

RFP 0323

Agricultural Nonpoint Source Abatement and Control Program

Frequently Asked Questions

January 21, 2025

Round 30 Questions and Answers

1. **Q: Where are Disadvantaged Community (DAC) Maps and geospatial data located?**

A: The GIS data for Disadvantaged Community (DAC) is available on the New York State GIS Data, Apps, and Maps Website, (formerly Clearinghouse)

(https://data.ny.gov/Energy-Environment/Final-Disadvantaged-Communities-DAC-2023/2e6c-s6fp/about_data) and can be viewed on the NYS SWCC – Soil and Water Conservation Resource Mapping Tool:

<https://experience.arcgis.com/experience/94a4216a6f8d45dfb3cf4c60ef391ff6/>

2. **Q: Are Expansion related projects, per the definition in the AgNPS Round 30 Highlights, eligible for funding in AgNPS?**

A: Yes, expansion related projects that meet the definition in the Round 30 Highlights, (and copied below) are eligible for funding under AgNPS Round 30.

“Expansion related practice system”: Shall mean any proposed practice system(s) that are required to prevent pollution from intended farm growth. Or

Any proposed practice system(s) needed to address documented water quality concerns from recent intentional farm growth, with recent being defined as within the 5-year period immediately preceding the current round of AGNPS funding. This shall also include practices that have been funded through previous AGNPS grants that are still within their designated lifespan.

Expansion related practice system shall not include a practice system that no longer has the capacity to store or treat a pollutant because of environmental factors outside of the farmer’s control. For example, continued experience of extreme weather and rainfall as well as flooding may drastically diminish the capacity of agricultural waste storage systems or vegetative treatment areas to function. Additionally, an expansion related practice system does not include an additional or retrofitted practice system that is needed due to new CAFO Permit requirements, changes in standards, or other regulatory or administrative policy changes.

3. **Q: For the Bond Act Track, what are the first steps to determine if a project and budget are subject to Prevailing Wage Requirements?**

A: Bond Act Track projects will not require Prevailing Wage. See RFP Addendum 2.

4. **Q: If the County Procurement Officer or NYS Department of Labor determine that a project does not require prevailing wage, can you still pursue Bond Act funds?**

A: Bond Act Track projects will not require Prevailing Wage. See RFP Addendum 2.

5. **Q: If applying for a planning project on a farm owned by a District employee, can that District employee's time spent working with a Private Planner on a CNMP be billed as the District's technical services?**

A: No, time spent by a District employee working on their own farm's project, including meeting with Private Planners, must be performed on the employee's own time or outside of normal work hours and cannot be recorded as work completed by the SWCD. Eligible work completed by that employee on their farm may count towards Landowner match.

6. **Q: What is the definition of a new system or one being implemented "for the first time", as stated in Question 27 of the Application?**

A: New or first-time systems would be those that have never been completed while the farm has been participating in AEM programs (i.e. Base, AgNPS, CRF). The narrative should explain how this is the farm's first time attempting to address a resource concern with a System selected from the Agricultural BMP Catalogue.

7. **Q: Is there a minimum area (i.e. acres) of Riparian Forest Buffer required to be awarded Preference Points?**

A: Riparian Forest Buffers implemented through the AGNPS program must meet the minimum size requirements as stated in the USDA NRCS standard 391 – Riparian Forest Buffer. The proposal narrative should explain how the size and location of the buffer addresses an identified need or opportunity.

8. **Q: What is considered an appropriate percentage or number of personnel hours to be attributed to administrative or technical/ engineering services?**

A: The budget's personnel allocation will differ across projects based on such things as the type of BMP being implemented or Plans created; some projects will require greater design or administrative work by their nature. Applicants should explain in the proposal how the estimated budget was determined including references to previous projects, recently obtained quotes, or estimated hours to be performed per task.

9. **Q: Now it is determined that Bond Act Track projects do not require Prevailing Wage, will the applicants still be required to select between Tracks?**

A: Applicants are still required to select between EPF and Bond Act Tracks for the AgNPS Round 30 RFP.

10. **Q: Is Streambank and Shoreline Protection (Ft.) (580) an eligible practice for AgNPS Round 30?**

A: Yes, this practice is a component of several eligible BMP Systems defined in the Agricultural BMP Systems Catalogue.

11. **Q: Would a Farmstead or Field Map used in a NRCS EQIP application be allowed in the AgNPS Round 30 application?**

A: , A Farmstead or Field map used in a prior Federal or State program may be used in the AgNPS Round application if it accurately depicts current conditions of the project area

and includes flow path direction and distance (in feet) to the impacted watercourse or groundwater recharge area; if a topographic layer has been added the layer should be set to an appropriate level of transparency.

12. **Q: What is required to be shown for proposed practices that will have a potential effect-intrusive designation in a NYSHPO Archaeological Buffer Area?**

A: Applicants are required to obtain and submit a NYSHPO CRIS Map that shows the proposed area of work and cultural resources. If the project will have an intrusive effect in a designated Archaeological Buffer Area, they will be required to obtain an Environmental Review from NYSHPO. See "NRCS_NY_Undertakings2018.pdf" within the AgNPS Round 30 folder on the SWCC SharePoint site for the list of practices with an effort or potential effect requiring a CRIS Map. It is encouraged to obtain this determination during the Application phases, so additional investigations required by the NYSHPO may be eligible for AgNPS Round 30 cost-share personnel services. The final determination is not a required component of the application packet.

13. **Q: Can a Landowner contribute less than 12.5% cost-share if the combined project's average of all Landowner's cost-share meets this requirement?**

A: The project proposed for each individual landowner must meet the match requirements stated in the RFP. If a landowner is contributing less than 12.5% than the State and Sponsor contribution to that landowner's project must be adjusted accordingly.

14. **Q: Can a CNMP plan be started along with the application for AgNPS Round 30 for farms proposing nutrient management BMPs (i.e. composting facility (317); or heavy use area protection (561); or pairing roofs and covers (367) in combination with heavy use area protection (561) for a covered barnyard)?**

A: Implementation projects for AgNPS Round 30 require that an AEM Tier 3 Plan be completed; for proposed Waste Storage Facilities (313) the project sponsor must demonstrate that a CNMP has been completed prior to the submission of an application.