

DEPARTMENT OF AGRICULTURE AND MARKETS REQUEST FOR APPLICATIONS

for State Assistance Payments for

COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN DEVELOPMENT

INTRODUCTION

The New York State Department of Agriculture and Markets invites applications from eligible counties for financial assistance for the development or updating of County Agricultural and Farmland Protection Plans. Applications should conform to the format and content specified in this Request for Applications (RFA).

Faxed and e-mailed applications will not be accepted. Envelopes should be clearly marked "RFA-County Agricultural and Farmland Protection Planning Grants."

Four (4) copies of each application should be submitted to:

Lucy Roberson, Director
Division of Fiscal Management
NYS Dept. of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

QUESTIONS CONCERNING THE RFA

All questions about requirements contained in this RFA must be submitted in writing (facsimile or e-mail will be accepted) to:

John Brennan
NYS Dept. of Agriculture and Markets
10B Airline Drive
Albany, New York 12235
Phone: (518) 457-7076
Fax: (518) 457-2716
E-mail: john.brennan@agmkt.state.ny.us

All questions must be submitted to Mr. Brennan. Applicants should note that all of their inquiries are to be resolved prior to the submission of an application. Questions about the program which are received from potential applicants, and answers to those questions, as well as any changes, additions or deletions to the RFA, will be posted in the "Funding Opportunities" section of the Department's web site, www.agmkt.state.ny.us, under the heading: Frequently Asked Questions, FAQ, along with the electronic version of this RFA. Questions and responses will be posted as questions are received. **Applicants are urged to check the Department's web site frequently for notices of any changes, additions or deletions to the RFA.** If you are unable to access the web site, please contact Mr. Brennan to arrange for alternate delivery. All questions and answers shall become a formal addendum to the RFA.

BACKGROUND AND PURPOSE

Article 25-AAA of the Agriculture and Markets Law authorizes the Commissioner to maintain a State agricultural and farmland protection program to provide financial and technical assistance, within funds available, to assist counties and municipalities in developing agricultural and farmland protection plans and to assist both in the implementation of such plans. The purpose of these programs is to fund local initiatives that are intended to maintain the economic viability of the State's agricultural industry and its supporting land base and to protect the environmental and landscape preservation values associated with agriculture. Additional information regarding the purpose and intent on the grant program is summarized in the FAQ section posted on the Department's web site.

ELIGIBILITY

Applicant Eligibility

Any New York county is eligible to submit an application for funding under this RFA provided that it has established an agricultural and farmland protection board and either (1) has not already prepared an agricultural and farmland protection plan or (2) has an approved farmland protection plan that was approved by the Commissioner no less than one hundred twenty months (10 years) prior to submitting an application for funding under this RFA.

For either type of application, two eligible counties may apply jointly. If applying jointly, one county must be designated as the lead county for contract purposes.

Project Eligibility

Projects involving agricultural and farmland protection planning activities that result in the creation of or supplementation to a county agricultural and farmland protection plan are eligible for funding.

Please see the attached document (Circular 1500, Sections 324 & 325) which details the required elements of a county agricultural and farmland protection plan, the planning and approval process and the plan review process.

Project Funding

Maximum funding is \$50,000 to each county or \$100,000 to two eligible counties applying jointly.

Project Duration

Proposed projects should be completed within eighteen (18) months.

Eligible Costs

Funds distributed pursuant to this RFA may be used for any of the following purposes directly related to the completion of a county agricultural and farmland protection plan:

- personal services, including fringe benefits for professional, secretarial, and legal services related directly to the development of the plan
- consultant services (professional, technical, operational)
- travel (at State government rates)
- conducting public hearings
- expendable supplies
- printing
- communication

Costs incurred prior to the approval of funding by the Department shall not be eligible for reimbursement.

Funding Limits and Match Requirements

State grant funds shall not exceed \$50,000 to each eligible county and shall not exceed fifty (50%) percent of the total cost of preparing an agricultural and farmland protection plan. Joint county grant applications are acceptable provided that total State grant funds do not exceed \$50,000 per county. County funds must match State funds at least on a one-to-one basis and include at least a 20 percent cash match (i.e., new or supplemental county funding) of the total State funds provided. In-kind services matches provided by the applicant (or its contractor(s)) that are necessary for the creation or supplementation of the plan are acceptable for all eligible cost categories identified above. Indirect and overhead charges and volunteer services are not acceptable as a match. Counties are authorized to use as a match any private or other public (non-State) funds obtained to develop a plan. Each contributor of such cash comprising the local match must provide a letter acknowledging the amount of its contribution.

APPLICATION FORMAT

Submit applications using the attached Application Forms.

General Instructions for Completing the Application Forms

1. Provide all information requested in the application form. Type or print legibly.
2. Submit four (4) copies of the application.
3. Staple each copy in the upper left hand corner of the application.
4. Identify all pages of the application in numerical order.
5. Attach all required attachments, support letters, etc. at the end of the Application Form.

The Department and State Comptroller's Office reserve the right to audit the applicant's books and records relating to the performance of the project during and up to six years after the completion of the project.

Checklist for Application Completeness

Please complete and sign the checklist and submit it with your application to ensure that your application is complete.

FUNDING CRITERIA

The Commissioner shall review all requests for grant funding for completeness and determine acceptability in consultation with the Advisory Council on Agriculture. In determining approval of applications the Commissioner will consider the following:

- 1) the responsiveness of the grant application to the analytical factors required under section 324 of the Agriculture and Markets Law;
 - I. value to the agricultural economy of the county;
 - II. open space value;
 - III. consequences of possible conversion; and
 - IV. level of conversion pressure on the lands or areas proposed to be protected.
- 2) the degree to which the need for agricultural protection by the county is substantiated by facts and trends (e.g., a new plan or the status and extent of actions and accomplishments associated with the existing county agricultural and farmland protection plan);
- 3) the adequacy of the plan of work (e.g., does it relate to the needs identified, is it logically constructed, and can it be accomplished within the timeframe predicted);
- 4) the qualifications of the principals who will be developing the plan;
- 5) the reasonableness of the estimated cost of developing the plan versus the work to be performed;
- 6) overall compliance with procedural and plan approval requirements of Article 25-AAA of the Agriculture and Markets Law; and
- 7) the completeness of the application.

FUNDING PRIORITY

Priority for funding will be determined by the date an application is determined eligible and complete. If available funding for projects is exhausted in the current fiscal year, complete applications will be held in order of receipt by the Department for award in the next fiscal year, subject to the availability of funding.

AWARDS

All applications will be reviewed for eligibility and completeness based upon the attached checklist. All eligible applicants shall receive funding for approved project costs until all funds designated for this purpose are exhausted.

A contract defining all terms, conditions and responsibilities shall be developed by the Department upon the Department's receipt and approval of a complete application. A sample contract can be found on the Department's web site under "Funding Opportunities."

The contract will incorporate the project plan of work (scope of work) and a budget approved by the Department, among its provisions. A copy of the standard clauses that set forth the general terms and conditions required in all contracts awarded by the Department under this program may be found on the Department web site under "Funding Opportunities."

Once the contract has been fully executed, State funds will be disbursed on a reimbursement basis subject to submission of quarterly progress reports except for an initial advance of up to twenty-five percent (25%) of the total State award, if requested, at the discretion of the Department. The Department shall retain ten percent (10%) of the budget amount to be disbursed to the contractor until such time that the plan has been approved by the Commissioner.

REPORTING REQUIREMENTS

The Department of Agriculture and Markets will monitor contract performance. An interim progress report that summarizes the work completed on the project shall be submitted on a quarterly basis. A completed county agricultural and farmland protection plan and a final report must be submitted no later than sixty (60) days after the contract end-date. The final report shall include a detailed description of the work completed under the contract, and a description of any problems encountered which affected completion of the project. The Department reserves the right to conduct a follow-up survey of funded projects in order to determine progress in addressing identified protection strategies.

LIABILITY

The Department shall not be held liable for any costs incurred by any party for work performed in the preparation of and production of an application or for any work performed prior to the formal execution of a contract.

OTHER CONSIDERATIONS

The Department reserves the right to:

- reject any or all applications received with respect to this RFA;
- waive or modify minor irregularities in applications received;
- utilize any or all ideas submitted in the applications received unless those ideas are covered by legal patent or proprietary rights;
- request from an applicant additional information as deemed necessary to more fully evaluate its application;
- amend the program's specifications after their release, with appropriate written notice to all potential applicants by posting amendments on the Department web site (www.agmkt.state.ny.us) with the RFA;
- select only certain portions of applications for State funding;
- make all final decisions with respect to the amount of State funding and the timing of payments to be provided to an applicant; and
- negotiate the terms of the budget.

All applications submitted in response to this RFA will become the property of the New York State Department of Agriculture and Markets.

FREEDOM OF INFORMATION

All applications submitted and all related contracts and reports may be subject to disclosure under the Freedom of Information Law.

APPENDIX A
(Standard Clauses for All State Contracts)

Appendix A, (9/06 version), which is posted on the Department's web site at www.agmkt.state.ny.us, contains standard clauses that are required in all State contracts. Appendix A will be a part of any contract awarded under the Agricultural and Farmland Protection Program, and successful applicants will be responsible for complying with the terms and conditions contained therein.

FINAL PLAN REVIEW CRITERIA

The following criteria shall be used by the Commissioner to determine the acceptability of a county agricultural and farmland protection plan:

- (1) the consistency of the plan with State agricultural and farmland protection plans, policies and objectives; State environmental plans, policies, and objectives; and State comprehensive plans, policies and objectives.
- (2) the consistency of the plan with county and municipal plans, policies and objectives which the plan could affect;
- (3) the practicality of the plan (i.e., the extent to which it can reasonably be expected to meet the identified county goal(s) for agriculture and farmland protection);
- (4) the extent to which the plan satisfies the analytical factors addressed under section 324 of the Agriculture and Markets Law;
- (5) the adequacy of substantiating data, information and facts;
- (6) the cost implications of the protection measures identified in the plan (i.e., what can be accomplished recognizing limited State/local funding mechanisms in view of the public benefit to be derived from protection of agriculture and agricultural lands); and
- (7) whether the county legislative body has approved the plan.

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT REQUIREMENTS

Some projects may be subject to review under the New York State Environmental Quality Review Act (SEQRA). Counties should go to the New York State Department of Environmental Conservation web site www.dec.ny.gov for further information regarding applicability.

New York State Grant Program for County Agricultural and Farmland Protection

Planning Grant Application

APPLICATION FORM A

Instructions: Please complete this page and attach it as the first page of the work program. Fill in all information requested. Failure to complete all requested information may result in approval delay and reassignment of order of application receipt. Reassignment will be based on the date the Department receives revised information. Submit four (4) copies of this application and work plan.

County: _____

Address: _____

Legislative Chair: _____

Applicant Principal Contact:

Name: _____

Address: _____

Phone/Fax: _____ E-Mail: _____

Name and address of the County Agricultural and Farmland Protection Board Chairperson

Amount of State funding requested: _____

Anticipated time frame for completing all tasks resulting in the preparation of a county agricultural and farmland protection plan: _____

1. Project Narrative: Use this form to address the following:

- a) Please briefly summarize the county's overall goal and anticipated outcome for this proposed agricultural and farmland protection planning project;

APPLICATION FORM A (Continued)

Project Narrative (continued). Summarize background information pertaining to the proposed planning activities. On a separate sheet of paper please attach a statement labeled as "Application Form A -- item # 1 Project Narrative" to describe the following:

- b)** Identify opportunity for collaboration with other agencies or groups. Please list organizations committed to assisting the county in developing the plan.
- c)** Summarize the trends and conditions in the county that warrant agricultural and farmland protection measures;
- d)** Provide a brief description of the agricultural setting in the county including:
 - (i)** the approximate number and types of farms in the areas which are the subject of the plan;
 - (ii)** the present and future prospect for farm viability in the county; and
 - (iii)** other indications of the economic conditions and importance of agriculture to the county;
- e)** Key project personnel. Please list the individuals who will be directly responsible for developing the agricultural and farmland protection plan. For each person listed, include education and relevant background experience in such planning activities. A grid format is acceptable.
- f)** Please provide a brief status summary and evaluation of recommendations, actions, implemented activities and ongoing protection projects associated with any existing county agricultural and farmland protection plan. Omit this step if first time applicant.

2. Scope of Work/ Work Plan. On a separate sheet of paper please attach a statement labeled as "Application Form A --- item #2 Scope of Work/ Work Plan." Please see the attached Circular 1500 section 324 "County agricultural and farmland protections plans" for plan requirements. The Scope of Work or Work Plan shall include at least the following elements:

- a)** List planning activities or work tasks necessary to determine the county's goal(s) with respect to agricultural and farmland protection. Activities that may be employed to arrive at an informed consensus may include: citizen and farm organization surveys; farmer interviews and focus sessions; interviews with elected municipal and county officials and planning board members; and Cornell Cooperative Extension staff, etc.
- b)** List work tasks associated with identifying, selecting and mapping the location of any lands or areas that are proposed to be protected (e.g., the whole county, all agricultural districts lands within the county, farms or farmland in particular sections of the county, etc.). This activity should be done in consultation with the county's soil and water conservation district, U.S.D.A., Natural Resources Conservation Service, elected county and municipal officials, farmers, farm organizations, Cornell Cooperative Extension staff, land trust organizations, and interested citizens, etc. The county should also incorporate any locally identified lands proposed to be protected as presented in municipal agricultural and farmland protection plans.
- c)** List work tasks associated with analyzing identified lands or areas to be protected with respect to their value to the agricultural economy of the county; open space value; level of conversion pressure; and the consequences of possible conversion.

- d)** List work activities to identify and select strategies intended to be used to promote the protection of lands in active agricultural use and to implement the plan, including how the plan implementation program will be financed. The Department encourages counties to develop an executive summary of the final plan which includes an implementation matrix identifying key recommendations, responsible agencies or offices, costs, source of funds and time frame, etc.
- e)** List planning activities or work tasks necessary for the identification of other county and municipal planning and land use programs, (such as economic development, zoning and comprehensive land use planning), which may be shown to complement and be consistent with, the county agricultural and farmland protection plan, as well as the identification of any county and municipal plans, policies or objectives which are inconsistent with or are in conflict with the county plan.
- f)** Describe how the farm community and interested citizens will participate in the development and implementation of the plan. Describe the public participation program (e.g., hold farmer focus groups, establish an agricultural advisory committee, conduct interactive workshops and opinion surveys, etc.) the county intends to follow during the development and implementation of the plan. The draft plan is to be made available to the farm community for comment before it is approved. The county must conduct at least one public hearing to solicit citizen views and recommendations. All of the above should be factored into the work plan.
- g)** The county agricultural and farmland protection board shall submit the proposed plan to the county legislative body for approval. If the county legislative body approves the plan, its approval is to be documented by a resolution.
- h)** The county legislative body shall submit the plan to the Commissioner for approval.

FORM B-1

COUNTY AGRICULTURAL AND FARMLAND PROTECTION GRANT PROGRAM Proposed Project Budget

PROJECT TITLE: _____

PROJECT APPLICANT: _____

<u>Expenditure Category</u>	<u>Grant Funds</u>	<u>Applicant Match</u>		<u>Total</u>
		Cash	In-Kind	
Salaries and Wages (Personal Services)	\$	\$	\$	\$
Fringe Benefits				
Consultant Services				
*Travel (at state rate)				
Public Hearings				
Supplies and Materials				
Communications				
Printing				
Other (Specify)				
Total	\$	\$	\$	\$

* Mileage reimbursement rate for 2008 calendar year is 50.5 cents per mile. Refer to: U.S. General Services Administration's Privately Owned Vehicle Mileage Reimbursement Rates. http://www.gas.gov/HP_01Trvl_povmilege

Application Budget Form B-2 Budget Summary

Total State Funds Requested: \$ _____
a.) applicant cash match: \$ _____
b.) applicant in-kind match: \$ _____
Total Cost of Project: \$ _____

Please provide a brief description of in-kind services to be used for up to 80% of the required match:

List Sources (name and sector) and Amount of Applicant Match:

(Some applicants may have obtained match funds from outside sources: if so, fill in below)

Source of Match	Sector (circle one)		Amount
_____	Public	Private	\$ _____
_____	Public	Private	\$ _____

Please attach documentation such as resolution or letter from an authorized county official obligating the cash match.

DEPARTMENT OF AGRICULTURE AND MARKETS

REQUEST FOR APPLICATIONS

for State Assistance Payments for

COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN DEVELOPMENT

Checklist for Application Completeness

(Please fill out this checklist and submit it with your application, budget forms and authorizing resolution signed by the Chair of the Legislature. Please fill in all information requested. Failure to complete all requested information may result in approval delay and reassignment of order of application receipt. Reassignment will be based on the date the Department receives revised information)

COUNTY: _____

APPLICATION

- () Proposal submitted by eligible applicant, as described in the "Applicant Eligibility" section on page 2 of the RFA.
- () Four (4) paper copies of proposal submitted.
- () All information requested on the first page of Application Form A is provided.
- () Name and address of county applying is provided.
- () Name of the County Legislative Chair is listed.
- () Identification of the County AFPB Chair (name, address, and telephone number).
- () Identification of an individual to be contacted concerning information contained in the application.
- () Amount of the state funding request.
- () Estimate of the time frame for completing the plan.
- 1. Project Narrative
 - () a. Summary of the overall goal and anticipated project outcome.
 - () b. List of organization committed to assist in developing the plan.
 - () c. Summary statement is provided regarding the economic trends and conditions in the county that warrant agricultural and farmland protection measures.
 - () d. A description of the agricultural setting in the county is included along with the approximate number of farms and type of farms. A summary of the present and future prospects for farm viability in the county is provided. The application includes a summary of the economic conditions and importance of agriculture to the county.
 - () e. A list of key personnel is provided, including relevant experience in developing agricultural and farmland protection plans.

() f. The application includes a brief status summary and evaluation of recommendations, actions and accomplishments associated with the original county agricultural and farmland protection plan.

2. Scope of work/ work plan

() The Scope of Work reflects the plan requirements (a through h) as identified in Agriculture and Markets Law 25 AAA section 324.

() The required public hearing is included within the scope of work.

() The application includes an authorizing resolution which includes the signature of the chair of the county legislative body.

BUDGET AND COSTS

() Budget (Budget Form B-1 & Budget Form B-2) is complete.

() Proposal does not request more than \$50,000 in state funding.

() Availability of cash match is documented.

() Matching funds or in-kind services for project equals or exceeds fifty percent (50%) of the TOTAL project costs and at least twenty percent (20%) of that match is cash.

() Description of in-kind services to be used for up to eighty percent (80%) match is provided.

() Funding request is for eligible costs only.

() Matching project expenses do not include work performed prior to announcement of awarded projects.

() New York State funds are not used for any of the match.

() Indirect and overhead costs are not used for matching in-kind.

REMINDERS:

() Application is for agricultural and farmland protection planning activities that will result in the preparation or update of a county agricultural and farmland protection plan.

() Planning activities resulting in the preparation or updating of a county agricultural and farmland protection plan are to be completed within eighteen (18) months comprising the contract period.

Signature of principal contact _____ Date: _____

End of Document