

# COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: W912PQ-13-2-1002

Project Name/Description and Location: ARNG Environmental Programs Resources Management

Modification Number: P00002

ISSUED BY:

NATIONAL GUARD BUREAU

ISSUED TO:

THE STATE OF NEW YORK

This modification is issued pursuant to the Authorities, 31 U.S.C. Chapter 63; MCA and Appendices Article VII, Sect 703; MCCA Article XII, Sect 1201 of the basic cooperative agreements. Mark purpose and obtain signatures as appropriate IAW NGR 5-1, Chapter 3.

- a. FUNDING
- b. TERMS AND CONDITIONS
- c. TERMINATION
- d. OTHER ADMINISTRATIVE

DESCRIPTION OF MODIFICATION:

1. The Initial Maximum Funding Limitation (MFL-Federal) for this Appendix W912PQ-13-2-1002 for FY 13 is \$486,800.00.
2. The initial Estimated Cost (AFP-Federal) for this Appendix W912PQ-13-2-1002 for FY 13 is reduced by \$275,700.00 from \$1,103,000.00 to \$827,300.00. This reduction is due to the CRA being in place.
3. The Initial Maximum Funding Limitation (MFL-State) for this Appendix W912PQ-13-2-1002 for FY 13 is \$25,804.00.
4. The initial Estimated Cost (AFP-State) for this Appendix W912PQ-13-2-1002 for FY 13 is \$25,804.00.
5. In-Kind Assistance is increased by \$111,000 from \$135,000.00 to \$246,000.00.
6. As FY2013 budgets are approved by NGB, program managers will add funding to the Appendix by separate modification and are subject to the availability of funds.

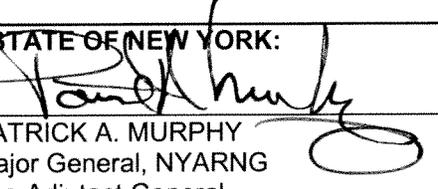
## EXECUTION

Except as provided herein, all terms and conditions of the Cooperative Agreement and/or Appendix remain unchanged in full force and effect.

IN WITNESS WHEREOF, the parties by their authorized representatives execute this Cooperative Agreement Modification.

THE STATE OF NEW YORK:

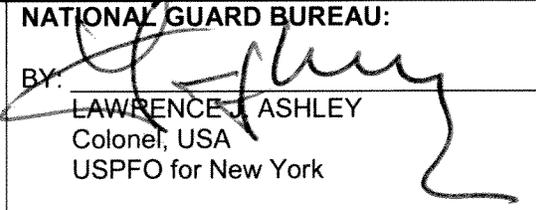
BY:

  
PATRICK A. MURPHY  
Major General, NYARNG  
The Adjutant General

Date: 17 Jan 13

NATIONAL GUARD BUREAU:

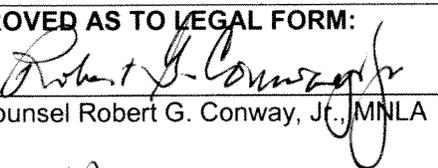
BY:

  
LAWRENCE J. ASHLEY  
Colonel, USA  
USPFO for New York

Date: 30 JAN 13

APPROVED AS TO LEGAL FORM:

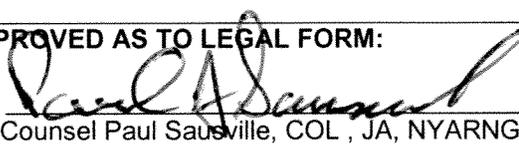
BY:

  
Counsel Robert G. Conway, Jr., MNLA

Date: 14 Jan 2013

APPROVED AS TO LEGAL FORM:

BY:

  
Counsel Paul Sausville, COL, JA, NYARNG

Date: 14 JAN 13

MEMORANDUM FOR USP&FO, COL Lawrence Ashley

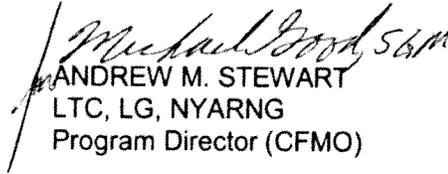
SUBJECT: Appendix 2, **Additional** In-Kind Assistance in Support of the FY 2013 NYARNG Environmental Program

1. Request approval for additional In-Kind Assistance (IKA) in the amount of **\$111,000** for the following Environmental requirements:
  - a. **Three Fauna Planning Level Surveys** are required at all three training sites, owned and maintained by the NYARNG. This request came from the NYS Department of Environmental Conservation. A number of species within NYS have been decreasing and could be added to the list of threatened and endangered species. These surveys will determine whether or not the animal/reptiles are present at these sites and what actions the NYARNG should take to protect the species and to avoid possible regulatory fines should any harm come to them or their habitat. The total cost of these three surveys is approximately **\$101,000**.
  - b. The **Integrated Pest Management Plan (IPMP)** is in a draft format from a 2005 boiler plate plan pushed by NGB-ILE. The original plan doesn't properly address our state regulations, request for services and application processes. The IPMP is the SOP for pest management for all NYARNG facilities. The IPMP identifies our facilities, active and regional pests, the means to control pests, requests for pest control services, and documentation of pesticide applications. The IPMP also lists trained applicators and supports pollution prevention through education and training to decrease chemical application. - **\$10,000.00**
2. The federal contracting process will ensure the above mentioned services, for the fauna planning level surveys, are provided in a timely fashion. Unfortunately the state's processes for executing services that requires environmental engineering and specialists (i. e. biologists) are extremely cumbersome and lengthy. This process could take over six months prior to awarding the contract and MNFE-EC will need to execute this project NLT March, 2013 due to the type of animal/reptiles that are being investigated.
3. MNFE-EC would like to MIPR funds to the USACOE who has a contract with the US Army Public Health Command. MNFE-EC and the professional staff at the US Army Public Health Command have worked efficiently together, in the past, to complete other tasks. NYS does not have a contract in place for this type of service; therefore making this task extremely time consuming, which would ultimately delay the execution of this service. Working with the USACOE would allow this task to be completed in a timely fashion.
4. Request authorization to move an additional **\$111,000** from the CFA to IKA. The revised request for In Kind Assistance would be **\$246,000**.

MNFE-EC

SUBJECT: Appendix 2, In-Kind Assistance in Support of the FY 2012 NYARNG Environmental Program

5. Questions on this request can be addressed to LTC James Freehart or Mrs. Lisa Bogardus at (518) 786-4357 and (518) 786-4980, respectively.

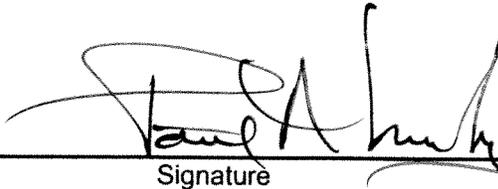
  
ANDREW M. STEWART  
LTC, LG, NYARNG  
Program Director (CFMO)

Copy Furnished:  
CW2 Renee Davin  
SGM Michael Good  
Peter Jensen  
Tom Halabuda

MNAG-TAG

18 Jan 13

Date



Signature

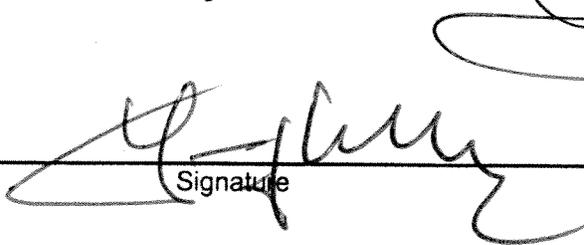
Concur Non-Concur

The Adjutant General

USP&FO

20 Jan 13

Date



Signature

Concur Non-Concur

USP&FO-NY

11 October 2012

SUBJECT: Request to Modify Master Cooperative Funding Agreement (CFA), W912PQ-13-2-1002, Appendix 2 (Environmental)

1. Request that a modification be completed, for Appendix 2, to reflect initial AFP in the amount indicated below for Federal Fiscal Year 2013:

**Section 207. Funding Limitation is changed as follows:**

**a. Funding.**

	(Allotment) Maximum Funding Limitation	(AFP) Estimated Cost
Federal Share (100%)	\$ 411,632.00	\$ 752,132.00
Federal Share (75%)	\$ 75,168.00	\$ 75,168.00
Federal Share (50%)	\$ .00	\$ .00
<b>Federal Total</b>	<b>\$ 486,800.00</b>	<b>\$ 827,300.00</b>
State Share (50%)	\$ .00	\$ .00
State Share (25%)	\$ 25,804.00	\$ 25,804.00
Program Income	\$ .00	\$ .00
<b>State Total</b>	<b>\$ 25,804.00</b>	<b>\$ 25,804.00</b>
<b>Grand Total</b>	<b>\$ 512,604.00</b>	<b>\$ 853,104.00</b>

**b. In-Kind Assistance.**

Within the Federal Share indicated above \$246,000.00 is reserved and designated specifically for in-kind assistance through Federal procurement procedures. The use of in-kind assistance shall be at the request of the Adjutant General as approved by the USPFO. NGB-AEN approval is not necessary.

2. The point of contact for this matter is LTC Freehart or Lisa Bogardus who may be reached at extension 4357 or 4980.

  
ANDREW M. STEWART  
LTC, LG, NYARNG  
CFMO-NY (Program Director)

CF:  
MNPF-CO

AMSCO	MDEP	TITLE	AFP	LEGACY Allotment	GFEBs AFP	GFEBs Allotment	PENDING TRANSFERS
		LTC STEWART					
13200000	ODEM	FACILITY REDUCTION PRG	1.00				
13100000	QHFM	FURNITURE	1.00				
13100000	QDPW	REAL PROPERTY SERVICES	1.00				
13100000	QPSM	PHYSICAL SECURITY	3.00				
13200000	GRPA	MINOR CONSTRUCTION	1.00				
13200000	ERVY	SCIF FOR SRM					
12100000	TATM	INTEGRATED TRAINING AREA MGMT	7.00				
131G5300	VENQ	ENVIRONMENTAL CONSERVATION	2.00		149,300.00	149,300.00	
131G5600	VENQ	ENVIRONMENTAL COMPLIANCE	2.00		678,000.00	337,500.00	
12100000	VFRE	OCO RANGE OPERATIONS	7.00				
13100000	VFRE	PRE-MOBILIZATION CONTINGENCY	1.00				
12100000	VSCW	TRAINING RANGE OPERATIONS	7.00				
		<b>TOTAL</b>			<b>827,300.00</b>	<b>486,800.00</b>	

APP 1  
APP 2  
APP 3  
APP 4  
APP 7  
APP 70CO

\*APP 3 Allotment shares with App 4  
\*APP 4 Allotment IS PART OF App 3