/screening, and full medical care and treatment for PFAS-linked conditions. He noted that, at its heart, the PFAS crisis is a public health crisis. Other speakers observed there was a need to research how fiber plants (flax, hemp) and animals (sheep, goats) take up PFAS. Others noted that the ban on the land application of biosolids has exacerbated solid waste management issues, and promoted commercial solutions to capture and destroy PFAS.

VI. WHAT FUNDS HAVE BEEN DISPERSED AND FOR WHAT PURPOSE?

Through P.L. 2021, ch. 635, sec. XX-7, the Legislature transferred \$60 million from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Office of the Commissioner, Other Special Revenue Funds account for the purposes as provided under the 7 M.R.S. § 320-K(4). These purposes have been further developed as described in the PFAS Fund implementation plan and the rules at 01-001 C.M.R. c. 400-408 (2024).

The PFAS Fund implementation plan includes a five-year projected budget of approximately \$70 million. The difference between the State allocation and the projected need is anticipated to be met through other funds, such as grants. In fact, half of the gap has been filled with a \$5 million grant

from the U.S. Department of Agriculture (USDA), received in September 2023. The USDA award includes:

- \$3 million for PFAS agricultural research (Strategy III.A),
- \$134,181 for a Public Service Coordinator to establish and manage a competitive research grant program (Strategy III.A),
- \$1,122,177 for direct financial assistance to producers (e.g., income replacement and business planning) (Strategy I.A-B) and,
- \$549,400 for a sub-award to Maine CDC to assist the PFAS Response Program with PFAS testing and laboratory work, and public education.

Staff

The PFAS Fund is administered by a Director and two Public Service Coordinators (PSC-I); one is responsible for the land acquisition and management program, and one is responsible for the research program. The Director and the Land PSC-I are supported by general funds. The Research PSC-I is supported by the USDA grant via a financial order through February 2026.

Through the Governor's proposed biennial budget for FY 26-27, DACF is seeking to continue the Research PSC-I position through June 2027. DACF anticipates that there will be a need for someone to oversee the process of granting research funds, managing scientific communications, and establishing a research station through at least State Fiscal Year 2029.

DACF is also seeking support to establish a Management Analyst II position supported by the PFAS Fund. The PFAS Fund administers \$65+ million and needs a staff member dedicated to financial administration.

Expenditures

Since its initiation, the PFAS Fund has expended a total of \$3,445,640.44. Of this total, \$2,225,373.47 are State funds and \$1,230,266.97 are Federal funds. See Tables 1 and 2.

The vast majority of the funding, \$2,953,251.99, has gone to impacted producers in the form of grants (e.g., income replacement) or the provision of professional services (e.g., business planning). Other expenditures include land acquisition (\$354,122, including acquisition, legal, and due diligence costs), support for the PFAS Navigator Program (\$62,000.52), and printing costs for the PFAS Response Kit (\$4,450).

Table 1: PFAS Fund expenditures (State funds)

| | | HISTORICAL BY YEAR 2023 | HISTORICAL BY Y 2024 | HISTORICAL BY YEAR 2025 | TOTAL |
|---------------------------|------------------------------|----------------------------|-------------------------|----------------------------|---------------------|
| Expenditures: | | | | | |
| 40 | PROF. SERVICES, NOT BY STATE | - | 4,487.87 | 18,636.31 | 23,124.18 |
| 41 | PROF. SERVICES, BY STATE | - | - | 2,790.00 | 2,790.00 |
| 46 | RENTS | - | 490.00 | 75.00 | 565.00 |
| 49 | GENERAL OPERATIONS | 484.97 | 276.10 | 4,450.00 | 5,211.07 |
| 64 | GRANTS TO PUB AND PRIV ORGNS | - | 549,282.64 | 1,286,891.20 | 1,836,173.84 |
| 70 | LAND | - | - | 354,122.75 | 354,122.75 |
| 85 | TRANSFERS | 3.39 | 587.98 | 2,795.26 | 3,386.63 |
| TOTAL EXPENDITURES | | 488.36 | 555,124.59 | 1,669,760.52 | 2,225,373.47 |

Table 2: PFAS Fund expenditures (Federal funds)

| | | HISTORICAL BY YEAR 2023 | HISTORICAL BY Y 2024 | HISTORICAL BY YEAR 2025 | TOTAL |
|---------------------------|-------------------------------|----------------------------|-------------------------|----------------------------|---------------------|
| 31-36 | SALARIES AND WAGES | - | 7,006.00 | 53,829.20 | 60,835.20 |
| 38 | UNEMPLOYMENT | - | - | 548.84 | 548.84 |
| 39 | FRINGE BENEFITS | - | 2,595.52 | 27,814.13 | 30,409.65 |
| 40 | PROF. SERVICES, NOT BY STATE | - | - | 5,099.85 | 5,099.85 |
| 43 | TRAVEL EXPENSES, OUT OF STATE | - | 2,323.74 | 9,220.25 | 11,543.99 |
| 64 | GRANTS TO PUB AND PRIV ORGNS | - | 407,751.72 | 709,326.43 | 1,117,078.15 |
| 85 | TRANSFERS | - | 583.97 | 4,167.32 | 4,751.29 |
| TOTAL EXPENDITURES | | - | 420,260.95 | 810,006.02 | 1,230,266.97 |

Future Funding Needs

The PFAS Fund implementation plan highlights the need for long-term funding that is not included in the \$70 million projected budget. These costs include:

- **Strategy II.B:** Funding for ongoing management/stewardship of properties acquired by the PFAS Fund;
- **Strategy II.C:** Funding to enable PFAS-impacted farmland owners to enter into long-term contracts to receive payments in exchange for adopting management practices that advance conservation or climate goals;
- **Strategy III.A:** Establishment of a permanent staff position to manage the research and health elements of the implementation plan (as discussed above);
- **Strategy III.B:** Funding for staffing, maintaining, and operating a PFAS agricultural research station;
- **Strategy IV.D:** Funding to provide medical care for certain PFAS-associated conditions to individuals with elevated blood levels of PFAS and who were exposed to PFAS through the land application of biosolids; and
- **Strategy IV.F:** Funding for a permanent mental health support program for the agricultural community.

As the PFAS Fund advances through the implementation phase, it will continually assess its budgetary needs and seek additional sources of funding where necessary.

VII. ADVISORY COMMITTEE

Per 7 M.R.S. § 320-L(1), the PFAS Fund Advisory Committee was established to make recommendations to DACF regarding the administration of the PFAS Fund. The current members of the PFAS Fund Advisory Committee are:

1. Senator Stacy Brenner, co-chair (appointed by the President of the Senate)
2. Senator Richard Bennett (appointed by the President of the Senate)
3. VACANT, co-chair (appointed by the Speaker of the House of Representatives)
4. Representative Randall Hall (appointed by the Speaker of the House of Representatives)
5. Department of Agriculture, Conservation and Forestry Commissioner Amanda Beal (ex officio)
6. Department of Environmental Protection Commissioner Melanie Loyzim (ex officio)
7. Deputy Director Nancy Beardsley (DHHS Commissioner Sara Gagné-Holmes' designee)
8. Dean Diane Rowland (appointed by the President of the University of Maine)
9. Acting Farm Service Agency State Director Lucia Brown (expert in agricultural finance and lending; appointed by Commissioner Beal)
10. James Buckle (farmer; appointed by Commissioner Beal)
11. Steven Crane (farmer; appointed by Commissioner Beal)
12. Jenni Tilton Flood (farmer; appointed by Commissioner Beal)
13. Katia Holmes (farmer; appointed by Commissioner Beal)
14. Adrienne Lee (farmer; appointed by Commissioner Beal)
15. Executive Director Rebecca Boulos, Maine Public Health Association (appointed by Commissioner Beal)

The PFAS Fund Advisory Committee met four times since DACF submitted its 2024 PFAS Fund annual report to the Legislature:

| | |
|--------------------|---|
| September 19, 2024 | Working meeting to plan for upcoming public meetings |
| October 24, 2024 | Meeting to gather public feedback on PFAS Fund implementation |
| January 16, 2025 | Meeting to gather public feedback on PFAS Fund implementation |
| March 5, 2025 | Working meeting to discuss and approve redirecting \$200,000 toward disseminating information about Cholestyramine protocols for reducing PFAS body burden through the publication of case series |

The first three meetings were held in Augusta and included a Zoom option. The fourth meeting was entirely online.

VIII. RECOMMENDED LEGISLATION

As noted above, LD 130 is currently before this body. *An Act to Establish the PFAS Response Program and to Modify the Fund to Address PFAS Contamination* proposes modest changes to the PFAS Fund's enabling statute to improve the program's effectiveness and efficiency by:

- Stipulating that health care information, including billing information, obtained by DACF in the course of providing services such as blood testing and mental health support will be treated as confidential pursuant to 22 M.R.S. § 1711-C;
- Granting DACF authority to lease real estate, in addition to its existing authority to buy and sell real estate, and directing the proceeds of sales and leases back into the PFAS Fund;
- Authorizing DACF to utilize the PFAS Fund for personnel services;

- Authorizing members of the PFAS Fund Advisory Committee to select two chairs from among its members rather than having co-chairs appointed by the President of the Senate and the Speaker of the House. Having legislators as co-chairs has presented scheduling challenges during the legislative session and when legislative terms expire; and
- Changing the requirement from two public hearings annually to “seek input from the public on efforts to meet the purposes of the fund” to one public meeting for this purpose annually. Public hearings are generally understood to be conducted by an agency for the purpose of receiving public comments on an agency action (e.g., comments on a proposed rule). Such hearings are governed by the Maine Administrative Procedures Act (5 M.R.S. §§ 8001-11008). Public meetings, on the other hand, are governed by the provisions of Title 1, chapter 13, Public Records and Proceedings. The Advisory Committee's enabling statute, 7 M.R.S. § 320-L(3), explicitly states that “[a]ll proceedings of the advisory committee are public proceedings within the meaning of Title 1, chapter 13, subchapter 1.” Accordingly, the reference to public hearings is misplaced.

The requirement that the PFAS Fund Advisory Committee hold a minimum of two meetings annually to seek public input on efforts to meet the purposes of the Fund is unnecessary for the following reasons:

1. all PFAS Fund Advisory Committee meetings are public meetings that members of the public are welcome to observe,
2. the PFAS Fund has demonstrated to date that it actively solicits input directly from the public without the Advisory Committee serving as an intermediary (e.g., surveys in 2023 and early 2024 regarding research priorities and mental health services), and
3. whenever the PFAS Fund undertakes any official agency action, the public will have an opportunity to participate in a public hearing pursuant to the Maine Administrative Procedures Act.

Accordingly, a single opportunity for the public to address the PFAS Fund Advisory Committee on DACF’s efforts to meet the Fund's purposes will be sufficient (e.g., during the annual Agricultural Trades Show).

Appendices

- A. Master Application
- B. Land Acquisition and Stewardship Inquiry & Information Form
- C. RFA #PFNDM2024001, Major Grants for the Study of PFAS in Agricultural Systems, Round 1

Appendix A

MASTER APPLICATION

Assistance for PFAS-Impacted Commercial Farms

The Department of Agriculture, Conservation and Forestry (DACF) offers two programs to support commercial farms that have been impacted by PFAS contamination. These are the PFAS Response Program and the PFAS Fund. This Master Application may be used by eligible farms to apply for any of the following assistance:

Administrative Cost Grant: A one-time grant intended to partially compensate commercial farms for time spent on activities common to most farms upon the initial discovery of PFAS contamination.

Income Replacement: Commercial farms that have stopped selling some or all products due to PFAS contamination may apply to DACF for up to a total of 24 months of lost income, adjusted for inflation.

Technical Assistance / Professional Services: Financial support for professional services to help guide recovery efforts (e.g., business planning, marketing support, others).

Clean Feed Assistance: Financial support for clean feed when it is necessary for the health and welfare of livestock and to achieve depuration goals in the absence of clean feed from the farm.

Equipment and Input Costs: Financial support for equipment and related input costs to allow a commercial farm to convert its operations to accommodate new products and production methods.

Infrastructure: Financial support for infrastructure projects (permanent physical assets and structures) that will help a commercial farm transition to new products and production methods.

Debt Service on Existing Loans: Payment of loans directly related to farm infrastructure built/installed prior to the discovery of PFAS contamination (e.g., high-tunnel, greenhouse, farm store) that (1) have not yet contributed to income or (2) are no longer useful to the producer because of PFAS contamination.

New Loan Assistance: Financial support for costs associated with obtaining a new loan (e.g., payment of fees for a guaranteed loan, commercial loan insurance, or environmental site assessments required by a lending institution).

In addition to the assistance listed above, the PFAS Fund is developing the framework to purchase PFAS-contaminated property from willing sellers, fund research, and support access to blood testing and mental health support for eligible populations. These will involve separate application procedures. Information will be posted on DACF's website as it becomes available.

The PFAS Response Program administers additional support, namely water filtration and payments for depopulated animals. These programs are not associated with this Master Application. There is also a testing reimbursement program with a separate application procedure available on DACF's website.



Amanda E. Beal
Commissioner

Randy Charette
Deputy Commissioner

Nancy McBrady
Deputy Commissioner

18 Elkins Lane
Augusta, ME 04333

(207) 287-3200
maine.gov/dacf



Eligibility and Instructions

Instructions

Applicants must complete and provide all requested information in:

- Section 1. Applicant General Information,
- All Sections with types of assistance for which the applicant wishes to apply (Sections II-IX), and
- Appendix A. Vendor Form

Applicants will be considered for a specific type of assistance only if the corresponding application section is complete. Multiple applications may be submitted as needed. Completed applications can be submitted to PFAS.DACF@maine.gov or PFASFund.DACF@maine.gov or mailed to:

PFAS Response Program
28 State House Station
Augusta, ME 04333

Baseline Eligibility Requirements

In general, commercial farms are eligible for the assistance listed on the first page of this application if the following parameters are met. Some types of assistance may have additional or different requirements.

1. The commercial farm has DACF-confirmed unsafe levels of PFAS contamination, defined as
 - a. one or more samples of farm products showing PFAS exceeding current Action Levels or deemed of concern by the Maine CDC, and/or
 - b. groundwater test results exceeding Maine's enforceable interim drinking water standard for PFAS until superseded by either Maine's Maximum Contaminant Level (MCL) for PFAS or a federal MCL for PFAS, whichever is lowest, for wells servicing the farm or fields, and/or
 - c. soil test results exceeding any current Maine CDC crop-specific screening level; and
2. The commercial farm has partnered with DACF to investigate the scope of contamination at the farm and has granted ongoing access such that DACF staff are able to develop an understanding of the farm, its PFAS contamination, and potentially a strategy for recovery.

A commercial farm is defined as a farm that produces any farm product with the intent that the farm product be sold or otherwise disposed of to generate income. Please see **Appendix B – Current Maine PFAS Screening Levels (December 2023)** for the current Action Levels for farm products as well as the current drinking water standard values for comparison of test results.

Contact Information

For general inquiries, call 207-287-4514 and leave your name, phone number, and a brief message.

Questions about testing reimbursement, clean feed assistance, equipment and input costs, infrastructure projects valued up to \$150,000, and debt service on existing loans may be directed to Meagan Hennessey, PFAS Response Director, Meagan.Hennessey@maine.gov, 207-592-3795.



Questions about administrative cost grants, income replacement, no-cost technical assistance, infrastructure projects valued above \$150,000, and new loan assistance may be directed to Beth Valentine, PFAS Fund Director, Beth.Valentine@maine.gov, 207-313-0962

Master Application Contents

Financial Assistance

Eligibility and Instructions

Section 1. General Applicant Information

Section 2. Administrative Cost Grant

Section 3. Income Replacement

Section 4. Technical Assistance / Professional Services

Section 5. Clean Feed Assistance

Section 6. Equipment and Input Costs

Section 7. Infrastructure

Section 8. Debt Service on Existing Loans

Section 9. New Loan Assistance

Appendix A: Vendor Form

Appendix B: Current Maine PFAS Screening Levels

Appendix C: Right to Appeal

Date of Application: _____



Section 1. General Applicant Information

(all applicants must complete this section)

BUSINESS ENTITY'S LEGAL NAME: _____

STATE OF INCORPORATION AND CHARTER NUMBER: _____

FARM'S PRIMARY PRODUCT(S): _____

CONTACT NAME: _____

MAILING STREET ADDRESS: _____

CITY/STATE/ZIP: _____

PHYSICAL STREET ADDRESS IF DIFFERENT: _____

PHYSICAL ADDRESS CITY/STATE/ZIP: _____

PHONE: _____ EMAIL: _____

NAME OF DACF STAFF (APS) WORKING WITH THE FARM: _____

Required Documentation - Section 1

The following information must be attached and submitted with this Section of the application:

- A. Farm Narrative. A statement, one page or less, explaining (1) the date and circumstances of the discovery of PFAS on the property, (2) the impacts to the farm's business operations due to PFAS contamination, and (3) how the requested financial assistance will support the farm's efforts to remain viable in connection with these impacts.
- B. Proof of Contamination. PFAS test results from an approved laboratory (*if DACF does not already have them*). See **Appendix B** for the current Maine PFAS Screening Levels, updated as of December 2023.

The commercial farm has DACF-confirmed unsafe levels of PFAS contamination, defined as

1. One or more samples of farm products showing PFAS exceeding current Action Levels or deemed of concern by the Maine CDC, and/or
 2. groundwater test results exceeding Maine's enforceable interim drinking water standard for PFAS until superseded by either Maine's Maximum Contaminant Level (MCL) for PFAS or a federal MCL for PFAS, whichever is lowest, for wells servicing the farm or fields, and/or
 3. soil test results exceeding any current Maine CDC crop-specific screening level
- C. Vendor Form. A completed State of Maine Vendor Authorization Form (*if not already on record*), available in Appendix A. The purpose of the vendor form is to establish an account with the State of Maine's accounting system so that payments may be issued to the applicant by the State of Maine. Any change in information, such as an address change, will require a new vendor form.

Date of Application: _____



Additional Information Requested – Section 1

Has this farm previously applied for assistance from DACF via the master application? YES NO

If YES, please indicate any changes in your operations that have occurred since your last application. Also, has the name/contact information provided above changed?

Does this farm currently produce any farm product with the intent that the farm product be sold or otherwise disposed of to generate income? YES NO

If no, approximate date farm stopped producing farm products for sale: _____

Applications Included in this Submittal:

Please check all applications that apply. If multiple projects are being applied for within a category, please indicate the number:

- | | |
|---|--|
| <input type="checkbox"/> Administrative Cost Grant | <input type="checkbox"/> Equipment and Input Costs (# projects: ___) |
| <input type="checkbox"/> Income Replacement | <input type="checkbox"/> Infrastructure (# projects: ___) |
| <input type="checkbox"/> Tech Assistance/Prof. Services (# projects: ___) | <input type="checkbox"/> Debt Service on Existing Loans |
| <input type="checkbox"/> Clean Feed Assistance | <input type="checkbox"/> New Loan Assistance |

Signature Block – Section 1

Consent and Certification

By submitting this application, the undersigned:

- Agrees to partner with DACF to investigate the scope of contamination at the farm, grants ongoing access such that DACF staff are able to develop an understanding of the farm, its PFAS contamination, and potential strategies for recovery, and agrees to follow any such recommendations to the greatest extent possible;
- Authorizes DACF to receive information from and share information with other organizations when the information is necessary for DACF to make a decision on an application, including the Maine Department of the Environment (DEP), Maine Center for Disease Control and Prevention (MECDC), USDA Farm Service Agency, Maine Farmland Trust, and Maine Organic Farmers and Gardeners Association;
- Acknowledges that DACF reserves the right to request any additional supporting documentation that is necessary to evaluate the request for assistance;
- Acknowledges that DACF reserves the right to limit the amount of funding for all requests based on available resources;
- Agrees that if payments exceed a commercial farm’s eligible documented expenses, losses, or other outlays, the commercial farm shall reimburse DACF an amount equal to the overpayment.

Date of Application: _____



I certify that the information given in this application is correct and complete to the best of my knowledge. I acknowledge that where funds are granted for a specified purpose, those funds will be utilized solely for the approved activities described in the application.

I acknowledge that payments may represent reportable income for tax purposes.

I certify that I have been granted the authority by _____
(business name) to sign as its representative, and my signature contractually binds the business in this agreement.

Applicant's Signature _____ Date _____

Applicant's Name (printed) _____ Title _____

Applicant's Signature _____ Date _____

Applicant's Name (printed) _____ Title _____

Please complete if someone assisted the applicant in completing this form:

Preparer Name (If not applicant) _____ Preparer's relationship to applicant _____

Permission to discuss application with Preparer: YES NO

Date of Application: _____



Section 2. Administrative Cost Grant

Upon the initial discovery of PFAS, a commercial farm that chooses to work with DACF staff to investigate the extent of contamination and its impact on the farm's products may be eligible for a one-time grant of \$3,522. This grant is intended to partially compensate farms for time spent on activities common to most farms discovering PFAS contamination, such as working with DACF field staff, strategizing initial response steps, communicating with customers, arranging for new sources of feed, researching and applying for technical assistance, and similar actions in response to the new operational circumstances. Administrative Cost Grants are governed by rule 01-001 CMR c. 400 (2024).

Questions about administrative cost grants may be directed to Beth Valentine, PFAS Fund Director, at Beth.Valentine@maine.gov or 207-313-0962.

Required Documentation – Section 2

The following information must be submitted with this Section of the application:

- A. Section 1. Applicant General Information with all specified attachments, including a narrative statement.

Additional Information Requested – Section 2

1. Date of initial meeting with DACF staff: _____
2. Topics discussed:

3. Next steps identified:

4. Other assistance the farm is considering or is applying for:

Date of Application: _____



Application Review – Section 2

Applications for administrative cost grants will be reviewed by DACF’s PFAS Fund Director. The Director may request input from members of the DACF PFAS Response Program, including Agricultural PFAS Specialists (APS) and specialized consultants acting on the Program’s behalf and that have worked with the farm and have knowledge of the applicant’s operations. DACF will rely on all available information about the farm to assess the request. DACF reserves the right to request any additional supporting documentation that is necessary to evaluate the request for assistance. Decision-making authority rests with the PFAS Fund Director.

Signature Block – Section 2

I certify that the information given in this Administrative Cost Grant application is correct and complete to the best of my knowledge. I acknowledge that payments may represent reportable income for tax purposes.

Applicant’s Signature _____ Date _____

Applicant’s Name (printed) _____ Title _____

Applicant’s Signature _____ Date _____

Applicant’s Name (printed) _____ Title _____

Please complete if someone assisted the applicant to complete this form:

Preparer Name (If not applicant) _____ Preparer’s relationship to applicant _____

Permission to discuss application with Preparer: YES NO

Date of Application: _____



Section 3. Income Replacement

Commercial farms that have stopped selling some or all products due to PFAS contamination may apply to the DACF for up to a total of 24 months of lost income, adjusted for inflation. Income Replacement is governed by rule 01-001 CMR c. 401 (2024).

Questions about income replacement may be directed to Beth Valentine, PFAS Fund Director, at Beth.Valentine@maine.gov or 207-313-0962.

Eligibility

The baseline eligibility requirements found in the *Eligibility and Instructions* Section of this Master Application must be met. As further defined therein, the farm must be a commercial farm with confirmed PFAS contamination that collaborates with and grants access to the farm for DACF staff. Additionally, the farm must have a demonstrated loss of income due to stopping or reducing sales of farm products at the order, written recommendation, or with the consent of DACF because of PFAS contamination.

Also, farms that (1) have a history of land application of residuals or other reasonable expectation that their farm product(s) contain unsafe levels of PFAS and (2) have pulled their products from the market while test results are pending, may apply for income replacement.

Required Documentation – Section 3

The following information must be attached and submitted with this Section of the application:

- A. Section 1. Applicant General Information with all specified attachments;
- B. A statement, one-page or less, describing how the farm's income has been impacted by PFAS and what steps the farm is exploring to regain/reestablish income.
- C. Complete copy of the applicant's federal income tax return(s) for the year(s) associated with the calculation of gross income as described above;
- D. Profit and loss statements by month for all relevant time periods;
- E. Copy of application(s) for USDA Dairy Indemnity Payment Program (DIPP) payments or other federal assistance programs, if applicable;
- F. Other relevant documentation demonstrating loss of sales and current financial situation;
- G. Documentation by month of all financial payments received, including payments related to PFAS assistance from state, federal, private, and non-profit entities, including by/from USDA, insurance companies, and Maine-based nonprofit organizations.

DACF reserves the right to waive the requirement for certain documents for good cause.

Date of Application: _____



Additional Information Requested – Section 3

Gross Income

There are a few options for calculating the farm’s gross income; a commercial farm may use the option that is most advantageous. DACF can help to determine the best option for you.

DACF will rely primarily on Internal Revenue Service (IRS) Schedule F (Profit or Loss from Farming), Schedule C (Profit or Loss from Business), and/or Schedule E (Supplemental Income and Loss) to determine gross farm income. Gross farm income typically does not include long-term capital gains such as those reported on IRS Form 8949. Gross farm income may include sales of business property reported on IRS Form 4797 when the sale is part of routine farm operations (e.g., sales of dairy cows).

Please choose which option to apply:

- The gross income of the year PFAS was discovered, as documented on a filed federal income tax return;
- The gross income of the year immediately preceding the year PFAS was discovered, as documented on a filed federal income tax return;
- The average of the top three grossing years out of the five years that include the year PFAS was discovered and the four years immediately preceding the year PFAS was discovered, as documented on filed federal income tax returns; or
- The average of the top three grossing years out of the five years immediately preceding the year PFAS was discovered, as documented on filed federal income tax returns.

Please choose from the following:

If this application for Income Replacement is approved, and the commercial farm continues to produce any farm product with the intent that the farm product be sold or otherwise disposed of to generate income, one of the following options may be selected (**options continue on next page**):

- DACF will issue an initial payment of 30 percent of the established baseline income plus the inflationary factor. DACF will issue subsequent payments based on documentation of actual losses; or
- DACF will not make an upfront payment. Instead, the commercial farm will submit documentation of actual losses and DACF will make corresponding payments.
- Where a third-party entity has made income replacement payments to a commercial farm because of PFAS contamination and DACF has an existing reimbursement agreement with that third-party entity, DACF is authorized to reimburse the third-party entity according to the same terms as if the payment was made directly to the commercial farm. The amount of the payment to the third-party entity will be counted toward the commercial farm’s maximum payment.

Date of Application: _____



Application Review and Limitations - Section 3

The PFAS Fund Director will establish an application review panel comprised of DACF staff and at least one external member familiar with agricultural accounting and tax filings. The role of the application review panel is to review applications, verify baseline income calculations, advise DACF on the sufficiency of the supporting documentation, and recommend the schedule of payments for each farm.

DACF reserves the right to consult with external persons with relevant expertise as part of the process.

DACF reserves the right to limit the amount of funding for all requests based on available resources.

Method of Calculating Income Replacement Payments

Baseline Income. DACF will calculate baseline income by subtracting an amount equal to any non-revenue payments received by the farm from the farm’s gross income. For instance, DACF will subtract any “irregular” (or one-time) payments, such as prior state or federal grant awards reported in the farm’s tax filing(s), from the farm’s gross income.

Inflationary Factor. DACF will account for inflation by referencing the Consumer Price Index (CPI-U, CUUR0000SA0) as published by the U.S. Bureau of Labor Statistics. In January of each year, DACF will calculate the average annual CPI-U percentage increase of the prior five most recent years. This average will be the inflationary factor for all income replacement applications processed within that calendar year.

DACF will calculate income replacement payments using the following method:

$$\text{Baseline Income} + (\text{Inflationary Factor} \times \text{Baseline Income}) - \text{Income after PFAS discovery}$$

Payments are limited to actual losses. Income replacement payments will be the sum of baseline income plus the product of baseline income times the inflationary factor, minus current income generated by the farm through the sale of products or services not impacted by PFAS and other income, e.g., DIPP payments, gifts and donations above the federal gift tax exclusion, and income replacement payments made by another entity.

Overpayments. If income replacement payments exceed a commercial farm’s documented losses from the impacts of PFAS, the commercial farm shall reimburse DACF an amount equal to the overpayment.

Maximum Payments. Total income replacement payments for any twelve-month period shall not exceed the total of baseline income plus the product of baseline income times the inflationary factor. An applicant may apply for up to 24 months of income replacement payments. The initial baseline income will be used for any subsequent applications.

Limitations

No farm is eligible for more than 24 months of income replacement payments, calculated as described above. A commercial farm that permanently ceases operation within 12 months of the discovery of PFAS is eligible for the receipt of one year’s lost income. A commercial farm that permanently ceases operation more than 12 months but less than 24 months after the discovery of PFAS is limited to receipt of income corresponding to the timeframe during which it remained in operation.

Date of Application: _____



When has a farm ceased operations?

Elimination of Herd. If a commercial farm produces one primary product from a herd of livestock and then depopulates or deperates and sells the herd because of PFAS contamination, and the farm has not initiated a plan that is satisfactory to DACF to transition to a new form or type of production within 180 days of depopulation or sale, the commercial farm will be deemed to have ceased operations on the date the majority of the herd was depopulated or sold. When determining whether a plan is satisfactory, DACF will consider factors such as whether the farm is working with a business planner or other service provider and the degree of cooperation with DACF staff.

Confirmation in Writing. A commercial farm will be deemed to have ceased operations when the farm confirms in writing that it no longer produces any farm product with the intent that the farm product be sold or otherwise disposed of to generate income presently or in the future.

Not Economically Viable. DACF reserves the right to determine that a farm has ceased operations when analysis conducted by DACF in conjunction with a service provider with a degree or professional experience in business planning indicates that continued operation is not economically viable.

Signature Block – Section 3

I certify that the information given in this Income Replacement application is correct and complete to the best of my knowledge. I acknowledge that payments may represent reportable income for tax purposes.

Applicant's Signature Date

Applicant's Name (printed) Title

Applicant's Signature Date

Applicant's Name (printed) Title

Please complete if someone assisted the applicant to complete this form:

Preparer Name (If not applicant) Preparer's relationship to applicant

Permission to discuss application with Preparer: YES NO

Date of Application: _____



Section 4. Technical Assistance / Professional Services

Commercial farms that have DACF-confirmed unsafe levels of PFAS may apply to DACF for no-cost technical assistance to help guide their response to the discovery of PFAS and/or to implement mitigation strategies. Eligible producers may work with service providers to obtain expert advice, estimates, drawings, plans, research, and technical or professional assistance related to modifying their operations in response to PFAS contamination. Service providers may be marketing consultants, accounting firms, farm and/or business support organizations, engineering firms, law firms, and other organizations that DACF determines may provide valuable services that support sustained farm viability. Technical Assistance is governed by rule 01-001 CMR c. 402 (2024).

Questions about no-cost technical assistance may be directed to Beth Valentine, PFAS Fund Director, at Beth.Valentine@maine.gov or 207-313-0962.

Required Documentation – Section 4

The following information must be submitted with this Section of the application:

2. Section 1. Applicant General Information with all specified attachments.
3. An estimate, invoice, or receipt from a service provider describing the scope of work, estimated timeline, and total cost;
4. If requesting a direct reimbursement, provide Proof of Payment; and,
5. Any additional supporting documentation requested by DACF that DACF determines is necessary to review the request for assistance.

Additional Information Requested – Section 4

1. Describe the impacts PFAS contamination has had on the farm as it relates to the requested technical assistance/professional services:

Date of Application: _____



2. Describe the problem technical/professional services will address:

3. A detailed description of the product the technical service provider will deliver. For example, a business planner may be asked to produce a comprehensive business plan that describes the farm, including its history, products, operations, and management; market analysis; proposed business ideas and strategies; financial analysis and projections; and an implementation plan. An engineer may be asked to render a plan for a new well or structure. A marketing firm may be asked to produce social media content and photography.

Date of Application: _____



4. Description of next steps anticipated after obtaining the information sought from technical/professional services:

5. Total amount of support requested: \$ _____

6. Estimated start and end dates of service. Indicate whether there are any time constraints (e.g., approval is needed prior to spring planting):

7. **Payment Options – please check which one is requested:**

- Applicant will pay project costs and DACF will reimburse upon proof of purchase.
- DACF contracts with and pays applicant’s approved vendors/contractors
- DACF reimburses a nonprofit for payment of approved project costs made on the applicant’s behalf

Date of Application: _____



Application Review – Section 4

Evaluation criteria may include but not be limited to the degree to which the farm has been negatively impacted by PFAS, likelihood of success, return on investment, total cost, timing, alternative options, level of risk, producer’s demonstrated lack of available financial capacity, number of other requests for DACF support by the applicant and by other producers, and the farm’s capacity and commitment to continue farming on the impacted property.

Evaluation criteria will also include an assessment by DACF of whether a given service provider is appropriately qualified to provide the particular type of technical assistance being sought.

DACF reserves the right to limit the amount of funding for all requests based on available resources and the evaluation criteria listed above.

Applications for technical assistance and professional services will be reviewed by DACF’s PFAS Fund Director. The Director may request input from members of the DACF PFAS Response Program, including Agricultural PFAS Specialists (APS) and specialized consultants acting on the Program’s behalf and that have worked with the farm and have knowledge of the applicant’s operations. DACF will rely on all available information about the farm to assess the request. DACF reserves the right to request any additional supporting documentation that is necessary to evaluate the request for assistance. Decision-making authority rests with the PFAS Fund Director

Payment Restrictions

DACF may pay for technical assistance costs directly related to a commercial farm’s response to PFAS contamination. DACF will not pay for a commercial farm’s technical assistance costs that are associated with routine operations that are unrelated to PFAS response.

(Section 4 Signature Block on Next Page)

Date of Application: _____



Signature Block – Section 4

I certify that the information given in this Technical Assistance / Professional Services application is correct and complete to the best of my knowledge.

I acknowledge that payments may represent reportable income for tax purposes.

Applicant's Signature _____ Date _____

Applicant's Name (printed) _____ Title _____

Applicant's Signature _____ Date _____

Applicant's Name (printed) _____ Title _____

Please complete if someone assisted the applicant to complete this form:

Preparer Name (If not applicant) _____ Preparer's relationship to applicant _____

Permission to discuss application with Preparer: YES NO

Date of Application: _____



Section 5. Clean Feed Assistance

DACF can provide clean feed financial support if it determines, based on available farm data, that clean feed is necessary for the health and welfare of livestock and/or to achieve depuration goals in the absence of available clean feed from the farm. Clean feed includes organic and conventional feedstock.

Questions about clean feed assistance may be directed to Meagan Hennessey, PFAS Response Director, at Meagan.Hennessey@maine.gov or 207-592-3795.

Required Documentation – Section 5

The following information must be submitted with this Section of the application:

- A. Section 1. Applicant General Information with all specified attachments
- B. An estimate, invoice, or receipt from a product provider describing product, source, and amount
- C. Updated Herd List, including number of pregnancies
- D. Current inventory of feed available at the farm, including sources
- E. If requesting a direct reimbursement, provide proof of payment
- F. PFAS test results from clean feed product provider, if available
- G. Any additional supporting documentation requested by DACF that DACF determines is necessary to review the request for feed.

Additional Information Requested – Section 5

Please provide the following information

1. Feed type and volume of feed needed:

2. Estimate of how long this purchase of feed will provide for your herd:

3. Total amount of support requested: \$ _____

Date of Application: _____



4. What are your plans for producing/sourcing clean feed in the future without DACF support?

5. Has the clean feed provider conducted PFAS testing on its feed and/or soil? YES NO

6. Payment Options - Please check which one is requested:

- Applicant will pay project costs and DACF will reimburse upon proof of purchase
- DACF contracts with and pays applicant's approved vendors/contractors
- DACF reimburses a nonprofit for payment of approved project costs made on the applicant's behalf

Application Review – Section 5

Payment is subject to factors including herd size, contamination level, projected depuration timeframe, volume of feed needed over what time period, price (including transport and delivery), ability of farm to raise clean feed in the future, and PFAS-free status of replacement feed.

DACF will consider the total cost and whether the clean feed is essential to the viability of the farm. This could include the likelihood of success or return on investment and other relevant factors.

Other criteria for consideration include: total cost, timing, alternative options, level of risk, producer's demonstrated lack of available financial capacity, number of other requests for DACF support by other producers.

DACF reserves the right to cap the amount of funding for all requests based on available resources and other factors.

Date of Application: _____



Section 6. Equipment and Input Costs

A farm proposing to convert its operations to accommodate new products and production methods can apply for funding for equipment and related input costs for the successful harvesting, handling, processing, or packaging of the resulting product.

Questions about equipment and input costs may be directed to Meagan Hennessey, PFAS Response Director, at Meagan.Hennessey@maine.gov or 207-592-3795.

Required Documentation – Section 6

The following information must be submitted with this Section of the application:

- A. Section 1. Applicant General Information with all specified attachments
- B. Narrative – Equipment Focus. A statement, one page or less, describing and explaining:
 1. The impacts PFAS contamination has had on the farm as it relates to the need for new equipment and/or input costs;
 2. The proposed equipment and how it will address the impacts stated above;
 3. A justification of equipment chosen (including the product type or model chosen); and,
 4. The anticipated result/outcome achieved by receiving this assistance from DACF.
- C. An estimate, invoice, or receipt from an equipment provider describing the equipment and related input costs, and amount, including any taxes or transportation fees
- D. If requesting a direct reimbursement, provide proof of payment
- E. Supporting documentation, such as:
 1. Equipment information, model, specifications, drawings or similar; and
 2. Cost quotes or estimates with relevant details and equipment and input cost details from at least two separate vendors.
- F. Any additional supporting documentation requested by DACF that DACF determines is necessary to review the request for feed.

Additional Information Requested – Section 6

1. TOTAL AMOUNT OF SUPPORT REQUESTED FOR SECTION 6 COSTS: \$ _____
2. **Payment Options** – Please check which one is requested:
 - Applicant will pay project costs and DACF will reimburse upon proof of purchase
 - DACF contracts with and pays applicant’s approved vendors/contractors
 - DACF reimburses a nonprofit for payment of approved project costs made on the applicant’s behalf

Date of Application: _____



Section 7. Infrastructure

Commercial farms that have DACF-confirmed unsafe levels of PFAS may apply to DACF for grant funding for infrastructure projects that will help the commercial farm transition to new production methods or new types of production. Infrastructure grants are governed by rule 01-001 CMR c. 403 (2024).

Questions about infrastructure projects valued up to \$150,000 may be directed to Meagan Hennessey, PFAS Response Director, at Meagan.Hennessey@maine.gov or 207-592-3795. Questions about infrastructure projects valued above \$150,000 may be directed to Beth Valentine, PFAS Fund Director, at Beth.Valentine@maine.gov or 207-313-0962.

Required Documentation – Section 7

The following information must be submitted with this Section of the application:

- A. Section 1 - General Information and all specified attachments
- B. Project Narrative. A statement, one page or less, describing and explaining:
 - The proposed infrastructure.
 - Description of the impacts PFAS contamination has had on the farm, specific to infrastructure needs.
 - A description of the problem the infrastructure seeks to address (justification)
 - The anticipated result/outcome achieved.
- C. If requesting a direct reimbursement, provide proof of payment
- D. Supporting documentation, such as:
 - A business plan that illustrates how the planned infrastructure will contribute to the farm's long-term viability (business plans are advisable for all applicants and are required for all requests above \$150,000);
 - Building plans and/or engineering drawings; and
 - Cost quotes or estimates with relevant details and contractor details, including a Statement of Qualifications, from at least two separate contractors
- E. Any additional supporting documentation requested by DACF that DACF determines is necessary to review the request for assistance.

Additional Information Requested – Section 7

1. Total amount of support requested in Section 7: \$ _____
2. Payment Preference – please check which one is requested (**continues on next page**):
 - Applicant will pay project costs and DACF will reimburse upon proof of purchase
 - DACF contracts with and pays applicant's approved vendors/contractors

Date of Application: _____



- DACF reimburses a nonprofit for payment of approved project costs made on the applicant's behalf

Terms and Conditions of Infrastructure Investment Grant

By applying for an infrastructure investment grant, the applicant agrees to the following conditions:

- The grantee will continue to ensure that the infrastructure purchased is maintained in a safe condition and in good repair.
- DACF has the sole discretion to determine if expenditures are reasonable and prudent, and whether the grantee has complied with these terms and conditions and all applicable laws, rules, and regulations.
- The State shall have no responsibility for the use, maintenance, or fitness of the infrastructure.
- The grantee agrees not to assign, transfer, lease or encumber its rights or obligations under the agreement without DACF's prior written consent. The grantee shall indemnify, defend, save and hold the State and its employees harmless from and against any claims, losses, liabilities, costs, expenses, damages, or other obligations of any nature in any way arising out of the use, operation, maintenance, or repair of the infrastructure.
- The grantee must retain ownership and use the infrastructure for a period consistent with the relevant recovery period for standard farming assets as depicted in Internal Revenue Service (IRS) Publication 225 (Farmer's Tax Guide), Table 7-1, Farm Property Recovery Periods¹; or the grantee must notify DACF in writing within 30 days of any sale, trade, destruction, or abandonment of infrastructure purchased under the infrastructure investment grant program if such sale, trade, destruction, or abandonment occurs within the relevant recovery period for standard farming assets as depicted in IRS Publication 225 (Farmer's Tax Guide), Table 7-1, Farm Property Recovery Periods¹.
- If the infrastructure is sold, traded, abandoned, or destroyed within the relevant recovery period noted above, DACF may seek reimbursement from the grantee for the remaining value of the infrastructure as calculated using generally accepted accounting principles. In deciding whether to seek reimbursement, DACF will consider whether the events leading to the sale, trade, abandonment, or destruction were within the grantee's control and will not penalize grantees for forces beyond their control.
- The State may inspect any facilities or infrastructure funded through an infrastructure investment grant at any time within the relevant recovery period.
- All grantees will purchase and maintain insurance to cover the value of the infrastructure from loss during the relevant recovery period.

¹ Department of the Treasury, Internal Revenue Service. *Farmer's Tax Guide for use in preparing 2023 Returns*. Publication 225, Cat. No. 11049L. 10 October 2023. This resource is accessible at <https://www.irs.gov/pub/irs-pdf/p225.pdf>.

Date of Application: _____



Payment Restrictions

DACF may pay for infrastructure costs directly related to a commercial farm's response to PFAS contamination. DACF will not pay for a commercial farm's infrastructure costs that are associated with routine operations that are unrelated to PFAS response.

Application Review – Section 7

Evaluation criteria, regardless of cost, may include but not be limited to the degree to which the farm has been negatively impacted by PFAS, likelihood of success, return on investment, total cost, timing, alternative options, level of risk, producer's demonstrated lack of available financial capacity, number of other requests for DACF support by the applicant and by other producers, and the farm's capacity and commitment to continue farming on the impacted property. Additionally, DACF will consider all available information it has compiled on the farm to assess the request. DACF reserves the right to request any additional supporting documentation that is necessary to evaluate the request for assistance.

Applications for projects valued up to \$150,000 will be reviewed by the PFAS Response Director. The PFAS Response Director may request staff input based on staff's knowledge of the applicant's operations. Decision-making authority for projects valued up to \$150,000 rests with the PFAS Response Director.

Applications for projects valued above \$150,000 will be reviewed by an ad-hoc application review panel that will be established by the DACF Commissioner and, at a minimum, will be composed of DACF PFAS Response staff, and a case-specific expert based on the scope or type of project. (e.g., dairy, water, finance). The role of the application review panel is to advise DACF on the merits of proposals. Decision-making authority for projects valued above \$150,000 rests with the PFAS Fund Director.

DACF reserves the right to limit the amount of funding for all requests based on available resources and the evaluation criteria listed above.

(Signature Block for Section 7 on next page)

Date of Application: _____



Signature Block – Section 7

Agreement to Terms and Conditions of Infrastructure Investment Grant

By submitting this application for an Infrastructure Grant, the undersigned agrees to these Terms and Conditions. I certify that the information given in this Infrastructure application is correct and complete to the best of my knowledge. I acknowledge that payments may represent reportable income for tax purposes.

Applicant's Signature _____ Date _____

Applicant's Name (printed) _____ Title _____

Applicant's Signature _____ Date _____

Applicant's Name (printed) _____ Title _____

Please complete if someone assisted the applicant to complete this form:

Preparer Name (If not applicant) _____ Preparer's relationship to applicant _____

Permission to discuss application with Preparer: YES NO

Date of Application: _____



Section 8. Debt Service on Existing Loans

Farms may have made recent structural investments or taken on equipment loans that, absent PFAS, would likely have enhanced operations and/or increased sales. Examples may include but not be limited to a new high-tunnel, greenhouse, farm store, milking parlor, or barn. Although DACF offers Income Replacement payments, if the anticipated return on investment had not yet been realized when PFAS were discovered, the farm is likely to have difficulty making timely and/or full payments on these notes regardless of receiving Income Replacement assistance.

DACF can review farm finances and other information and, depending on the circumstances, may pay notes directly related to farm infrastructure built and/or installed generally within two to five years prior to the discovery of PFAS contamination.

Questions about debt service on existing loans may be directed to Meagan Hennessey, PFAS Response Director, at Meagan.Hennessey@maine.gov or 207-592-3795.

Required Documentation – Section 8

The following information must be submitted with this Section of the application:

1. Section 1. Applicant General Information with all specified attachments
2. A narrative, one-page or less, which includes the following information:
 1. Date the loan was acquired and for what purpose,
 2. The amount initially borrowed and the outstanding principal balance, and
 3. An explanation of how the discovery of PFAS has impacted the original plan for this investment
3. If requesting a direct reimbursement, provide Proof of Payment
4. Supporting documentation, such as:
 1. The debt agreement, including date incurred and terms; and
 2. Invoice(s) or receipt(s) from the debt service provider from the relevant timeframe including payment date and amount

DACF reserves the right to cap financial assistance at \$50,000 in this category. DACF reserves the right to cap the amount of funding for all requests based on available resources and other factors.

Additional Information Requested – Section 8

A. Payment Options – please check which one is requested:

- Applicant will pay project costs and DACF will reimburse upon proof of purchase.
- DACF contracts with and pays applicant's approved vendors/contractors
- DACF reimburses a nonprofit for payment of approved project costs made on the applicant's behalf

Date of Application: _____



B. Total amount of support requested in section 8: \$ _____

Application Review – Section 8

DACF will consider the total cost and whether the debt payment is essential to the viability of the farm. This could include the likelihood of success or other relevant factors.

Other criteria for consideration include: total cost, timing, alternative options, level of risk, producer’s demonstrated lack of available financial capacity, number of other requests for DACF support by other producers.

Limitations

The debt must be directly related to farm infrastructure built and/or installed within two to five years prior to the discovery of PFAS contamination.

Signature Block – Section 8

I certify that the information given in this Debt Service on Existing Loans application is correct and complete to the best of my knowledge.

I acknowledge that payments may represent reportable income for tax purposes.

Applicant’s Signature _____ Date _____

Applicant’s Name (printed) _____ Title _____

Applicant’s Signature _____ Date _____

Applicant’s Name (printed) _____ Title _____

Please complete if someone assisted the applicant to complete this form:

Preparer Name (If not applicant) _____ Preparer’s relationship to applicant _____

Permission to discuss application with Preparer: YES NO

Date of Application: _____



Section 9. New Loan Assistance

Commercial farms that have DACF-confirmed unsafe levels of PFAS may apply to DACF for assistance covering the cost of obtaining a guaranteed loan, commercial loan insurance, or environmental site assessments required by a lending institution for new loans when a new loan is necessitated by the discovery of PFAS contamination on the commercial farm and the new loan is related to the farm business. New Loan Assistance is governed by rule 01-001 CMR c. 404 (2024).

Questions about new loan assistance may be directed to Beth Valentine, PFAS Fund Director, at Beth.Valentine@maine.gov or 207-313-0962.

Required Documentation – Section 9:

The following information must be submitted with this Section of the application:

1. Section 1. General Information and all specified attachments
2. A narrative, one-page or less, which includes the following information:
 1. The purpose and amount of the loan being sought,
 2. How the need for the loan relates to the presence of PFAS on your property,
 3. The name of the lending institution,
 4. The particular support you are seeking, e.g., fees to cover the cost of commercial loan insurance, and
 5. Total amount of support requested.
3. Supporting documentation, such as:
 1. A completed loan application,
 2. A statement from a lender identifying fees, and/or
 3. A statement from a commercial lender advising the applicant that a Phase I and/or Phase II environmental site assessment (ESA) is required before the lender will act on the applicant's loan application.
4. Any additional supporting documentation requested by DACF that DACF determines is necessary to review the request for assistance.

Application Review and Payment Restrictions – Section 9

DACF will not pay for costs associated with the investigation of contaminants other than PFAS. DACF may pay for the cost of a Phase I Environmental Site Assessment when a lender needs the study to make a lending decision. DACF may pay for a Phase II Environmental Site Assessment when the PFAS soil and groundwater samples collected by the State are insufficient for the lender's purposes.

DACF payments to a lender or insurance company shall be in accordance with that entity's published fees.

Date of Application: _____



Where a third-party entity has paid a fee on behalf of a PFAS-impacted farm and DACF has an existing reimbursement agreement with that third-party entity, DACF is authorized to reimburse the third-party entity according to the same terms described herein.

New Loan Assistance Application Review

Evaluation criteria may include but not be limited to the degree to which the farm has been negatively impacted by PFAS, likelihood of success, return on investment, total cost, timing, alternative options, level of risk, producer’s demonstrated lack of available financial capacity, number of other requests for DACF support by the applicant and by other producers, and the farm’s capacity and commitment to continue farming on the impacted property.

Applications will be reviewed by DACF’s PFAS Fund Director. The PFAS Fund Director may request staff input based on the staff’s knowledge of the applicant’s operations. DACF will rely on all available information it has compiled on the farm to assess the request. DACF reserves the right to request any additional supporting documentation that is necessary to evaluate the request for assistance. Decision-making authority rests with the PFAS Fund Director.

DACF reserves the right to limit the amount of funding for all requests based on available resources and the evaluation criteria listed above.

Signature Block – Section 9

I certify that the information given in this New Loan Assistance application is correct and complete to the best of my knowledge. I acknowledge that payments may represent reportable income for tax purposes.

Applicant’s Signature Date

Applicant’s Name (printed) Title

Applicant’s Signature Date

Applicant’s Name (printed) Title

Please complete if someone assisted the applicant to complete this form:

Preparer Name (If not applicant) Preparer’s relationship to applicant

Permission to discuss application with Preparer: YES NO

Date of Application: _____



Appendix A: Vendor Form
(all applicants must complete this section)

NOTE: THIS DOCUMENT MUST BE PRINTED AND PHYSICALLY SIGNED. DIGITAL SIGNATURES ARE NOT PERMITTED FOR THE VENDOR FORM AT THIS TIME.

STATE OF MAINE
NEW VENDOR & VENDOR UPDATE FORM
INSTRUCTIONS

1. TYPE OF REQUEST

- a. Is it **NEW**?
- b. Adding location? (a sub/child entry to another existing.)
- c. **CHANGES** to existing? Checkmark a type.

2. FEDERAL TAXPAYER ID NUMBER

❖ **NOTE: Provide only ONE or the other do NOT give us both. If one is not provided the form is NOT processed.**

- Your social security number if you are an individual and being paid as such.
- OR**
- Your EIN if you're a company and being paid as such.

NOTE: follow ACROSS the paper – do not cross over between the types.

3. SOCIAL SECURITY NUMBER

- a. TIN TYPE - Social Security Number – if you gave SSN above.
- b. ORGANIZATION TYPE – Individual
- c. CLASSIFICATION – choose one (individual/sole prop/st employee/estate/non-res alien)

4. EMPLOYER ID NUMBER

- a. TIN TYPE- if you gave EIN above.
- b. ORGANIZATION TYPE – Company
- c. CLASSIFICATION – choose one (corporation/partnership/trust/estate/other non-prof org/other gov't/fed gov't/st gov't/other/foreign)

5. LEGAL NAME

- a. **LEGAL NAME:** Person's first & last name if an SSN is provided above. **OR** Company's name if an EIN is provided above.
- b. **ALIAS/DBA:** alias or also known as **OR** the DBA = doing business as is entered here.

6. OTHER INFO (add in addition to TIN - NOT instead of)

- a. Vendor Code a number that was assigned by the State of Maine's accounting system Advantage. Usually a VC or VS number. **(if known)**
- b. Account/Client/Provider Number may have been assigned by DHHS/LABOR or an NPI. **(if known)**

7. PAYMENT ADDRESS

- a. Address = Street **OR** post office box address (**NOT both**)
- b. C/O = Care Of or attention to (**ATTN**) goes in this space.
- c. City, State, & Zip
- d. Phone = the phone number of the legal name above.

❖ My **BILLING** and/or Admin Address is the same. (Advantage has 4 types of addresses: Payment/Procurement/Billing/Administrator)

8. CONTACT

- a. Contact name for above address that we can contact in reference to payments.
- b. Contact phone number & extension for above address.
- c. Contact's Email for above address.
- d. Email notification of Direct Deposit/EFT (requires Direct Deposit/EFT form to be completed.)

9. PHYSICAL / PROCUREMENT ADDRESS ~ follow#7's a–d above in reference to contracts.

10. CONTACT ~ follow#8's a–d above in reference to contracts.

❖ **NOTE: addresses may be different between payment & procurement/physical**

11. AUTHORIZED SIGNATURE, TITLE & DATE

a person authorized to make changes for individual (self if form is for self) or company.

State of Maine Substitute W-9 & Vendor Authorization Form

RETURN TO:
by mail
the agency who
requested the form
or sent it to you, or
the agency you're
doing business with.
(ie.. DHHS/Labor/
DEP/Education/etc)

PURPOSE: To establish or update an account with the State of Maine's accounting system.
Complete this form if: 1) You will receive payment from the State of Maine, and/or 2) You are a vendor who provides services or goods to the State of Maine.

This form replaces the IRS W-9 form per the IRS W-9 language: "If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9."

FILL OUT FORM COMPLETELY - ALL AREAS WITH * ARE REQUIRED - ONLY ONE NAME & TIN PER A FORM

TYPE OF REQUEST* (Must select one.)

New Request

New Location/Additional Entry

Change

Legal Name Phone # Contact Info Payment Address

DBA Name Care Of Email Only Ordering Address

TAXPAYER ID NUMBER* (TIN) (Provide ONE only)

Social Security # (person) or a
Federal Employer ID # (business)

TIN

TIN Type *
choose ONE

Organization
Type *

Classification *
choose ONE

Nonresident Alien Estate

Social Security No. ⇨

Individual ⇨

Individual

Sole Proprietorship

Employer ID No. ⇨

Company ⇨

Corporation

Partnership

Trust

Estate

Other Non-Profit Org

Other Gov't

Federal Gov't

State Gov't

Other

Foreign (W8 required)

LEGAL NAME (Must provide: Legal name filed with IRS tied to the ID number, SSN=first & last name/FEIN=business name)

Legal Name*

Alias/DBA

Other Info

Vendor Customer Number (if known) VC#/VS#

Account/Client/Provider Number (if known)

Payment Address*

My Billing Address Admin. Address is the same.

Address

C/O

City/State/Zip

Phone

Contact*

Name

Phone

Ext

Email

Send me Email notifications of DD/EFT

(requires Direct Deposit/EFT form to be completed)

Procurement/Physical Address*

My Billing Address Admin. Address is the same.

Address

C/O

City/State/Zip

Phone

Contact*

Name

Phone

Ext

Email

**Authorized Signature,
Title & Current Date***

Under penalties of perjury, I certify that: 1) The number shown on this form is my correct taxpayer identification number, and 2) I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the IRS that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and 3) I am a U. S. citizen or other U. S. person (defined by the IRS). Ref: www.irs.gov

OFFICE USE ONLY
State Agency & SHS #

Information on State Agency Submitting Vendor Form

Agency Contact Person Name & Title

OFFICE USE ONLY
Contact's Phone #

Date of Application: _____



Appendix B: Current Maine PFAS Screening Levels for PFAS

(see attachment for current Maine PFAS Screening Levels)

MAINE PFAS SCREENING LEVELS

December 2023

| Soil Remedial Action Guidelines ¹ (mg/kg dry weight) | | | | | | |
|---|-------------------------|-------------|-------------------|-----------|--------------------|---------------------|
| Compound | Leaching to Groundwater | Residential | Commercial Worker | Park User | Recreator Sediment | Construction Worker |
| PFBS | 0.11 | 26 | 340 | 74 | 85 | 230 |
| PFBA | 0.36 | 110 | 1,600 | 300 | 350 | 2,000 |
| PFHxS | 0.00047 | 1.7 | 22 | 4.9 | 5.7 | 5.1 |
| PFHxA | 0.13 | 43 | 560 | 120 | 140 | 130 |
| PFNA | 0.0046 | 0.26 | 3.4 | 0.74 | 0.85 | 0.77 |
| PFOS | 0.001 | 0.17 | 2.2 | 0.49 | 0.57 | 0.51 |
| PFOA | 0.017 | 0.26 | 3.4 | 0.74 | 0.85 | 0.77 |

| Soil Beneficial Use ² (ng/g dry weight) | |
|--|----------------|
| Compound | Beneficial Use |
| PFBS | 1,900 |
| PFOS | 5.2 |
| PFOA | 2.5 |

| Interim Drinking Water Standard ³ (ng/l or ppt) | |
|--|-------------|
| Compound | Residential |
| PFOS + PFOA + PFHpA + PFNA + PFHxS + PFDA | 20 |

| Fish Tissue Action Level (ng/g wet weight) | |
|--|--------------|
| Compound | Action Level |
| PFOS | 3.5 |

| Milk ⁴ (ng/l or ppt) | |
|---------------------------------|--------------|
| Compound | Action Level |
| PFOS | 210 |

| Beef ⁵ (ng/g) | |
|--------------------------|--------------|
| Compound | Action Level |
| PFOS | 3.4 |

| Dairy ⁶ - PFOS Crop-Specific Soil Screening Levels (ng/g dry weight) | | | |
|---|-------------------------------------|---|---|
| | Soil to Hay to Milk Screening Level | Soil to Corn-Silage to Milk Screening Level | Soil to Hay and Corn-Silage to Milk Screening Level |
| Grass-Based Farm | 6.8 | 120.0 | 6.4 |
| Average Maine Farm | 13.8 | 54.8 | 11.0 |

Helpful Conversions: 0.000001 ppm = 0.001 ppb = 1 ppt

| Parts Per Million (ppm) | Parts Per Billion (ppb) | Parts Per Trillion (ppt) |
|--------------------------------------|--------------------------------------|-------------------------------------|
| 1 milligram/kilogram (mg/kg) = 1 ppm | 1 microgram/kilogram (µg/kg) = 1 ppb | 1 nanogram/kilogram (ng/kg) = 1 ppt |
| 1 milligram/liter (mg/l) = 1 ppm | 1 microgram/liter (µg/l) = 1 ppb | 1 nanogram/liter (ng/l) = 1 ppt |
| 1 microgram/gram (µg/g) = 1 ppm | 1 nanogram/gram (ng/g) = 1 ppb | 1 picogram/gram (pg/g) = 1 ppt |

¹ Maine Department of Environmental Protection (Maine DEP), [Maine Remedial Action Guidelines \(RAGs\) for Contaminated Sites](#), effective November 15, 2023.

² Maine DEP, [Maine Solid Waste Management Rules: Beneficial Use of Solid Wastes, 06-096 C.M.R. ch. 418](#), Appendix A, last amended July 8, 2018.

³ Resolve 2021, ch. 82, [Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants](#), Emergency, effective June 21, 2021.

⁴ Maine Center for Disease Control and Prevention (CDC), [Action levels for PFOS in cow's milk](#), Memorandum to Rachael Fiske, Maine Department of Agriculture, Conservation and Forestry (DACF), from Andrew Smith, SM, ScD and Thomas Simones, PhD, Maine CDC, March 28, 2017.

⁵ Maine CDC, [Action levels for PFOS in beef for use in determining whether beef at a farm is adulterated](#), Memorandum to Nancy McBrady, Maine DACF, from Andrew Smith, SM, ScD and Thomas Simones, PhD, Maine CDC, August 4, 2020.

⁶ Maine CDC, [Derivation of PFOS soil screening levels for a soil-to-fodder-to-cow's milk agronomic pathway](#), September 16, 2020.



Date of Application: _____



Appendix C: Right to Appeal

If an application is denied in whole or in part, DACF will send the applicant a written notice of its decision. Such notice will include an explanation of why the application was denied.

Upon receipt of such notice, an unsuccessful applicant may appeal to DACF. The appeal must be in writing, signed by the applicant, and received by DACF within 45 days of receipt of the denial notice.

Within 90 days of the receipt of a written request for appeal, DACF will either grant the appeal or schedule a hearing.

Appeal hearings will be held before a DACF hearing officer who has been designated by the Commissioner of the DACF. The hearing officer will make a recommended decision. Final decisions on the appeal will be made by the Commissioner after a review of the record.

Appeal hearings will be held in accordance with the adjudicatory proceedings provisions of the Maine Administrative Procedures Act, 5 M.R.S.A. §§ 9051-64.

Final decisions will be in writing and contain notice of a right to petition the Superior Court for judicial review.



FUND TO ADDRESS PFAS CONTAMINATION

DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY

Land Acquisition and Stewardship

Inquiry & Information Form

The Department of Agriculture, Conservation and Forestry (DACF), through the PFAS Fund, may purchase PFAS-contaminated property from eligible commercial farmers who wish to sell. Whether a property will be purchased depends on (1) eligibility, (2) the results of an initial evaluation by DACF, guided by prioritization criteria and with input from an advisory panel,¹ and (3) agreement of both parties following the completion of an appraisal and a due diligence process (including, as necessary, a title search, boundary survey and environmental site assessment).

Farm property is eligible to be considered for purchase if these initial requirements are met:

- Commercial Farming – the farm had documented farm product income prior to PFAS discovery;
- DACF Partnership – the commercial farm has established a working relationship with DACF;
- Confirmed PFAS Contamination – unsafe levels of PFAS in the soil or water are confirmed by DACF;
- Ownership Prior to PFAS Discovery – the property was owned by the current owner(s) before unsafe PFAS contamination was found (two exceptions).

Questions about land acquisition may be directed to Melissa Hamlin, PFAS Fund Management Specialist, at Melissa.Hamlin@Maine.gov or 207-592-1080.

Commercial farmers seeking to sell their PFAS-contaminated property to DACF must complete this Inquiry Form and provide all requested attachments. Please submit this form and attachments to Melissa Hamlin at the email address above, or mail to:

PFAS Fund, Attn. M. Hamlin
22 State House Station
Augusta, ME 04333-0022

Farm and Contact Information

BUSINESS ENTITY'S LEGAL NAME: _____

STATE OF INCORPORATION AND CHARTER NUMBER: _____

FARM'S PRIMARY PRODUCT(S): _____

CONTACT NAME: _____

MAILING ADDRESS: _____

PROPERTY ADDRESS (if different): _____

PHONE: _____ EMAIL: _____

NAME OF DACF STAFF WORKING WITH THE FARM: _____

Does this farm currently produce any farm product with the intent that the farm product be sold or otherwise disposed of to generate income? YES NO

If no, approximate date the farm stopped producing farm products for sale: _____

¹ 01-001 C.M.R. ch. 405 (2024).

Property Information

I am interested in selling (choose one):

- The entire parcel / all of my real property
- Only part of my parcel / part of my real property

The property being offered for sale includes the following (check all that apply):

- Land: _____ acres, formerly used for:

- Barn and/or other structures/improvements; briefly describe:

- Residence(s); briefly describe:

List all individuals and entities who own the property or have an interest in the property (e.g., joint ownership, lease, easement, license, life estate, right of first refusal, lien holder such as mortgage lender):

| Name | Property Interest |
|-------|-------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Document Attachments to Submit:

The following information, if DACF does not already have it, must be submitted with this Inquiry Form. Please obtain and provide:

A. Proof of Contamination:

1. Information about who obtained the samples and the methodology / procedure used, and
2. Test results from an approved laboratory showing the commercial farm has DACF-confirmed unsafe levels of PFAS contamination, defined as (screening levels also linked below):
 - groundwater test results exceeding Maine's enforceable interim drinking water standard for PFAS until superseded by either Maine's Maximum Contaminant Level (MCL) for PFAS or a federal MCL for PFAS, whichever is lowest, for wells servicing the farm or fields; and/or
 - soil test results exceeding any current Maine CDC crop-specific screening level.

www.maine.gov/dep/spills/topics/pfas/Maine%20PFAS%20Screening%20Levels_Rev_12_4_23.pdf

B. Date of Discovery: Documentation showing the date unsafe levels of PFAS contamination were first discovered on the commercial farm.

C. Documentation of the Subject Property:

This information is necessary for DACF to evaluate the potential purchase. Please provide all items that you have or can obtain with reasonable effort. If there are items below that are unduly difficult to obtain, this form may be submitted without them if it is otherwise complete and the items in A and B above are provided. DACF staff may be able to help pull together remaining information.

1. The deed to your property. Each county's registry of deeds can be found at this link: <https://www.maineregistryofdeeds.com/>;
2. Any other recorded current or future property interest (easement, right of first refusal, etc.);
3. The tax assessment of your property, including:
 - A copy of your Property Record Card, including description, measurements of land and improvements, and assessed values;
 - If the land is enrolled in Farmland under the Current Use Law, please obtain and provide a withdrawal penalty estimate. These items will typically come from your town's Tax Assessor.
 - A copy of your last annual tax bill, typically from your town Treasurer. Information can often be found online or by calling your local office.
4. If you have any of the following: title opinion, appraisal (completed within approximately the last year), boundary survey, environmental site assessment (completed within the last two years).
5. If available, (1) Evidence of the percentage of soils classified by the United States Department of Agriculture (USDA) as prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance; and (2) The results of onsite soil tests confirming the same.

6. A narrative of no more than one page describing any information about or characteristics of the property that might be relevant to potential future uses. As the current landowner, you have personal knowledge of aspects that may be distinctive, special, unique or exceptional about your property or its value to your community or within your region. For example, some relevant aspects could include:
- Features of the property or its location which, but for contamination, make it valuable for agricultural use;
 - Any known natural resource values associated with the property, including farmland zoning or other local open space recognition, forested land, wetlands, riparian buffers, and/or wildlife habitat;
 - Potential recreational uses;
 - Nearby features such as conservation areas, electricity substations or landfills; or other regional considerations.

Consent and Certification

By submitting this form, the undersigned:

- Acknowledges that they are initiating a process to sell their real property as described herein to DACF. The undersigned’s offer to sell will not be legally binding unless and until a Purchase and Sales Agreement is signed by all parties.
- Agrees to partner with DACF to investigate the scope of contamination at the farm and grants ongoing access such that DACF staff are able to develop an understanding of the farm, its PFAS contamination, and potential strategies for recovery;
- Authorizes DACF or its agents to inspect the property for the purposes of investigating its potential sale to the state, including for conducting any necessary inspections, assessments, appraisals, or surveys;
- Authorizes DACF to receive information from and share information with other organizations when the information is necessary for DACF to make a decision about a potential purchase, including the Maine Department of Environmental Protection (DEP), Maine Center for Disease Control and Prevention (MECDC), USDA Farm Service Agency, Maine Farmland Trust, and Maine Organic Farmers and Gardeners Association;
- Acknowledges that DACF reserves the right to request any additional supporting documentation that is necessary to evaluate the undersigned’s offer to sell real property to DACF;
- Acknowledges that DACF reserves the right to discontinue consideration of a potential property purchase, or decline an offer to purchase real estate, at any time, for any reason consistent with DACF Rule 01-001 C.M.R. ch. 405 (2024) and the PFAS Fund Implementation Plan.

I certify that the information provided is correct and complete to the best of my knowledge.

I certify that I am authorized by _____ (business name) to sign as its representative.

| | |
|----------------------------|------|
| Property Owner’s Signature | Date |
|----------------------------|------|

| | |
|---------------------------------|-------|
| Property Owner’s Name (printed) | Title |
|---------------------------------|-------|

| | |
|----------------------------|------|
| Property Owner’s Signature | Date |
|----------------------------|------|

| | |
|---------------------------------|-------|
| Property Owner’s Name (printed) | Title |
|---------------------------------|-------|

Please complete if someone assisted the property owner to complete this form:

| | |
|---|--|
| Preparer Name (if not property owner) | Preparer’s relationship to property owner |
| Permission to discuss form with Preparer: | <input type="checkbox"/> YES <input type="checkbox"/> NO |

Next Steps

Generally, the land acquisition process for an entire property to be purchased includes:

- (1) Initial review for completeness and eligibility,
- (2) Preliminary review process involving the land acquisition and management advisory panel,
- (3) Appraisal,
- (4) Purchase and sale agreement,
- (5) Due diligence process, involving as needed a survey, title search, and/or an environmental site assessment, along with any other identified due diligence needs,
- (6) Closing

This process is anticipated to take several months. If a parcel will be divided, further steps are required. Upon confirmation of eligibility, if each step of the process is successful, a minimum of six months, and likely more, should be anticipated for the sale to be completed. The transaction timeline is dependent upon the completeness of your submittals, availability of any appraiser, surveyor and other professionals needed for the transaction, the value of the property and other factors.

- (1) Eligibility Review – your information and submittals are reviewed for consistency with the eligibility requirements of the PFAS Fund’s rules and policies.

As part of this review stage, DACF staff will schedule a time to discuss your property and documentation with you. If eligibility parameters are met, DACF will notify you and the inquiry will move on to the Preliminary Review process. If eligibility parameters are not met, DACF will notify you and provide the reasons the property is not eligible under the defined parameters.

- (2) Preliminary Review – DACF makes an interim determination, in consultation with an advisory panel, as to whether the property may be an appropriate candidate to move forward in the purchase process based on defined prioritization criteria and other considerations.

If a property proceeds to the next steps, the professional services will be paid for by the PFAS Fund.

- (3) Appraisal – DACF and the landowner specify the scope of the property to be appraised for the potential sale, DACF hires an appraiser through a bid process and coordinates with the landowner for its completion. Once the appraisal report is available, DACF will share it with the landowner.
- (4) Purchase and Sale Agreement – once the terms are agreed, a Purchase and Sale Agreement (PSA) is signed by both parties. The PSA states the due diligence steps upon which the sale is contingent.
- (5) Due Diligence – DACF will complete the due diligence steps during the contract period. These are typically a title search, boundary survey, and an environmental site assessment.

Title Search – DACF will confirm there is clean title and confirm the extent of rights in the property.

Property Survey – if there is not an existing survey, DACF will hire a surveyor through a bid process and coordinate with the farm for completion of the survey.

Environmental Site Assessment & VRAP – DACF will hire an environmental consultant through a bid process to characterize the nature and extent of the PFAS contamination. If findings warrant it, a Phase II environmental study may also be pursued to obtain additional information.

- (6) Closing – upon satisfactory completion of due diligence, the purchase can be concluded. DACF will coordinate with the landowner to finalize the transfer.

Appendix C

MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY

FUND TO ADDRESS PFAS CONTAMINATION

[RFA # PFNDM2024001](#)

Major Grants for the Study of PFAS in Agricultural Systems, Round 1

| | |
|--|--|
| RFA COORDINATOR | <p>All communication regarding the RFA <u>must</u> be made through the RFA Coordinator, identified below.</p> <p>Name: Madeline Bruno Title: PFAS Fund Management Specialist</p> <p>Contact Information: madeline.s.bruno@maine.gov</p> |
| PRE-PROPOSAL DUE | <p>Mandatory pre-proposals must be submitted via online form by:</p> <p>Deadline: October 28, 2024, no later than 11:59 pm EST</p> |
| SUBMITTED QUESTIONS DUE | <p>The RFA Coordinator must receive all questions by:</p> <p>Deadline: November 20, 2024, no later than 11:59 pm EST</p> |
| APPLICATION SUBMISSION DEADLINE | <p>The DACF must receive applications by:</p> <p>Deadline: January 31, 2025, no later than 11:59 pm EST</p> <p>Applications <u>must</u> be submitted electronically to PFASFund.DACF@maine.gov</p> |



Amanda E. Beal
Commissioner

Randy Charette
Deputy Commissioner

Nancy McBrady
Deputy Commissioner

18 Elkins Lane
Augusta, ME 04333

(207) 287-3200
maine.gov/dacf



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ACRONYMS

| | |
|--------|--|
| APHIS | Animal and Plant Health Inspection Service |
| AWA | Animal Welfare Act |
| CFR | Code of Federal Regulations |
| CSV | Comma Separated Values |
| CV | Curriculum Vitae/Curricula Vitae |
| DACF | Maine Department of Agriculture, Conservation and Forestry |
| EST | Eastern Standard Time |
| FOAA | State of Maine Freedom of Access Act |
| F&A | Facilities & Administration |
| FSA | Farm Service Agency |
| IACUC | Institutional Animal Care and Use Committee |
| IP | Intellectual Property |
| MS/MSD | Matrix Spike/Matrix Spike Duplicate |
| MTDC | Modified Direct Total Cost |
| NICRA | Federally Negotiated Indirect Cost Rate |
| PDF | Portable Document Format |
| PFAS | per- and polyfluoroalkyl substances |
| PI | Principal Investigator |
| QAP | Quality Assurance Plan |
| RFA | Request for Application |
| USDA | United States Department of Agriculture |

1 INTRODUCTION

The State of Maine Department of Agriculture, Conservation, and Forestry (DACF or Department) Fund to Address PFAS¹ Contamination (PFAS Fund) is seeking applications for **Major Grants for the Study of PFAS in Agricultural Systems, Round 1**. Please read this Request for Applications (RFA) document and accompanying attachments in their entirety, as they provide instructions for submitting applications, the procedure and criteria by which the awardee(s) will be selected, and the general contractual terms that will govern the relationship between the State of Maine (State) and the awardee(s).

This grant funding will support research to help commercial farmers make informed decisions about utilizing agricultural property impacted by PFAS. Priority research areas are:

1. PFAS in Agricultural Settings: Water, Soil, and Plant Studies
2. PFAS in Agricultural Settings: Animals and Animal Product Studies
3. Understanding and Managing PFAS in On-Farm Agricultural Settings and Products
4. Remediation of PFAS-Contaminated Land and Suitable Uses of PFAS-Contaminated Agricultural Land and Products

Section 2 discusses the priorities more fully. If you have any questions or want to request reasonable accommodations necessary to complete this application, please contact the RFA Coordinator, Maddy Bruno, at madeline.s.bruno@maine.gov.

1.1 Award Information Overview

The Maine DACF PFAS Fund: Major Grants for the Study of PFAS in Agricultural Systems, Round 1 application is the first announcement of research funds by the DACF PFAS Fund. DACF anticipates awarding \$3,000,000 under this announcement, dependent on the availability of funds, quality of applications received, and other applicable considerations. The funds are part of an award to DACF by the United States Department of Agriculture (USDA) Farm Service Agency (FSA) via Grant Award No. FSA23CPT0013603. The PFAS Fund will fund multiple projects with a minimum value of \$100,000 and a maximum value of \$500,000 each. Requests over \$500,000 (including indirect costs) will not be considered. Proposals should assume a project period of 24 months.

Key dates for this RFA are presented in **Section 4**. To submit a response to this RFA, awardees must submit a **mandatory pre-proposal by October 28, 2024**. Pre-proposals will be evaluated on the proposed project's competitiveness within the grant funding round. Full proposals will be assessed based on the scoring criteria included within this RFA. Final decision-making authority rests with the Commissioner of DACF based on the criteria and the peer reviewers' recommendations.

A final report and associated deliverables will be expected to be submitted to DACF within two years of the initial funds transfer to the awardee, with some exceptions.

Additional award opportunities for large and small grant cycles will be available through at least State fiscal year 2026.

¹ "PFAS" means per- and polyfluoroalkyl substances.

1.2 General Provisions

From the time this RFA is issued until award notification is made, all contact with the State regarding this RFA must be made through the RFA Coordinator identified on the cover page of this RFA. No other person/State employee is empowered to make binding statements regarding this RFA. Violation of this provision may lead to disqualification from the application process at the State's discretion.

The issuance of the RFA does not commit the Department to issuing an award or paying expenses incurred by an applicant in preparing a response to the RFA. This includes attendance at personal interviews or other meetings, where applicable.

All applications must adhere to the instructions and format requirements outlined in the RFA, as well as all written supplements and amendments issued by the Department. Applications must follow the format and respond to all questions and instructions specified within this RFA.

Applicants should note that in evaluating an application submitted in response to this RFA, the Department will consider the materials provided in the application and information obtained through interviews/presentations (if any).

The RFA and the awardee's proposal, including all appendices or attachments, will be the basis for the final contract, as determined by the Department.

Following the announcement of an award decision, all submissions in response to this RFA will be public records, available for public inspection upon request under the State of Maine Freedom of Access Act (FOAA) (1 M.R.S. § 401 et seq.).

At its sole discretion, the Department reserves the right to recognize and waive minor informalities and irregularities found in applications received in response to the RFA.

All applicable State and Federal laws, whether or not herein contained, shall be included by this reference. It shall be the applicant's responsibility to determine the applicability and requirements of any such laws and to abide by them. See **Section 9** for more information.

1.3 Background of the DACF PFAS Fund and Governing Documents

Maine Governor Janet Mills created the PFAS Fund in 2022 to support farmers whose land and/or water are contaminated with PFAS. The PFAS fund is a first-in-the-country coordinated effort to specifically address PFAS in agriculture and is governed by [7 M.R.S.A. c. 10-D](#). One goal of the PFAS Fund is to fund research that allows farmers to make informed decisions about how to adjust their operations in light of PFAS contamination. Additional goals of the PFAS Fund include direct financial support for affected farmers, the purchase and management of PFAS-contaminated agricultural land, and mental and physical health-related initiatives.

More information, including a [detailed timeline](#) of the PFAS response in Maine and the PFAS Fund rules, can be found online on the DACF webpage. The DACF PFAS Fund is part of the more extensive, integrated, multi-agency investigation of and response to PFAS throughout Maine. DACF's primary focus is safeguarding human health and ensuring the viability of farms.

Applicants are advised to review the linked documents and websites before beginning the pre-proposal to ensure that the proposed project aligns not only with the priorities established in this RFA (**Section 2**) but with the goals of the DACF and the PFAS Fund as a whole.

2 RESEARCH PRIORITIES

The Research Advisory Panel refined four main categories of research priorities from those put forth in the [PFAS Fund Implementation Plan](#), during a meeting held during the January 2024 Maine Agricultural Trades Show, and via an online survey conducted in January 2024. The example topics provided for each category are not considered an exhaustive list of topics suitable for funding within each category.

Priority 1: PFAS in Agricultural Settings: Soil, Water, and Plant Studies

This category examines the fate and transport of PFAS in agricultural soil, water, and crop systems.

Topics include but are not limited to:

- Studies related to the influence of soil properties on PFAS contamination, including residence time and modeling;
- Changes in PFAS levels in soil over time; how different variables influence the rate of change;
- PFAS sorption and transport kinetics in soil;
- Irrigation-based PFAS migration pathways through soil-water systems;
- Leaching from soil to groundwater; and
- PFAS transfer factors (also known as bioconcentration factors) such as:
 - Transfer from irrigation water to soil,
 - Transfer from soil to groundwater, and
 - Transfer from soil or water to crops consumed or utilized by animals or humans (e.g., vegetables, fruits, forage, grain, or specialty crops such as Christmas trees).

Priority 2: PFAS in Agricultural Settings: Animal and Animal Product Studies

This category includes research to broaden the understanding of PFAS uptake and movement through livestock and poultry and its fate in animal products (e.g., milk, eggs, meat).

Topics include but are not limited to:

- Predictive models for soil to forage crop to livestock to food commodity pathways;
- Livestock and poultry transfer/bioconcentration factors and factors that affect them (e.g., forage/feed transfer factor for meat/milk/eggs, how transfer factors change seasonally);
- Livestock correlation studies (e.g., the correlation between PFAS in more readily sampled media, including blood, milk, eggs, or ear punches, and muscle or organ tissue);
- Livestock and poultry elimination kinetics studies;
- Influence of feed additives/binders on PFAS levels in animals and animal products; and
- Accumulation of PFAS in various value-added dairy products (e.g., cream, yogurt, butter, cheese, etc.).

Priority 3: Understanding and Managing PFAS on the Farm

This category includes research designed to 1) enhance the management and understanding of PFAS in agricultural settings and 2) develop tools to increase the speed and reliability of on-farm management decisions related to PFAS contamination.

Topics include but are not limited to:

- Data collection, presentation, and/or analysis tools for quick evaluation of PFAS (e.g., models or sensors);
- Development of decision support tools (e.g., when it is safe to return farm products to the market? When can animals be safely released for slaughter post-depuration?);
- Soil management strategies and their relative effectiveness in reducing the impact of PFAS contamination (e.g., till versus no-till);
- On-field crop management strategies to reduce PFAS (e.g., harvest timing, forage species selection, pasturing strategies); and,
- Post-harvest investigations of how PFAS levels change throughout the life cycle of forage crops, from harvesting in the field to storage, and potential management practices related to those changes

Priority 4: Remediation of PFAS-Contaminated Land and Suitable Uses of PFAS-Contaminated Agricultural Land and Products

This category looks toward the future of a farm impacted by PFAS. It includes projects that investigate soil remediation technologies, alternative agricultural uses of PFAS-contaminated land, and novel uses of agricultural products.

Topics include but are not limited to:

- Remediation of agricultural soils, including technologies such as immobilization, fractionation, and/or degradation;
- Alternative crop production potential on PFAS-contaminated land (e.g., grains, maple syrup, Christmas trees);
- Risks and benefits of animal fiber production on PFAS-impacted land;
- Use of biomass from impacted fields (e.g., construction, textiles, mulch); and,
- Treatment and/or low-risk disposal methods for PFAS-contaminated byproducts (biomass, manure, carcasses, milk, compost).

3 ELIGIBILITY

Participation in this RFA is open to scientists, resource managers, businesses, non-profits, non-governmental organizations, and other stakeholders pursuing relevant research. Public and private nonprofit institutions/organizations, public and private institutions of higher education (IHEs), Federally Funded Research and Development Centers (FFRDCs), state and local governments, Tribal Governments, profit-making firms/businesses, and individuals are welcome to apply. If you have questions about whether you are eligible for this grant, please contact the RFA Coordinator.

Primary research institutions or private entities must be based in the United States and managed and controlled by United States entities. Exceptions to this requirement must be approved by DACF and

USDA before the submission of a pre-proposal form. Likewise, projects from institutions based in the United States with collaborators from institutions outside the United States must also be evaluated by DACF and USDA before pre-proposal submission. Contact the RFA Coordinator for further guidance.

DACF encourages applicants from all races, ethnicities, genders, gender identities, sexual orientations, disabilities, socioeconomic classes, and career stages.

4 TIMELINE AND IMPORTANT DATES

The timeline and relevant dates for the 2024-2025 Research Grant Award Cycle are shown in **Table 1**.

Table 1: Timeline for Round 1 Major Research Grant Award Cycle

| DATE | ITEM |
|----------------------|---|
| September 16, 2024 | Call for pre-proposals opens via online form |
| October 28, 2024 | Call for pre-proposals closes at 11:59 pm EST |
| November 08, 2024 | Pre-proposal assessment forms sent to applicants |
| November 20, 2024 | Questions on the full proposal due to RFA Coordinator |
| November 29, 2024 | Responses to researcher questions posted online |
| January 31, 2025 | Complete applications due by 11:59 pm EST |
| March 21, 2025 | Anticipated completion of peer review; internal review begins |
| April 25, 2025 | Anticipated notification date of project award decisions |
| Upon Signed Contract | Funding committed; 24-month period of performance begins |
| Two years post-award | The period of performance closes |

5 PRE-PROPOSAL PROCESS AND APPLICATION DETAILS

The proposal process for the 2024-2025 grant cycle consists of a pre-proposal phase and a full proposal phase. This section describes the pre-proposal process. Pre-proposals are submitted directly to the RFA Coordinator via [this online form](#) and evaluated using the Pre-Proposal Evaluation Form (**Attachment A**). DACF staff will confirm receipt of pre-proposal submissions. Full proposals from applicants who did not submit a pre-proposal will not be considered for this RFA.

It should be noted that there will be no formal assessment of the project's intellectual or technical merit by peer reviewers at the pre-proposal stage. Rather, feedback to the principal investigator (PI) will focus on whether the full proposal is expected to be competitive within the round of grant funding addressed in this RFA. This non-technical screening will evaluate pre-proposals for relevance to the goals and priorities described in this RFA. Staff reviewing pre-proposals must attest that they have no conflicts of interest.

The review will include an advisory decision based only on relevance to the goals and priorities as follows:

- **The application is considered competitive.** This means that DACF has reviewed the pre-proposal and deems the project competitive for funding.
- **Application is not considered competitive.** This means that DACF has reviewed the pre-proposal and deems that the project is not competitive for funding. Receiving an adverse advisory decision does not preclude the applicant from completing a full proposal. Still, it indicates that the likelihood of project funding is low based on the information provided in the pre-proposal form.

Feedback will be provided to all applicants, regardless of the advisory decision. If a high volume of applications are received, DACF may limit the level of feedback to applicants.

6 FULL PROPOSAL PROCESS AND APPLICATION DETAILS

Section 6.1. provides details on the application content requirements. **Section 6.2** describes the question-and-answer process for this RFA. **Section 6.3** provides details on the submission process. The Peer Review Rubric Guidance for Full Proposals (**Attachment B**) is included to guide the development of proposals. Feedback for full proposals will be provided to applicants via the Proposal Review Form (**Attachment C**).

It is the applicant's responsibility to provide complete and sufficient information in the full proposal and complete every mandatory application section.

Reminder: If you did not submit a pre-proposal, your full proposal application will not be considered.

6.1 Full Proposal Required Content

6.1.1 Content Overview

Full proposals must include the three parts detailed in **Sections 6.1.2—6.1.4**. An overview of the required documents and document parts are provided in **Table 2**. Applicants should not provide additional attachments beyond those specified in the RFA or Application Form.

Table 2: Full Proposal Overview

| Item | Title | Type | Required? | File(s) to Submit | RFA Section |
|---|---|----------------------|---|--|-------------|
| Part I: Key Contacts and Project Information | | | | | |
| 1 | Part I Form | Fillable PDF | Yes | One (1) PDF Document 'DACF_PFAS_PI NAME_PART I' | 6.1.2 |
| 2 | Curriculum Vitae(s) Attachment | Attachment | Yes | | |
| 3 | Indirect Rate Documentation | Attachment | If organization has a NICRA/State indirect rate agreement | | |
| Part II: Project Narrative | | | | | |
| 1 | Introduction/Project Description | Section in Narrative | Yes | One (1) PDF Document 'DACF_PFAS_PI NAME_PART II' | 6.1.3 |
| 2 | Roles and Responsibilities | Section in Narrative | Yes | | |
| 3 | Literature Review | Section in Narrative | Yes | | |
| 4 | Rationale, Significance, Outcomes | Section in Narrative | Yes | | |
| 5 | Research Methodology | Section in Narrative | Yes | | |
| 6 | Timeline | Section in Narrative | Yes | | |
| 7 | Research Facility/Site/Resources | Section in Narrative | Yes | | |
| 8 | Duplication of Efforts | Section in Narrative | Yes | | |
| 9 | Quality Assurance Measures | Section in Narrative | Yes | | |
| 10 | Deliverables, Data Management, Share Plan | Section in Narrative | Yes | | |
| 11 | Future Work | Section in Narrative | Optional | | |
| 12 | Other | Section in Narrative | Optional | | |
| 13 | Animal Welfare Plan Documentation | Attachment | If project includes live animals | | |
| 14 | Financial Review | Attachment | If not from an accredited research institution | | |
| 15 | Proof of Funds | Attachment | If leveraging additional funds | | |
| 16 | Letter(s) of Support | Attachment | Optional | | |
| Part III: Budget Worksheet and Narrative | | | | | |
| 1 | Budget Worksheet | Excel Worksheet | Yes | One (1) excel workbook 'DACF_PFAS_PI NAME_PART III' | 6.1.4 |

6.1.2 Full Proposal Part I: Key Contacts and Project Information

To complete Full Proposal Part I, complete the form in **Attachment D** and attach Curricula Vitae (CV) and negotiated rate agreement documentation, if applicable. One PDF of the form and attachments should be submitted for this section as DACF_PFAS_PI NAME_PART I. Note that 'PI NAME' is a placeholder and should be replaced with the name of the Primary PI.

The form will outline the following high-level information: all key individuals and their associated roles and institutions, a budget/funding overview, a research location overview, and the project description.

DACF requires any individuals named as a PI or co-PI on the application to submit CV with relevant information for review. Upload the CV as an attachment to Full Proposal Part I. The length of each CV should not exceed ten pages. An applicant may include CV of additional collaborators if the applicant believes doing so will add merit to the application, but they are not required.

Indirect costs are capped at 10 percent unless the applicant has an approved federal Negotiated Indirect Cost Rate Agreement (NICRA) or other documentation related to an existing indirect rate negotiated with the State of Maine. If the applicant has both Federal and State negotiated rates, they should use whichever is lower. If applicable, submit documentation as an attachment to Full Proposal Part I.

6.1.3 Full Proposal Part II: Project Narrative

To complete Full Proposal Part II, submit a single PDF that includes narrative text and all required attachments, listed in **Table 2** and detailed within this section. The PDF document should be named 'DACF_PFAS_PI NAME_PART II'. Note that 'PI NAME' is a placeholder and should be replaced with the name of the Primary PI.

The Project Narrative should be no more than 12 pages, single-spaced, with 1-inch margins and 11-point font, plus the required and optional attachments. DACF encourages applicants to be succinct. It may be easier to format parts of the Project Narrative as tables and/or figures; no exact structure of the document is required beyond the format parameters discussed above. The Project Narrative should be written for a scientifically literate reader.

Consider using **Table 2** as a checklist to ensure all requested information and attachments are included within the Project Narrative.

1. Introduction/Project Description

This section will help reviewers understand who is proposing the work and what it is. It will also provide the major outcomes expected and their relevance to Maine agricultural producers.

2. Roles and Responsibilities of Key Staff and Partners

Briefly provide the qualifications of key staff and define their roles and expected contributions to the proposed project.

3. Literature Review

Describe how your research fits into the current body of science. The literature review should briefly identify where the proposed work fits into the larger realm of the discipline and identify what gaps in understanding it aims to address.

4. Rationale, Significance, and Outcomes

Describe why the proposed research is significant and the expected qualitative and/or quantitative outcomes. How does the proposed research fit within the framework of the DACF PFAS Fund? Why is it relevant to Maine agricultural producers? Any research priorities being addressed by the proposed project should be clearly stated (**Section 2**).

5. Research Methodology

This section should show how you will achieve the outcomes previously described. Fully describe research design and proposed methodology. Include the techniques and equipment that will be used, the expected results, and how data will be analyzed and interpreted.

6. Timeline

List and describe major benchmarks and estimated completion dates as if funds were awarded in May 2025.

7. Research Facility/Field Site/Resource Information

Description of where the proposed research will occur. Please include descriptions of the primary research facility as well as any other locations at which the project will be performed, including field sites. Maps and photos can be included as attachments if appropriate.

If applying for significant equipment costs (\$5,000+), please include a description of how the equipment will be procured, where it will be housed (photos are welcome), and whether it will be project dedicated.

8. Duplication of Efforts

Applicants are responsible for reporting if this application will result in programmatic, budgetary, or commitment overlap with another application of award (i.e. grant, cooperative agreement, or contract) submitted to another funding source in the same fiscal year (the State of Maine fiscal year runs from July 1 to June 30 annually).

1. **Programmatic overlap** occurs when substantially the same project is proposed in more than one application or is submitted to two or more funding sources for review and funding consideration and/or a specific objective and the project design for accomplishing the objective are the same or closely related in two or more applications or awards, regardless of the funding source;
2. **Budgetary overlap** occurs when duplicate or equivalent budgetary items (e.g. equipment, salaries) are requested in an application but already are provided by another source; and/or,
3. **Commitment overlap** occurs when an individual's time commitment exceeds 100 percent, whether or not salary support is requested in the application.

If the proposed project is chosen for funding, overlap, whether programmatic, budgetary, or commitment of an individual's effort greater than 100 percent, is not permitted. Overlaps disclosed in the Project Narrative must be resolved by the DACF with the applicant prior to award.

9. Quality Assurance Measures

A full Quality Assurance Plan (QAP) is **not** required for this application. However, this section serves as an opportunity for the applicant to communicate any measures being taken to ensure that data or

conclusions produced are scientifically valid and reliable. Suggested content and length will vary by project type but examples of the type of information to include are:

- Data quality check/validation procedure overview for lab results;
- Field data quality check procedures such as field duplicate collection frequency, whether standard operating procedures are established and documented, and field audit frequency by key personnel if not the individual performing the fieldwork;
- The process for handling data corrections or for users to dispute and correct data;
- The in-laboratory data quality check procedures such as frequency of matrix spike/matrix spike duplicate (MS/MSD) samples and frequency of confirmatory split samples sent to other laboratories; and/or
- Other relevant quality assurance procedures or plans.

10. Deliverables, Data Management, and Share Plan

Summarize the plan to distribute research and any deliverables that DACF can expect to receive from this project. This section should provide details on the intended type and amount of scientific data that will be generated. The section also requests the applicant to provide information on any software and code that may be required to access the data in the future, as well as information on repositories where the scientific data/metadata will be archived and any associated security/privacy concerns associated with the data. It is important to note that, as a stipulation of the DACF rules governing this work, the awardee is obligated to provide raw data to DACF in an open file format upon completion of the period of performance.

All publication deliverables associated with the funded research must be sent to DACF. Publications and/or presentations of research funded by this grant can be finalized after the end of the period of performance. However, DACF may request a written publishing/presentation plan as part of the final project closing documentation.

As these are federal funds distributed by the DACF, it should be noted that, pursuant to the Bayh-Dole act, the rights of recipients and contractors to elect and retain title to subject inventions developed with federal funding is acknowledged. The applicant should note any potential intellectual property (IP) concerns within this section and how they may affect the ability to share data with both the DACF and the public. Potential IP concerns will be evaluated on a case-by-case basis.

11. Additional Funding

There is no requirement for additional funding, but it should be noted that projects with additional funding will score higher on Selection Criteria 6B.

Indicate whether the project has outside funding such as an institutional match, private funds, or additional grant funding. Provide an overview of the funding terms and any relevant details.

If the project is in the process of applying for additional funding, detail the timeline for acceptance. Alternatively, please indicate if no additional funding will be utilized.

11. Future Work (Optional)

If desired, discuss any future projects that the researcher envisions may build on the work funded by this grant.

12. Other (Optional)

If desired, the applicant may include other information that may strengthen the review or communicate the vision of the organization. Examples: collaboration plan if multiple institutions, mission statement, business/organization origin, links to relevant webpages etc.

13. Part II Attachment: Animal Welfare Documentation (if applicable)

Proposals involving live vertebrate animals should attach documentation such as an approval from your Institutional Animal Care and Use Committee (IACUC) for this or a related project and an Animal and Plant Health Inspection Service (APHIS) inspection report dated within the past 12-months. Additional equivalent documentation that shows the facility complies with the Animal Welfare Act (AWA) may be considered as well.

If research is occurring at a facility that has not yet gone through the licensing process for animal research or does not currently have an IACUC, please provide details on the path to licensure and IACUC establishment timeline.

Proposals involving live vertebrate animals will be reviewed without documentation of approval from an IACUC, but proof that approval is in place will be required prior to awarding funds.

14. Part II Attachment: Financial Review (if applicable)

Any non-accredited research institutions (e.g. businesses, non-profit organizations) must provide documentation that the applicant or associated group is in good financial standing. The attachment(s) may include a profit/loss statement from other grant activities, results of an external audit dated within the past 24 months, or a comparable document. If you are unsure if you need to provide a Financial Review document, please contact the RFA coordinator.

It should be noted that if a project is chosen for funding, DACF may be required to request additional financial information on behalf of the USDA in order to comply with the Transparency Act (2 Code of Federal Regulations [CFR] 170.320), depending on the size of the company.

Accredited research institutions need not supply this information.

15. Part II Attachment: Proof of Funding (if applicable)

Any projects that will leverage additional funds must include proof that funding has been awarded or is available. An example of an appropriate proof of funding document is a letter of commitment from the funding organization. Applications without additional funding need not submit this attachment.

16. Part II Optional Attachment: Letters of Support/Recommendation

Although the inclusion of one or more letters of support are optional, it should be noted that full points cannot be awarded unless at least two letters of support are included (Scoring Criteria 2B). Letters of support will help reviewers understand the importance of the proposed work to agricultural producers and community members. Written statements from agricultural community members, state or federal government organizations, or knowledgeable organizations or individuals, are appropriate to include in this attachment. DACF requests that no more than four letters of support be included with each application.

6.1.4 Full Proposal Part III: Budget

An itemized budget must be submitted by populating the budget workbook provided as **Attachment E**. The workbook should be titled 'DACF_PFAS_PI NAME_PART III'. Note that 'PI NAME' is a placeholder and should be replaced with the name of the Primary PI. All budgets must follow the USDA Guidance for budgets and budget narratives included in **Attachment F**.

Applicants should note that instructions for completion and an example of a filled application are included as separate sheets within the budget workbook (**Attachment E**).

The proposed budget worksheet should detail the following sections:

- Personnel (include annual salary, percent time spent on project or multiplier being used, etc.)
- Fringe benefits of personnel
- Travel (includes travel to field sites, conferences, etc. Include how the travel directly supports the project)
- Equipment (known items exceeding \$5,000)
- Supplies (known items less than \$5,000. Applicant may list general categories and estimated cost such as glassware, chemicals, or seeds. Categories less than \$1,000 do not need to be itemized)
- Proposed Contractual/Procurement Costs
- Indirect costs (see note below)
- Details on current or pending funding that the applicant has or is applying for.
- Other (subcontracts, **publication costs**, equipment or facility rental, etc.)

Indirect costs are capped at 10 percent unless the applicant has an approved federal NICRA or an existing indirect agreement with the State of Maine, in which case indirect costs will be capped at the lesser of the two agreed rates. If applicable, submit indirect rate documentation as an attachment to Full Proposal Part I.

If an institution or organization does not have a Federal or State of Maine negotiated indirect cost rate agreement, indirect costs will be capped at 10 percent. Per USDA guidance (**Attachment F**), the 10 percent de minimis rate is applied to modified total direct costs (MTDC). For this purpose, MTDC means total direct costs related to the award, such as direct labor, fringe benefits, materials and supplies, publications, consultant services and travel costs. MTDC excludes the following costs: equipment, capital expenditures, participant support costs and the portion of each subaward and subcontract in excess of \$25,000.

There is no match requirement.

6.2 Submission of Questions and Amendments

It is the responsibility of all applicants and other interested parties to examine the entire RFA and seek clarification in writing if they do not understand any information or instructions.

6.2.1 Question/Answer Process

Applicants and other interested parties should submit any questions via email to the RFA Coordinator (madeline.s.bruno@maine.gov) using **Attachment F (Submitted Questions Form)**. Questions should be submitted as soon as possible but no later than the date and time specified on the RFA cover page.

Submitted Questions must include the RFA Number and Title in the subject line of the email. The Department assumes no liability for assuring accurate, complete, and on time email transmission and receipt.

Responses to all questions will be compiled in writing and posted on the DACF PFAS Fund Research Website. All interested parties are responsible for going to this website to obtain a copy of the Question & Answer Summary. Only those answers issued in writing on this website will be considered binding.

6.2.2 Amendments

All amendments released regarding this RFA will be posted on the DACF PFAS Fund Research Website and emailed to all PI's who submitted a pre-proposal. All interested parties are responsible for going to this website to obtain amendments. Only those amendments posted on this website are considered binding.

DACF reserves the right to revise, suspend, or terminate this RFA at its sole discretion. In such an event, DACF will inform all applicants as soon as reasonably possible. DACF also reserves the right to extend the deadline for submission of proposals or to seek additional proposals under this RFA to ensure the objectives of 7 M.R.S.A. § 320-K(I-L) will be met.

6.3 Full Proposal Submission Instructions

Proposals for this RFA must be submitted to PFASFund.DACF@maine.gov by January 31, 2025, by 11:59 PM EST. Please include RFA # PFNDM2024001 in the subject line.

Any emails containing original application submissions or any additional or revised application files received after the 11:59 p.m. deadline will be rejected without exception.

Please review the following delivery instructions to ensure successful submission of an application:

- Only applications received by email will be considered. The Department assumes no liability for assuring accurate, complete email transmission and receipt.
- Application submission emails successfully received by the PFASFund.DACF@maine.gov inbox will receive a reply stating as such.
- Emails containing links to file-sharing sites or online file repositories will not be accepted as submissions. Only emailed application submissions that have the requested files attached will be accepted.
- Encrypted emails received, which require opening attachments and logging into a proprietary system, will not be accepted as submissions. Applicants are responsible for checking with their organization's information technology team to ensure that security settings will not encrypt their application submissions.
- File size limits are 25MB per email. Applicants may submit files across multiple emails, as necessary, due to file size concerns. All emails and files must be received by the date and time described above.
- Applicants are to insert the following into the subject line of their email submission: "RFA# PFNDM2024001 Application Submission – [Applicant's Last Name]".

7 FULL PROPOSAL REVIEW

Section 7 provides information on the review process of full proposals and details the evaluation processes, including selection criteria and the process used to score proposals. An overview of the Selection Criteria and Associated Point Values are provided in **Table 3**. The rubric used for scoring full proposals is included in **Attachment B**. Reviewers will provide feedback via the form in **Attachment C**.

7.1 Evaluation Process – General Information

Evaluation teams, composed of qualified peer reviewers, will judge the merits of each proposal received based on the criteria defined in the RFA.

Officials responsible for making decisions on the award selection will ensure that the selection process accords equal opportunity and appropriate consideration to all who can meet the specifications. The goals of the evaluation process are to ensure fairness and objectivity in the review of the applications and to ensure that all contracts are awarded to the applicants that provide the best value to the State of Maine.

The Department reserves the right to communicate and/or schedule interviews/presentations with applicants, if needed, to obtain clarification of information contained in the applications received. The Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Changes to applications, including updating or adding information, will not be permitted during any interview/presentation process and, therefore, applicants must submit proposals that present their projects and other requested information as clearly and completely as possible.

Failure to respond to all questions and instructions throughout the RFA may result in the application being disqualified as non-responsive or receiving a reduced score. The Department, and its evaluation team, has sole discretion to determine whether a variance from the RFA specifications will result either in disqualification or reduction in scoring of a proposal.

7.2 Scoring Process

All eligible grant applications will be reviewed by appropriate external technical peer reviewers based on the criteria and process described below. This review is designed to evaluate each application according to its scientific merit. The individual external peer reviewers may include USDA representatives, scientists, engineers, social scientists, and/or economists who are accomplished in their respective disciplines and proficient in the technical subjects they are reviewing. Peer reviewers will be required to attest that they do not have a conflict of interest.

Each application will be assigned to at least two primary peer reviewers. Peer reviewers will read the entire application package for each application they are assigned. Peer reviewers will utilize the rubric included in **Attachment B** when reviewing applications to consider an application's merit based on the extent to which the application demonstrates the criteria. The score will be based on a 100-point scale. The peer reviewers will also prepare a written individual evaluation (**Attachment C**) for each assigned application that addresses the peer review criteria described below and assign a numerical score using the same criteria. DACF will compile and consider the peer reviewers' recommendations.

Final decision-making authority for awarding grants rests with the DACF Commissioner, based upon the

grant selection criteria and the recommendations of the peer reviewers. For this round of funding, projects selected by the Commissioner will then be shared with USDA for its acquiescence. Written materials used in the review process, including peer-review worksheets, will be made available to the applicants when they are notified of funding results. The identities of unsuccessful or ineligible applicants will not be made public.

7.3 Selection Criteria

Proposals will be evaluated according to six selection criteria detailed in **Sections 6.7.1 – 6.7.5**. **Table 3** provides a simplified version of the six selection criteria categories and the associated point values for reference.

Table 3: Simplified Scoring Criteria

| Criteria | Sub-Criteria | Description | Sub-Criteria Max Points | Total Criteria Points |
|---|--------------|---|-------------------------|-----------------------|
| 1. Research Priority | 1A | The proposal directly relates to one or more of the priorities identified in Section 2. | 10 | 10 |
| 2. Identification of Need, Opportunity, and Justification | 2A | The proposal has potential importance and benefits, including economic, for the Maine agricultural community. | 10 | 30 |
| | 2B | The proposal meets the needs of agricultural producers impacted by PFAS contamination. | 20 | |
| 3. Deliverables | 3A | The project's deliverables are clearly stated. | 5 | 15 |
| | 3B | The proposal includes a plan to distribute research results. | 5 | |
| | 3C | The proposal includes an intention and budget to publish results in an open access journal (Pass/Fail) | 5 | |
| 4. Project Methodology and Schedule | 4A | The proposed methodology is clear and scientifically valid. | 15 | 20 |
| | 4B | The project timetable is realistic. | 5 | |
| 5. Project Management | 5A | The proposed work is consistent with the qualifications and abilities of the persons involved. | 7 | 15 |
| | 5B | The proposed work includes collaborations with other eligible institutions. | 2 | |
| | 5C | The proposed work includes collaborations with farmers, and/or agricultural service providers. | 2 | |
| | 5D | The project will be conducted within the State of Maine or by a Maine-based institution (Pass/Fail) | 4 | |
| 6. Budget | 6A | The proposal includes clear and realistic descriptions of how the funds will be allocated. | 7 | 10 |
| | 6B | The project leverages funding from other sources (Pass/Fail) | 3 | |
| | | | TOTAL | 100 |

7.3.1 Research Priorities (10%)

Research priorities are detailed in **Section 2**. There are 10 points total available for this category, with maximum points awarded to projects that include more than one category. To summarize, research priority categories for this round of research funding are:

1. PFAS in Agricultural Settings: Water, Soil, and Plant Studies
2. PFAS in Agricultural Settings: Animals and Animal Product Studies
3. Understanding and Managing PFAS in On Farm Agricultural Settings and Products
4. Remediation of PFAS Contaminated Land and Suitable Uses of PFAS Contaminated Agricultural Land and Products

7.3.2 Identification of Need, Opportunity, and Justification (30%)

Subsection 2A asks applicants to identify potential importance and benefits, including economic, for the Maine agricultural community. Subsection 2B asks applicants to identify how their proposal meets the needs of agricultural producers impacted by PFAS contamination. These are relatively broad categories, and DACF encourages applicants to be specific when addressing these. For example, projects designed to test a bioremediation process would meet the needs of agricultural producers impacted by PFAS contamination (2B) but may not be potentially beneficial to the Maine agricultural community (2A) if the pilot or bench test does not include tests on soils typically farmed in Maine. The outcomes from the proposed work do not need to *guarantee* they will be successful or helpful for Maine producers to receive points in this category, but a project will score higher if the applicability to Maine farmers and the greater agricultural community has been highlighted.

Applicants may include testimony such as written statements from agricultural community members, state or federal government organizations, or knowledgeable organizations or individuals as part of Full Proposal Part II.

7.3.3 Deliverables (15%)

The application narrative must clearly state project deliverables (Subsection 3A). A plan to distribute research results must be specified (Subsection 3B). Proposals that include an intention to publish results in an open access journal will score higher (Subsection 3C) and should factor open-access journal cost(s) into budget documentation.

7.3.4 Project Methodology and Schedule (20%)

The project methodology must be clear and scientifically valid (Subsection 4A). Peer reviewers will assess full proposals for technical merit and feasibility. To ensure that the proposed work is scientifically valid, DACF requests that an outline of quality assurance procedures be included in the project narrative.

Additionally, the project timeline must be realistic for completion within the period of performance (Subsection 4B). Clearly state whether additional funding is already committed for this project and whether such funding will affect the timeline of deliverables.

7.3.5 Project Management (15%)

This category includes three important assessment criteria: the qualifications of the individuals proposing the research (Subcategory 5A), whether a collaborative approach is proposed with another eligible institution (Subcategory 5B), and/or an agricultural producer (Subcategory 5C). Additionally, projects conducted in Maine or by a Maine-based institution will score higher (Subcategory 5D).

Proposals must be consistent with the qualifications and abilities of the people involved, particularly the PI(s) and significant collaborators. Collaboration is important to DACF, so proposals that include collaborations between multiple institutions and/or agricultural producers will receive a higher score. Additionally, work within Maine (whether it is a Maine-based institution or conducted in Maine) will also score higher. A Maine-based institution is one that is registered within Maine, such as an accredited institution, non-profit, or for-profit business.

7.3.6 Budget (10%)

Budgets must be realistic for the work and timeline being proposed in the project narrative (Subsection 6A). Applications which include funding from other sources (Subsection 6B) will score higher within this category. Funding sources can include other federal, state, or private grants, institutional funding, and private business investments. A letter of commitment from the funding source or a comparable document must be submitted as part of Full Proposal Part II.

8 PROJECT AWARD ADMINISTRATION

Project award notifications will be sent to the PI via email. Upon selection, the awardees must execute a State of Maine Service Contract with the appropriate riders as determined by DACF.

Following the award, a Contract Administrator from the Department will be appointed to assist with the development and administration of the contract and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the awardee on finalizing the contract. A contract cannot be effective until at least 14 calendar days after award notification.

In providing services and performing under the contract, the awardee must act as an independent contractor, not an agent of the State of Maine.

The 24-month period of performance begins when funding is committed. Upon execution of all contractual documents and the request of an awardee, up to 15 percent of the total grant may be awarded to cover initial costs. An accounting of up-front spending, including receipts, must be submitted within 60 days of the transfer of funds. All other funds will be disbursed based on the awardees' submission of billing statements to DACF.

Funded projects will be expected to provide short quarterly update reports and a longer annual report to DACF. The DACF expects PIs to alert it if there are any changes in key personnel (e.g., parental leave or if a project team member departs for another institution). In some cases, projects may be asked to provide a plan for continuing work in the absence of key individuals.

Deliverables such as peer-reviewed journal articles need not be finalized upon contract completion, but a publication plan will be required. Data included as deliverables must be supplied in an open exchange format (e.g., Comma Separated Values (CSV) for tabular data), and all published papers must be shared with DACF. DACF encourages researchers to publish in open access journals and will allow associated publishing costs as a budget line item.

Within 30 days of award fund receipts, the PI will be expected to submit a summary of the project, which will be posted publicly along with the names and organizations of the key researchers.

In certain rare cases, DACF is required to provide the USDA with additional financial and/or business information, such as the salary information of the highest-paid executives, within 30 days of award fund receipt in order to remain compliant with the Transparency Act as defined in [2 CFR 170.320](#).

9 OTHER RULES

Projects shall comply with applicable state and federal laws and regulations, such as workplace safety standards and equal hiring opportunity laws. All PFAS waste associated with projects shall be handled and disposed of to the appropriate standards at the time of disposal. It should also be noted that Maine does not permit the land application of sludge per [LD1911](#), and no proposals that include the spreading of sludge will be funded by the DACF.

Additionally, the DACF must certify to the USDA that any projects funded through this grant cycle comply with the Code of Federal Regulations. The full text of the Code of Federal Regulations may be found online at [GovInfo](#).

Recipients who engage or assist in science-related activities on behalf of USDA must uphold the principles of scientific integrity established by [Departmental Regulations 1074-001](#), Scientific Integrity. Covered activities include engaging in, supervising, managing, and reporting scientific work; analyzing and publicly communicating information resulting from scientific work; and utilizing information derived from scientific work in policy and decision-making.

10 CONTACTS

To ensure informational emails are received, prospective applicants should add the following contacts to their emails:

General PFAS Fund Contact: PFASFund.DACF@maine.gov

Beth Valentine, Director, DACF PFAS Fund

Beth.valentine@maine.gov

(207) 313-0962

Pronouns: She/Her/Hers

Madeline Bruno (Maddy), PFAS Fund Management Specialist (RFA Coordinator)

Madeline.s.bruno@maine.gov

(207) 287-7601

Pronouns: She/Her/Hers

ATTACHMENT A – PRE-PROPOSAL FEEDBACK

Attachment A

Maine DACF PFAS Fund: Major Grants for the Study of PFAS in Agricultural Systems, Round 1
Pre-Proposal Feedback



| | |
|-----------------------------------|--|
| PROJECT TITLE: | |
| PRIMARY INVESTIGATOR (PI): | |
| PI RESEARCH ORGANIZATION: | |
| PI EMAIL: | |

Thank you for submitting your research pre-proposal to the Maine Department of Agriculture, Conservation and Forestry (DACF) PFAS Fund. After careful review of your pre-proposal application, based only on relevancy to the goals and priorities described in the Maine DACF PFAS Fund: Major Grants for the Study of PFAS in Agricultural Systems, Round 1 request for applications, the DACF PFAS Fund has determined the following:

- The application is considered competitive.** This means that DACF has reviewed the pre-proposal and deems the project competitive for funding.

- Application is not considered competitive.** This means that DACF has reviewed the pre-proposal and deems that the project is not competitive for funding. Receiving an adverse advisory decision does not preclude the applicant from completing a full proposal. Still, it indicates that the likelihood of project funding is low based on the information provided in the pre-proposal form.

PROJECT FEEDBACK:

| ITEM | YES | NO |
|---|------------|-----------|
| Project goals and objectives are clear | | |
| Project is relevant to one or more key research topics listed in the RFA | | |
| Project has the potential to help farmers determine best options for maintaining/enhancing viability despite PFAS | | |
| Proposal includes collaborations with multiple institutions, farmers, and/or agricultural service providers | | |
| Project will be conducted within the State of Maine or by a Maine-based institution | | |
| Project leverages funding from other sources | | |

NOTES FROM DACF REVIEW:

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| |
|--|

ATTACHMENT B – PEER REVIEW RUBRIC

Maine DACF PFAS Fund: Major Grants for the Study of PFAS in Agricultural Systems, Round 1 Attachment B- Scoring Rubric

| Criteria | Sub-Criteria | Description | Sub-Criteria Max Points | Description for Reviewers ^a | Percentage of Sub-Criteria Max Points Awarded ^b | | | | |
|---|--------------|---|-------------------------|---|--|---|---|--|---|
| | | | | | 0% | 25% | 50% | 75% | 100% |
| 1. Research Priority (10 points total) | 1A | A proposal directly related to the priorities established by the Commissioner based upon RAP recommendations will score higher. | 10 | The research priority should be CLEARLY stated, and included in the Abstract and Narrative to indicate its importance. Proposals that are somewhat related may be awarded partial points at reviewer's discretion. If unsure whether a proposal fits into a priority category, consider that priority categories were chosen specifically to help farmers determine their best options for maintaining and enhancing viability despite the presence of PFAS on their property. | Proposal is not related to one of the priorities listed in the RFA (0 points) | Proposal is related to one of the priority categories listed in the RFA but would not help commercial farmers make informed decisions about how to utilize agricultural property impacted by PFAS, OR the proposal is only tangentially related to one of the priority categories (2.5 points) | Proposal is not related to one of the priority categories listed in the RFA but would help commercial farmers make informed decisions about how to utilize agricultural property impacted by PFAS (5 points) | The proposal addresses one research priority category (7.5 points) | The proposal addresses two or more research priority categories (10 points) |
| | 2A | Proposal has potential importance and benefits, including economic, for the Maine agricultural community. | 10 | Since this grant is distributed by the Maine DACF, it's essential that proposed projects demonstrate specific benefits to Maine's agricultural community. For information on agricultural production in Maine, consider referencing the USDA 2022 Census of Agriculture for Maine. | Proposal does not have any obvious importance or benefits for the Maine agricultural community (0 points) | Potential benefits are described but insufficient details are provided to appropriately determine if the project is potentially important or beneficial to the Maine agricultural community (2.5 points) | Potential has the potential to benefit a small number of niche producers in Maine (5 points) | Proposal has the potential to benefit a portion of the Maine agricultural community (7.5 points) | Proposal has the potential to benefit most or all of the Maine agricultural community (10 points) |
| 2. Identification of Need, Opportunity, and Justification (30 points total) | 2B | Proposal meets the needs of agricultural producers impacted by PFAS contamination. | 20 | Producers need to know what products they can safely raise on their property given the presence of PFAS in soil and/or water. They also need guidance on harvesting and storing crops to minimize PFAS transfer, recommendations for livestock feeding strategies, and advice on managing waste and byproducts. | The proposed research results will not meet the needs of producers impacted by PFAS. There are no letters of support. (0 points) | The proposed research results will indirectly meet the needs of producers impacted by PFAS. There are no letters of support. (5 points) | The proposed research results will indirectly meet the needs of producers impacted by PFAS. There are one or more letters of support. (10 points) | The proposed research results will directly meet the needs of producers impacted by PFAS. There are no letters of support. (15 points) | The proposed research results will directly meet the needs of producers impacted by PFAS. There are one or more letters of support. (20 points) |
| | 3A | Project deliverables clearly stated | 5 | Deliverables should be clear and realistic | Project deliverables are not stated (0 points) | Project deliverables are stated but are unrealistic when considering the scope of work, timeline, and/or budget (1.25 points) | Project deliverables are stated and appear appropriate when considering the scope of work proposed, timeline, and budget, but some deliverables may be missing or lack detail (2.5 points) | Project deliverables are stated and appear appropriate when considering the scope of work proposed, timeline, and budget, but some minor details may be missing (3.75 points) | Project deliverables are clearly stated and appear appropriate when considering the scope of work proposed, timeline, and budget (5 points) |
| 3. Deliverables (15 points total) | 3B | Plan to distribute research results specified | 5 | The narrative should include plans for distribution to DACF and the public, if applicable. Projects which do not limit the distribution of results will score higher. | Plans to distribute research results to the public and to the DACF are not specified (0 points) | Plans to distribute research results to the public and to the DACF are included but distribution plans lack detail or are missing crucial elements (e.g., data) (1.25 points) | Plans to distribute research results to the public and to the DACF are included but distribution plans lack minor details or elements OR plans to distribute research results are severely limited as key unique resources, which may impede the advancement of further research, will not be shared (2.5 points) | Plans to distribute research results to the public and to the DACF are clear but plans to distribute research results are somewhat limited as some minor resources will not be shared (3.75 points) | Plans to distribute research results to the public and to the DACF are clear and all key resources will be shared (5 points) |
| | 3C | Proposal includes an intention and budget to publish results in an open access journal | 5 | Ensure that publishing to an open access journal is included in the relevant documents. This is a PASS/FAIL credit subcategory. | Proposal does not include the intention and budget to publish results in an open access journal. (0 points) | | | | The proposal includes the intention and budget to publish results in an open access journal. (5 points) |
| 4. Project Methodology and Schedule (20 points total) | 4A | The methodology must be clear and scientifically valid | 15 | Ensure that the methodology is clearly defined, appropriate for the scope of work, and that there are no gaps in process. | The methodology is not clear and/or not scientifically valid (0 points) | The methodology is relatively clear but there are gaps in the process or quality issues that may impact the reliability of the results unless addressed prior to contract award (3.75 points) | The methodology proposed is clear but the validity of the scientific method described could be improved OR the methodology proposed could be improved but the validity of the scientific method described is clear (7.5 points) | The methodology is clear and scientifically valid but some more minor details are not considered or explained and may need to be addressed prior to funding if project is chosen (11.25 points) | The methodology is clear and scientifically valid (15 points) |
| | 4B | The project timetable is realistic | 5 | The project timeline should be realistic, ensuring completion within the designated period of performance. Ideally, it should also be resilient to external influences or changing conditions. | The project timetable is not realistic (0 points) | The project timeline proposed could be possible but seems either over or under ambitious considering factors such as budget, scope of work, staffing (1.25 points) | The project timetable is realistic but could be easily impacted by outside factors in such a way that the project would be significantly incomplete at the end of the period of performance (2.5 points) | The project timetable is realistic and somewhat resilient (3.75 points) | The project timetable is realistic and resilient (5 points) |
| 5. Project Management (15 points total) | 5A | The proposed work is consistent with the qualifications and abilities of the persons involved | 7 | The key personnel should be qualified through academic background or relevant experience, and any training for research or lab assistants should match the work required. Ideally, projects will include already trained and hired staff, given the short period of performance (PoP). If this is not the case, the proposal should include a brief discussion of the training plans, demonstrating that consideration has been given to the process. | The qualifications and abilities of the PI involved in this project are not appropriate for the proposed work (0 points) | The qualifications and abilities of the PI are appropriate but other key staff lack qualifications (1.75 points) | The qualifications and abilities of the PI and all key staff on this project are appropriate for the proposed work but other staff may not be qualified or training of research/lab/field staff is not mentioned (3.5 points) | The qualifications and abilities of the PI and all key staff on this project are appropriate for the proposed work and other project staff appear qualified but significant training is discussed and will be required for accurate completion of the proposed project (5.25 points) | The qualifications and abilities of all individuals identified in this proposal are appropriate and minimal training will need to occur (7 points) |
| | 5B | The proposed work includes collaborations with multiple institutions | 2 | A collaborative approach is preferred. Each collaborator/institution should have clearly defined roles and responsibilities. | The proposed work is not collaborative with other institutions (0 points) | The proposed work includes another institution, but roles and responsibilities are not defined (0.5 point) | The proposed work includes collaborations with at least one institution and roles and responsibilities are somewhat defined (1 point) | The proposed work includes collaborations with at least one additional institution. Roles and responsibilities are clearly defined. (1.5 points) | The proposed work includes collaborations with multiple institutions. Roles and responsibilities are clearly defined. (2 points) |
| | 5C | The proposed work includes collaborations with agricultural service providers. | 2 | A collaborative approach is preferred. Applicants may be planning on working with agricultural service providers or farmers, and they should be listed accordingly, with the most points going to projects in which the agricultural service provider has already been identified. Each collaborator should have clearly defined roles and responsibilities. Collaboration can be as simple as using soil from an impacted farm. Additional points are not awarded based on a threshold of involvement. | The proposed work is not collaborative with an agricultural service provider (0 points) | The proposed work intends to include an agricultural service provider but they have not yet identified a candidate (0.5 point) | The proposed work intends to include an agricultural service provider and a candidate has been identified, but roles and responsibilities are not well defined (1 point) | The proposed work includes collaborations with one agricultural service provider who has been identified, and roles and responsibilities are well defined (1.5 points) | The proposed work includes collaborations with multiple agricultural service providers who have been identified, and roles and responsibilities are well defined (2 points) |
| | 5D | Project is conducted within the State of Maine or by a Maine-based institution | 4 | Conducted in Maine = members of the research team will be in Maine conducting research for at least a portion of the project. This is a PASS/FAIL subcategory | The project will not be conducted in Maine or by a Maine-based institution (0 points) | | | | The project will be conducted in Maine and/or by a Maine-based institution (4 points) |
| 6. Budget (10 points total) | 6A | Proposals must be able to show clear and realistic descriptions of how the funds will be allocated. | 7 | Budgets will need to follow USDA guidance, and should be clear and realistic, and all documentation such as NICRA or P/L are included. If no NICRA is established, indirect spending can only make up 10% of the budget. | Budget is not clear or realistic for the proposed work, and/or does not follow USDA guidelines (0 points) | The budget is somewhat clear and follows USDA guidelines but there are obvious items missing (1.75 points) | The budget is relatively clear and follows USDA guidelines but some sections may be unrealistic or low-level items are missing. (3.5 points) | The budget is a mostly clear and realistic portrayal of how the funds will be allocated and follows USDA guidelines (5.25 points) | The budget is a clear and realistic portrayal of how the funds will be allocated and follows USDA guidelines. (7 points) |
| | 6B | Projects leverages funding from other sources. | 3 | Projects may leverage funding or be planning on leveraging funding. Unless funding is already committed and documented, no points should be awarded for this section. This is a PASS/FAIL subcategory. | The project does not leverage funding from other sources (0 points) | | | | The project leverages funding from other sources (3 points). |

TOTAL: 100

Notes:

^aPeer Reviewers should only use these descriptions as a guide. Please review the full packet (available only to reviewers) and refer to the detailed descriptions of each category.

^bCategories (0, 25, 50, 75, 100) refer to the percentage of points suggested to be awarded for the sub-category. Points can be awarded in between these values when appropriate.

ATTACHMENT C – FULL PROPOSAL FEEDBACK

Attachment C: Full Proposal Scoring Rubric

Project Title: _____

Reviewer ID: _____

Review Group ID: _____

| Criteria | Sub-Criteria | Description | Sub-Criteria Max Points | SCORE | COMMENTS |
|---|--------------|---|-------------------------|-------|----------|
| 1. Research Priority | 1A | A proposal directly related to the priorities established by the Commissioner based upon RAP recommendations will score higher. | 10 | | |
| 2. Identification of Need, Opportunity, and Justification | 2A | Proposal has potential importance and benefits, including economic, for the Maine agricultural community. | 10 | | |
| | 2B | Proposal meets the needs of agricultural producers impacted by PFAS contamination. | 20 | | |
| 3. Deliverables | 3A | Project deliverables clearly stated | 5 | | |
| | 3B | Plan to distribute research results specified | 5 | | |
| | 3C | Proposal includes an intention and budget to publish results in an open access journal | 5 | | |
| 4. Project Methodology and Schedule | 4A | The methodology must be clear and scientifically valid | 15 | | |
| | 4B | The project timetable is realistic | 5 | | |
| 5. Project Management | 5A | The proposed work is consistent with the qualifications and abilities of the persons involved | 7 | | |
| | 5B | The proposed work includes collaborations with multiple institutions | 2 | | |
| | 5C | The proposed work includes collaborations with agricultural service providers. | 2 | | |
| | 5D | Project is conducted within the State of Maine or by a Maine-based institution | 4 | | |
| 6. Budget | 6A | Proposals must be able to show clear and realistic descriptions of how the funds will be allocated. | 7 | | |
| | 6B | Projects leverages funding from other sources. | 3 | | |

Attachment C: Full Proposal Scoring Rubric

Project Title: _____

Reviewer ID: _____

Review Group ID: _____

Optional: provide any additional overall comments or feedback:

I attest I have no conflict of interest, per the rules outlined in the Reviewers Instructions.

ATTACHMENT D – PART I FILLABLE PDF

Please access the fillable PDF form for Part I by accessing this link:

[Attachment D Fillable PDF](#)

ATTACHMENT E – PART III EXCEL BUDGET WORKBOOK

Please access the Excel Workbook by accessing this link:

[Attachment E](#)

Reminder: There are sheets within the workbook that provide examples and directions.

ATTACHMENT F – USDA BUDGET NARRATIVE GUIDANCE

USDA Budget Narrative Guidance

All costs must comply with the cost principles of 2 CFR Part 200, [Subpart E – Cost Principles](#). All costs (both Federal and any required non-Federal cost-sharing/match) that are part of an award must be:

- allowable ([2 CFR 200.403](#)),
- allocable to the agreement ([2 CFR 200.405](#)), and
- reasonable in amount ([2 CFR 200.404](#)).

A thorough budget narrative will aid the administrative review and processing of a recommended award. Amounts included in a budget and budget narrative are estimates; in the event of an award, payments will be based on actual expenditures. The following is guidance for your use in preparing a thorough budget narrative. The guidance follows the order of the budget items.

COST-SHARING/MATCHING: If required, you must provide the information below for the Federal portion of costs and *separately* provide the information below with the same level of detail for the cost-sharing/matching portion, as applicable, as part of the budget narrative.

PERSONNEL – Only include employees of applicant organization

This category includes salaries and wages of personnel of the applicant organization (i.e., employees) that will be working directly on the project. For each individual, identify their role and describe their contributions to the project. Also include their annual salary, percent of effort, and the period of time they will contribute to the project along with the associated funds requested for support. The following format is an appropriate way to provide the information.

Mr. Jones – Project Director. Accountable for assuring that all project activities are carried out in a timely, cost-efficient and responsible manner. He will provide oversight of daily activities and lead and direct the project toward accomplishment of the objectives of the project. He is responsible for the submission of the required reports.

| Salary | % effort | Project Duration | Funds Requested |
|----------|----------|------------------|-----------------|
| \$50,000 | 25% | 12 months | \$12,500 |

FRINGE BENEFITS – Only related to salaries identified under Personnel

Fringe benefits include, but are not limited to, the costs of leave (e.g., vacation, family-related, sick or military), employee insurance, pensions, and unemployment benefit plans. Also, see [2 CFR 200.431](#), Compensation-Fringe Benefits. Provide information about how fringe benefits are determined along with the amount requested.

| | |
|---|----------------|
| For instance: | Amt. Requested |
| Fringe benefits - 25% of salaries and wages (\$12,500 @ 25%). | \$3,125 |

TRAVEL

Refer to your organization's travel policy for guidance on how to arrange travel. If your organization lacks a policy, it is expected that you follow the U.S. federal government policy, see <http://www.gsa.gov/federaltravelregulation>.

For the budget narrative, identify the total funds requested for travel. Provide as much detail as possible including purpose, destination, dates of travel, and number of individuals for each trip. If the dates of travel are not known, specify estimated length of trip. Identify what will be followed (e.g., organizational travel policies or government per diem rates). The following are a few examples of how to provide the information.

- 2 people - travel to Washington D.C. once per year for a two-day meeting [identify purpose of meeting].
 - Airfare \$800 x 2 for airfare = \$1,600
 - Airport parking = \$64
 - Hotel for 3 nights x 2 @ \$200 = \$1,200
 - Meals for 2 days x 2 = \$24;
 - Rental car for 3 days @ \$110/day = \$330
 - Total for trip: \$3,439
- Local travel for project manager is calculated at .50 per mile throughout primary service area x 326 miles/month x 12 months = \$1,956.

EQUIPMENT

Equipment is defined as an item of property that has an acquisition cost of \$5,000 or more (unless the organization has established lower levels) and an expected service life of more than one year. List each item of equipment along with the applicable cost. Include justification of its need in accomplishing the goals of the project.

Example: To complete objectives #1 and #2, Refrigerated Trailer is required. XYZ Refrigerated Trailer, Model #123, at \$5,555

These costs should only include the costs to purchase new equipment. The cost of renting or leasing equipment is not to be included in this category but instead, include under the Contractual category. If equipment is costly, include a lease vs purchase comparison in the budget narrative in support of route chosen.

SUPPLIES

Supplies is defined in [2 CFR 200.1](#) as all tangible personal property other than those described in [2 CFR 200.1](#) Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life. Suggest also viewing [2 CFR 200.453](#), Materials and Supplies Costs, Including Costs of Computing Devices, regarding the allowability of costs.

Indicate general categories of expendable supplies including an amount for each category. Caution: If a category is viewed as too general or the associated amount is too high, further itemization may be requested. Therefore, use good judgement in determining the level of detail to provide.

| | |
|--|-------|
| Example: General office supplies \$50/mo. x 12 mo. = | \$600 |
| Postage \$37/mo. x 8 mo. = | \$296 |
| Laptop Computer 1 x \$900 = | \$900 |
| Printer 1 x \$300 = | \$300 |
| Projector 1 x \$900 = | \$900 |
| Copies 8000 copies x .10/copy = | \$800 |

CONTRACTUAL

This category includes consultants, subcontracts, etc.

Consultants -- List the total costs for all consultant services. Identify each consultant, the services he/she will perform, total number of days, rate of pay, travel costs, per diem, and total estimated costs.

Contract -- A contract is defined in [2 CFR 200.1](#) as a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. The term as used in this part does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward (see §200.1 Subaward).

Explain the need for each agreement and how their use will support the purpose and goals of the project. For each contract, describe the associated activities, scope of work or services to be provided and how the costs were estimated. If budgeting for a procurement action, document if a solicitation process has occurred or if the contract will be a sole source.

Example:

- ABC Company: Training \$250/individual x 3 staff 5 days = \$ 750
- Amy White to provide Technical Assistant Services
 - 1FTE @ \$25,000 + 20% Fringe Benefits of \$5,000 = \$30,000
 - Travel at 2,000 miles @ .50 per mile = \$ 1,000
 - Training course \$ 175

| | |
|----------------------------------|---------------|
| Supplies @ \$42.50 x 12 months = | \$ 510 |
| Telephone @ \$40 x 12 months = | <u>\$ 480</u> |
| | \$32,165 |

- John Doe, Consultant \$40 per hour x 220 hours for 12 month period = \$ 8,800
- To Be Announced Outreach Coordinator Annual salary \$30,000 x 10% level of effort/12 months = \$ 3,000

CONSTRUCTION

Construction efforts are to be included under this category with the same level of detail as described under the “Other” category below.

OTHER

Costs not fitting under one of the other categories are to be included under this category. The level of detail is to be commensurate with other categories. Subawards should be included in this category. Per [2 CFR 200.1](#), a subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Example: Outreach Workshop

| | |
|--|----------------|
| Rental of facilities (\$750/2 days) | \$1,500 |
| Information technology services | \$ 400 |
| Training packets (approx. 125/\$40 each) | <u>\$5,000</u> |
| Total | \$6,900 |

Note: Percentage for contingencies is not an allowable cost.

INDIRECT

[2 CFR 200.1](#) defines *Indirect (F&A) costs* as those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. To facilitate equitable distribution of indirect expenses to the cost objectives served, it may be necessary to establish a number of pools of indirect (F&A) costs. Indirect (F&A) cost pools must be distributed to benefitted cost objectives on bases that will produce an equitable result in consideration of relative benefits derived.

This cost category guidance includes several components:

- Calculation (This is to be included as part of the budget narrative)
- Indirect Cost Rates
 - Negotiated Rate
 - 10% De Minimis Rate
- Limitation (i.e., indirect cost cap)

- Unrecovered Indirect Costs for Cost-sharing/Match
- Voluntarily Reduce/Waive

Calculation.

If indirect costs are requested as part of the proposed budget, you must provide details used in determining the indirect costs requested. For instance, provide the calculation specifying the amounts used in applying the base (the base specified in the applicable rate agreement) by the applicable rate (see indirect cost rate info below as well as Limitation section). The calculation can be displayed in different formats but must capture the components (i.e., amounts used in applying the base and the applicable rate).

EXAMPLE 1: For purposes of this example, the recipient uses the 10% de minimis indirect cost rate (10% of Modified Total Direct Cost (MTDC)). MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward. MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000.

| | <u>Budget</u> | <u>Indirect Eligible Amounts</u> |
|------------------------|---------------|---|
| Salaries and wages | \$50,000 | \$50,000 |
| Materials and supplies | 3,000 | 3,000 |
| Equipment | 5,500 | -0- |
| Subaward | 30,000 | <u>25,000</u> |
| | | \$78,000 x 10% = \$7,800 Indirect Costs |

EXAMPLE 2: For purposes of this example, the recipient has a Negotiated Indirect Cost Rate Agreement (NICRA) of 20% with a base of salaries and fringe benefits.

| | <u>Budget</u> | <u>Indirect Eligible Amounts</u> |
|------------------------|---------------|--|
| Salaries and wages | \$50,000 | \$50,000 |
| Fringe Benefits | 10,000 | 10,000 |
| Materials and supplies | 3,000 | -0- |
| Equipment | 5,500 | -0- |
| Subaward | 30,000 | <u>-0-</u> |
| | | \$60,000 x 20% = \$12,000 Indirect Costs |

Indirect costs may only be recovered if the non-Federal entity has one of the following indirect cost rates.

1. **Negotiated Rate:** If the organization has a *current* NICRA established with the cognizant Federal agency (the agency that provides the most funds to the organization), then

provide a copy of the NICRA; expired rates are not acceptable. If unable to obtain a current negotiated rate from the cognizant agency, you are permitted to opt to use the 10% de minimis cost rate (you may only be reimbursed for allowable direct cost). Violation of cost accounting principles is not permitted when re-budgeting or charging costs to awards. Rather, costs must be consistently charged as either indirect or direct costs. Along with a copy of the NICRA, include the rate and base as part of the budget narrative.

Example: Rate 24.87% of MTDC - 24.87% applied to the following items: \$97,300 of Personnel, \$23,352 of Fringe, \$110,000 of other, and the first \$25,000 of three (3) subawards = \$76,015.65 indirect costs

- 2. 10% De Minimis Cost Rate:** In accordance with [2 CFR 200.414\(f\)](#), any non-Federal entities, unless excepted, may elect to forgo calculation of an indirect cost rate and request a 10% de minimis indirect cost rate. The 10% de minimis rate is applied to modified total direct costs (MTDC). For this purpose, MTDC means total direct costs related to the award, such as direct labor, fringe benefits, materials and supplies, publications, consultant services and travel costs. MTDC excludes the following costs: equipment, capital expenditures, participant support costs and the portion of each subaward and subcontract in excess of \$25,000. Violation of cost accounting principles is not permitted when charging costs to awards. Rather, costs must be consistently charged as either indirect or direct costs.

If the 10% de minimis option is chosen, it must be used consistently for all Federal awards until such time you choose to negotiate for a rate, which you may apply to do at any time. If the organization previously opted for the de minimis rate, a copy of the rate agreement must be provided. If the organization is currently electing the de minimis rate, use an indirect cost rate of no more than 10% of MTDC when preparing the budget. If selected for award, a de minimis rate agreement will be executed along with the award, as appropriate.

Example: Rate 10% of MTDC – 10% applied to the following items: \$45,000 of Personnel, \$10,800 of Fringe, and \$59,000 of Other = \$11,480 indirect costs

Limitation: Some programs may not allow the recovery of indirect costs. In such instances, the limitation flows down to subcontractors. Refer to the applicable notice of funding opportunity to determine if indirect costs are unallowable.

USDA appropriation acts limit indirect costs to 10 percent for cooperative and contribution agreements with nonprofit entities; for purposes of this limitation “nonprofit entities” includes institutions of higher education. For agreements subject to this limitation first apply the 10 percent indirect cost rate to the agreement’s total direct costs; this is shown on line 6.i of the SF424A. Then calculate indirect costs using the rate and the direct cost application base specified in the recipient’s NICRA. Use whichever rate results in the lower amount.

If the organization has a NICRA, both the NICRA calculation and the 10% TDC must be completed in order to determine the lesser (i.e., maximum allowed indirect costs) for the applicable project.

Calculation instructions: First, multiply the NICRA rate by the base stated in the NICRA to arrive at Amount A. Next, multiply the statutory limit of 10% by TDC to arrive at Amount B. The lower of Amount A and B is the maximum amount of allowable indirect cost, therefore include this amount on the budget.

Unrecovered Indirect Costs for Cost-sharing/Match: 2 CFR 200.306(c) provides,

“Unrecovered indirect costs, including indirect costs on cost sharing or matching may be included as part of cost sharing or matching only with the prior approval of the Federal awarding agency. Unrecovered indirect cost means the difference between the amount charged to the Federal award and the amount which could have been charged to the Federal award under the non-Federal entity's approved negotiated indirect cost rate.”

Voluntarily Reduce/Waive: A recipient may voluntarily reduce or waive recovery of indirect costs at its sole discretion and must not be encouraged or coerced in any way to do so by the agency. If organizations waive indirect cost recovery and request only direct costs, the organization is required to include in the award budget only those types of costs consistently treated as direct costs by the organization.

ATTACHMENT G – Q & A FORM WORD DOCUMENT

Please access the Word Document to submit questions by opening this link:

[Attachment G Word Document](#)

Email questions to madeline.s.bruno@maine.gov and attach questions as a word document.