

**Agricultural Nonpoint Source Abatement and Control Program
Round 17 Questions and Answers**

Q. Is there a cap on funding that a farm could receive?

A. No.

Q. If cover crops have been supported in a past grant through the AgNPS Program; can the practice be funded again for the same farm?

A. Yes, the cover crops and/or mulching can be proposed for funding again on the same acreage under Round 17 because the program funding policies for cover crops and mulching has changed to provide cost-sharing for three years to allow sufficient time to demonstrate the value of the practice to the farmer. Please see the Round 17 Highlights document for additional detail. The following answer was provided under Round 11 and applies in this situation:

"If a landowner has been included on a previous EPF grant it does not make that landowner ineligible for the program. However, if a similar or different BMP is being proposed to address the same pollutant from the same source as a previously funded BMP, analysis and documentation of why the water quality problem still exists should be explained on the proposal. The reviewers will also consider whether the proposed BMP is being implemented on a different location [acreage] on the farm. Any previously funded Ag. NPS projects on this farm [must] be listed in question 16a (2004, Round XI)"

Q. What is the procurement policy on cover crops for Round 17?

A. Cover crop practices completed through Round 17 of AgNPS must follow the program procurement guidelines. The current guidelines and procurement record was issued on September 17, 2008. Please contact the Albany office of the SWCC for a copy of the procurement guidelines and form.

Q. A farm in the county has expressed interest in installing a Bedding Recovery Unit to help manage their manure system. This is basically an in vessel composter. Is this system eligible for Round 17 funding?

A. Yes, in vessel composting systems are eligible for Round 17 AgNPS funding consideration. Please see the Proposal Rating Sheet and RFP for more details on proposal ranking and eligible cost considerations.

Q. Can the SWCC prepare a list of licensed archeologists that are able to conduct phase 1 inspections to determine project impacts on cultural resources?

A. The SWCC will reach out to the NY SHPO to obtain an up-to-date list of licensed archeologists.

Q. Should it be stated in the District/Landowner Funding Agreement that the landowner is liable to cover 100% of the costs associated with Professional Engineering services if the practice(s) is not completed?

A. The SWCC and Department do not review the language contained in the District/LO Funding Agreements. Districts should make use of their county attorney or other legal services when drafting or modifying their contracts with the participating landowners. However, if professional engineering service

expenses are incurred and the BMP(s) are not completed the state cannot be held liable to make the payment(s) to the professional engineer. This should be fully explained to the participating landowner.

Q. Under Round 15 the AgNPS Program it was determined that pesticide application equipment that targets pesticides on foliage to reduce the amount of spray drift is eligible for funding consideration. Is the same technology and equipment eligible for use on vineyard operations?

A. Yes. The determination on the eligibility of specialized equipment integral to the function of the practice also applies to pesticide application on vineyard operations.

Q. On page 10 of the application it states "NOTE: If the project application includes eligible participating landowner(s) that are either SWCD Board Members or Employees, please attach a copy of the official Board Meeting minutes that reflect the process for the selection of the farm(s), disclosure of interests, and necessary recusals from the authorizing resolution." If the board minutes are not approved, hence not "official" until after the submission deadline, what other documentation will be accepted to show that the resolution addresses the necessary recusal process when applicable?

A. If the resolution as certified in the AgNPS application includes the necessary information and record of recusal, the official board meeting minutes do not need to be attached.

Q. On page 5 of the RFP it states: "The State Committee shall give additional points to projects proposed to implement conservation buffers on all participating farms in the proposal. Acceptable conservation buffer practices for the purpose of assigning the preference points include, but are not limited to: Filter Strips (CREP – CP21) and/or Riparian Forest Buffer (CREP – CP22) and/or Wetland Restoration (CREP – CP 23/23A)." Is CP 29 an acceptable conservation buffer practice for the purpose of assigning the preference points?

A. Yes

Q. One of the farms in the county is a large egg producer (CAFO). The operation has two large bulk, above ground, storage tanks that store vegetable oils and animal fats used as a amendment in the feeding process. Does a plan to provide containment of vegetable oils and animal fats qualify under the BMP Catalog standard for Petroleum Product Storage Spill Prevention and Containment? Is the use of the term "petroleum" as used in the practice title meant to be exclusively fossil fuel substances?

A. The containment of vegetable oils and animal fats for spill prevention and control does not qualify under the BMP Catalog summary sheet for Petroleum Product Storage Spill Prevention and Containment; therefore the system you describe is not eligible for AgNPS funding consideration at this time. The Product Storage Spill Prevention and Containment Summary Sheet is meant to be exclusive to liquid petroleum products.

Q. There is a farmer in the county who grows berries, etc. and would like to put in an irrigation pond. The AGNPS catalog lists several practices under Irrigation Water Management, however, Irrigation Storage Reservoir is what he needs and it is not on the list. Would the storage reservoir be eligible?

A. An irrigation storage reservoir would not be eligible under the Ag Practices Catalog: Irrigation Water Management practice system. Irrigation Water Management is a planned system that determines and controls the rate, amount, placement, and timing of irrigation water. In the situation you describe, the AgNPS Program cannot provide funding for a new source of irrigation water.

Q. Can a farmer install a geotextile & gravel Heavy Use Area Protection with assistance from the AgNPS Grant and in a few years, before the lifespan of the first practice expires, cover the area with concrete (keeping it a Heavy Use Area), and receive additional assistance from another grant round?

A. No, in the situation that you describe: if the farmer is committed to installing a HUAP through the AgNPS Program it must meet or exceed NRCS Standards. If the installed practice is within its lifespan, funding would not be made available for further assistance to enhance the same practice through another grant round. Within the practice lifespan it is the farmer's responsibility to ensure that the practice is operated and maintained properly to serve its intended purpose and lifespan.

Q. On page 10 of the application it states "NOTE: If the project application includes eligible participating landowner(s) that are either SWCD Board Members or Employees, please attach a copy of the official Board Meeting minutes that reflect the process for the selection of the farm(s), disclosure of interests, and necessary recusals from the authorizing resolution." Does this recusal process apply with parents of SWCD employees if so how do they recuse themselves from the selection process?

A. The District should consult their ethics policies or that of the County and act accordingly.

Q. The application requires that we have a map showing proposed BMP location. For cover cropping this may be more than a dozen different fields for each farm, and the cover cropping locations may change each year as the farmer adjusts the rotations. Is a map showing the location of the primary farmstead adequate?

A. The application requires a topo map of each project site. Yes, a map showing the location of the primary farmstead is adequate to meet proposal requirements. However, in order for the proposal reviewers to judge the identified need for the cover crop BMPs, the map should show proximity to waterbodies, contour of the area(s) proposed for the BMPs, and other important features.