

## QUESTIONS AND ANSWERS – FPIG Request For Proposals, 2007-2008

The following questions have been submitted to the Department regarding the Request For Proposals (RFP) for the Farmland Protection Implementation Grants (FPIG) program.

All questions have been submitted in writing; questions include those submitted via email or fax to David Behm, the Department's Farmland Protection Program Manager, after the announcement of the RFP.

Each question is answered below.

1. **Q:** Our local government must rely on outside easement expertise to complete our proposed project. Our land trust partner has no staff and will therefore find a contractor to actually complete the necessary work. May we change to a different contractor than that named in our application if our initial contractor is no longer available to do the necessary work by the time the FPIG contract is awarded?

**A:** Yes, but if you do not have a commitment from an individual at the time of application, the Department recommends that you do the following:

- List more than one possible contractor who will complete the required work and preferably all possible contractors whom you are considering (each of whom are willing/able to do the required work during the anticipated contract period)
- For each possible contractor, be sure to provide all of the requested information: name, title, affiliation, and a brief summary of relevant easement experience.

2. **Q:** How does the contingency fund work, and how do we quickly apply for it?

**A:** A contingency fund will be established for this round of FPIG awards. As stated in the "Contingency Fund" section on page 7 of the Request For Proposals (RFP), a request for additional funding (up to 20% of the FPIG award) to cover unanticipated project cost increases may be requested in writing at any time after the FPIG contract is established. Each contingency fund award is made by the Department on a first come, first served basis. Each request must be made in writing and address the four criteria listed in the RFP; each request must be accompanied by a revised project budget reflecting the unanticipated cost increases.

3. **Q:** We intend to include a preliminary site plan of the proposed farm conservation easement project in our application. Where should it be placed within the application?

A. **A:** A preliminary site plan is not a required component of the application. If you wish to include a preliminary site plan, please insert it into Form A - Part 2 - Item #4 (Nature of Farm Enterprise) of the application. Also, please consider an illustration along with a narrative explanation of your site plan.

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4. **Q: (a)** How should in-kind administrative costs (e.g., staff time) be documented and retained on file by the applicant?  
**(b)** How should other administrative costs (e.g., materials) be documented and retained on file by the applicant?

**A: (a)** To document staff time, the Department recommends that you use the official timesheet for each key personnel, or an accounting ledger (or equivalent spreadsheet) of each project partner (except the landowner) providing in-kind staff assistance that lists hours and hourly rates for each person listed.

**(b)** To document other administrative costs (other than in-kind), the Department recommends that you rely on invoices/receipts for each administrative cost item.

5. **Q: (a)** Property 1 is a farm whose owner is seeking a Purchase of Development Rights (PDR) transaction. Property 2 (another farm) is adjacent to Property 1, and its owner *might* agree to donate development rights as part of the match for Property 1. The owner of Property 1 rents and farms Property 2. If the development rights for Property 2 are donated as the local match for these two farm projects, should Property 1 and Property 2 be listed as separate farms or as one farm in the application? Either way, would you like separate Project Budgets for Property 1 and Property 2?

**(b)** Property 1 has a flawed soils map; the available NRCS soils data do not appear to be ground checked. For example, the soils map indicates that prime soils are located in an area that is a wooded steep incline. Given the topography of this portion of Property 1, we intend to exclude it from the proposed easement area. However, we don't want our application to be negatively impacted by what looks like an exclusion of prime soils when we know it is actually a steep wooded hillside. Since we do not have the resources to prepare a ground-truthed soils map for Property 1, what would be the best way to make this clear in our application (e.g., comparison with the aerial and topo maps and a note)?

**A: (a)** Even though both properties comprise one farm operation (or "farm"), each property must be treated as separate "farms" since Property 2 will provide all of the required local match for the entire application – i.e., Property 2 will serve as the "match property." Accordingly, each farm must be individually described in all responses to Form A and each farm must have its own project budget (either Form B.2 or Form B.3, depending upon their respective value of development rights).

**(b)** If the published soil survey indicates that the area in question is prime soil and you intend to exclude that area because you believe the soil survey is inaccurate because the area in question is a steep wooded hillside, then be sure to provide an explanation along with supporting documentation such as aerial photograph and topographic map that clearly illustrate the soil map unit is located on a steep slope. However, before deciding to exclude the area in question, be sure to evaluate whether the area in question might serve as an important buffer between the productive land to be placed under a conservation easement and the adjoining land owned by others that may undergo non-farm development in the future. If there is

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not sufficient buffer between such incompatible land uses (and/or the adjoining property is not similarly protected with a perpetual conservation easement), the farm proposed for protection may not remain viable agricultural land.

6. **Q:** Can labor provided / donated by volunteers be counted as 'in-kind' towards the required local match?

A: Yes. If volunteers of any of the project partner organizations (except the landowner) are conducting tasks associated with any of the required documents comprising the project file for a proposed farm project, then their time can be counted as "in-kind" toward the local match requirement. However, please note that all costs, whether direct or in-kind expenses, associated with each farmland protection implementation project must occur during the contract period (i.e., those occurring after the date of the FPIG award announcement and no later than the last day of the contract period) to be considered eligible as either local match or as a reimbursable expense. Please refer to the answer to question #4(a) for the specific documentation necessary.