QUESTIONS AND ANSWERS
Round 16 Farmland Protection Implementation Grants Request For Applications
(Funding Opportunity announced July 5, 2018)

The following questions were submitted to the Department of Agriculture and Markets regarding this Request For Applications (RFA) for Round 16 Farmland Protection Implementation Grants (Dairy Transitions Farmland Protection Initiative). Each question appears as it was submitted in the order each was received.

Each question is answered below.

1. **Q:** IV. Eligibility, B. Project Eligibility, item #1 ***(page 6)*** states "dairy Farm Operation (including those that may have already sold its dairy cows…)" – We are wondering if cow-dairies are the only dairies eligible for this grant, or if a goat operation would also be eligible?

   A: To be eligible for consideration, the subject dairy(ies) must be a cow dairy. However, a Farm Operation eligible for consideration may transition to a goat (or sheep) operation (whether for milk, meat or fiber).

2. **Q:** (a) The NYSDAM Funding Opportunities website has the following post…. Frequently Asked Questions (PDF) (To be posted here following 7/10/2018 Applicant Webinar - please check back later.) The first webinar is scheduled for 7/17/2018. Date error?

   (b) II. Questions and Answers ***(page 3)*** notes that questions and responses will be posted as they are received. Can you clarify the timing for the Q & A?

   A: (a) Yes, the first webinar was conducted on 7/17/2018.

   (b) The Department will accept questions at any time for as long as this grant opportunity remains open to accept applications. The Department will post questions and answers periodically "as they are received."

3. **Q:** (a) If a Round 16 FPIG-RFA (Dairy Transitions Farmland Protection Initiative) application is made in the next few weeks, it is possible that the Department's response may not be received by the August 31, 2018 due date for Round 16 FPIG-RFP (Conservation Easement Projects) proposals?

   (b) If that situation occurs, would it be acceptable to the Department that a Round 16 FPIG-RFA application be submitted for the same farm with the understanding that the Round 16 FPIG-RFA application would be immediately withdrawn if notice of a Round 16 FPIG-RFP award was received?

   A: (a) Yes, that scenario is possible. To make the best use of everyone's available time, the applicant and landowner should choose <u>the one grant opportunity</u> for which they will apply. If the subject farm is eligible for both grant opportunities and you choose to submit it as a proposal via Grants Gateway for Round 16 FPIG-RFP, you should first await the Department's decision on that

request, which is likely to be determined in December 2018. By doing so, if the subject farm is not selected for an award under Round 16 FPIG-RFP, you are then free to submit the farm as an application via Grants Gateway for Round 16 FPIG-RFA at any time after receiving the notification of no award associated with Round 16 FPIG-RFP.

(b) No, because an applicant is unable to "withdraw" an application after it has been submitted via Grants Gateway.

4. **Q:** (a) The timeline provided in the RFA ***(page 7)*** states awards would be announced in late August, which cuts close to the Aug 31st deadline for FPIG. What are the chances you would be able to provide notification of a project being selected for the Dairy Transitions FPI prior to August 31st?

   (b) Would you recommend submitting a proposed project to both the Round 16 FPIG-RFP (Conservation Easement Projects) and the Round 16 FPIG-RFA (Dairy Transitions Farmland Protection Initiative)?

   A: (a) Grants Gateway requires the identification of a date of the initial award(s) associated with each grant opportunity. ***Page 7*** of the RFA identifies "on or around August 31, 2018."

   (b) No. Please refer to the answer to Question #3(a).

5. **Q:** Program Specific Question #6: Would a copy of the Grantee's template easement that includes the Department's required elements be sufficient? With no specifics on the farm or the landowner's reserved rights written in?

   A: No . While you must incorporate the Department-required easement provisions into your easement document, doing only that would not be sufficient. Further, while you need not prepare the easement document sufficient for Department review as you would as a contract deliverable (as if the project had been awarded), you must include at least some farm-specific info in the easement document that you upload as your response to that question. Therefore, you must upload a version of the Grantee's easement that will sufficiently reveal all policy matters pertinent to your proposed project even if all site-specific info has not yet been determined or otherwise verified.

6. **Q:** (a) If my answer is "yes" for Program Specific Question #8b, would I upload the same narrative as provided for Program Specific Question 8a?

   (b) Is there a difference between those two Program Specific Questions?

   (c) How is the narrative for Program Specific Question #9 being evaluated?

A: (a) The Department would anticipate that your response to a particular Program Specific Question would be distinctly different from all other responses. However, if your application is based entirely on a sole Farm Operation, which has sold all of its dairy cows within the past 12 months, then it is possible that your proposed narrative response to Program Specific Question #8a may be identical to your uploaded one-page response to Program Specific Question #8b. However, your response to #8b should provide details regarding the sale of all dairy cows including an explanation "why" they sold all of their animals.

(b) Yes. Please refer to the answer to (a) immediately above.

(c) The Department will look for a description (e.g., how, why, etc.) of the type of dairy transition that you identified in part 1 of this Program Specific Question (i.e., one of the three dairy transitions identified on ***page 5*** of the RFA).

7. **Q:** (a) Regarding Program Specific Question #10, who would qualify as the local planning official? A few that come to mind are - Commissioner of Planning for the County; Chair of the Town Planning Board; Town Supervisor; and at a stretch, Chair of the Town's Conservation Advisory Council.

   (b) The County has approved providing match funding for this farm. If the answer to (a) is the Commissioner of Planning for the County, would it be a conflict of interest for a funding partner to provide this letter?

   A: (a) Of the four individuals listed in your question, the most appropriate choice would be the Commissioner of Planning for the County. (NOTE: IF a similar position existed at the Town, it would be equally acceptable.) The next best choice would be the Chair of the Town Planning Board. However, neither the Town Supervisor or the Chair of the Town's Conservation Advisory Council would be acceptable.

   (b) Yes.

8. **Q:** For the Dairy Transitions Farmland Protection Initiative application questions 1a and 1b, are letters of endorsement that reference either the "Farmland Protection Implementation Grant program" or "Round 16 Farmland Protection Implementation Grant program" acceptable without a specific reference to the Dairy Transitions Farmland Protection Initiative? If so, is it acceptable for the letters of support to predate the release of the RFA?

   A: Yes to both of your questions.

9. **Q:** The "Advance Payment" includes a "title report stipend" of $1,500 as well as portions of the Project partners' staff time and Project partners' legal fees. In the sample Financial Worksheet you included with the Webinar materials, the "title

report stipend" was not shown as a separate line item. Does the stipend need to be shown as a line item in the initial budget in order to be included in the Advance Payment?

A: No. A separate line item does not appear on the Financial Worksheet because this $1,500 stipend amount is simply rolled into the initial payment of each awarded contract.

10. **Q:** Question b of the Program Specific Questions asks for what county the project is located. A Text box is provided for the answer, but also an Upload is required. As the answers seem to be just a few words that can fit in the text box, what should we upload to satisfy the required Upload?

    A: The requirement of an upload was duplicative; however, it is not possible to amend an active grant opportunity in Grants Gateway. Please upload a one-page response that simply repeats the same response you provided in the text box for Program Specific Question #b. We apologize in advance for this inconvenience.

11. **Q:** Regarding the B-2 Performance Budget when multiple easement budgets are entered for a single project. Can we also use one of the easement pages for a whole project budget that combines all of the easements of the project? Title this page Project Total Budget (or recommended title)?

    A: As discussed during the Applicant Webinar on 7/17/2018, please do NOT rename any of the five available tabs (“Easement1”, “Easement2”, etc.) to use that particular renamed worksheet as an overall summary of the proposed project. Instead, use as many of the five tabs (one per conservation easement) as needed for your proposed project, then simply sum across the worksheets used for all easements to enter the requested amounts on the worksheet associated with the “Instructions for Attachment B-2” tab.

12. **Q:** I understand that lands subject to an existing conservation easement, regardless of its duration, are not an eligible expense for NYS funds.

    (a) May a land trust purchase a perpetual conservation easement that includes the limited term easement area, provided no NYS funds are used on the limited term easement area (for example, on a “WRP easement”)?

    (b) If so, would the limited term easement area be included in the “Conservation Easement Project Area” and could that acreage be included in calculating the “Project Eligibility Criteria”?

(c) Also, if so, would the non-NYS funds the land trust uses to purchase the perpetual easement covering that limited term easement area be considered an eligible local match?

A: (a) Yes.

(b) Since you are including the limited term easement area in your proposed project, all characteristics of the limited term easement area are to be part of the overall project site that must meet all three of the site's project eligibility criteria for your region (i.e., acres to be protected, % extent in active agricultural production, and % of high quality soils (the sum of Prime Soils plus Soils of Statewide Importance).

(c) Yes.

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