

**PACD's Ag Plan Reimbursement Program for Conservation Districts**  
**August 9, 2022 | 10:00 a.m. – 11:00 a.m.**

**Webinar Q&A**

1. If a farmer got plans written under the DEP program but wants to apply for the PACD program because he has new farms that needs plans, is he eligible?

*Yes. A plan for new acres not reimbursed under the DEP program would be eligible for reimbursement under the PACD program.*

2. Will the grant agreement be by county conservation district and each plan will occur as a project under that agreement, or are there separate agreements for each plan?

*There will be a separate agreement for each application for grant tracking purposes. If more than one plan is registered under the Ag Planning portion of the application, those plans will be under one agreement. A conservation district need only submit one copy of signed Guidelines for the program; it will not need to be submitted each time.*

3. For a farmer needing reimbursement for multiple plans, do they have to make a separate application for each plan?

*Not necessarily. Under the Ag Planning portion of the application, you can fill out which plans will be developed and registered for reimbursement. In the budget portion you can break out the estimate for each plan.*

4. For Practice Keeper entry, would TSPs just provide documents to the appropriate conservation district staff?

*Yes, the TSPs will provide information to the conservation districts to submit into PK. If a TSP has access to PK, and the conservation districts allows, the TSP may enter the data into the database.*

*Conservation districts may enter data directly into PK. If a conservation district does not have access to PK, another conservation district may enter the data.*

5. Will the PracticeKeeper third party module allow for TSPs to enter data for the plans?

*Yes, then the county conservation district would have to accept the information into the county's tenant.*

6. You mentioned if the plans are completed by a conservation district, you need the budgeting spreadsheet. Is this not necessary for private TSPs?

*The budgeting spreadsheet has been excluded from the program to eliminate duplicate efforts. Conservation districts already submit this budget form to DEP*

*and the SCC annually. Please include a project budget that includes plan development costs and conservation district expenses, per the application form.*

- 7.** What is the estimated turn-around time for reimbursement to be made to CD once payment request is made?

*Payment will be issued to the conservation district within three weeks of final reimbursement request approval.*

- 8.** You keep mentioning "Landowner." If a farmer rents farmland, is that a problem? Will a farmer need to have all landowners sign the agreement?

*The person(s) responsible for developing, purchasing, and implementing the plan is required to sign the application. This can be the farmer or operator who is responsible.*

- 9.** I guess my concern is that we have farmers who own their farm and rent other farm acres. I was hoping that the farmer/operator will be the only one that signs the agreement.

*Please see the answer directly above.*

- 10.** If the plans are needed due to a DEP inspection, I assume they would still qualify for this program? Also, did you say that the 20% match could be from the district?

*Yes, if plans are needed due to an inspection, the plans are eligible for funding from this program. Match can come from the district, but it is encouraged that it come from the landowner.*

- 11.** Should the planner (if not a conservation district employee) contract plan development with the conservation district?

*This is up to the conservation district. PACD will reimburse conservation districts who will then reimburse the appropriate parties. Any agreements between landowners, planners, and the conservation district would be a local decision.*

- 12.** Who is assigning the number for each applicant agreement? PACD or conservation district?

*PACD will assign the number for each agreement. This will allow for proper grant tracking on our end.*

- 13.** Would there be a list of farmers who already used the DEP Reimbursement program so that the district would know who already received funding?

*Currently, there is no list. The landowner will work with the conservation district to mark a checkbox on the application to verify if acres were previously reimbursed*

*through DEP's program. This will be sufficient to determine if acres were previously funded.*

- 14.** You should be able to tell from PracticeKeeper if plan was done under Ag Plan Reimbursement Program.

*Most plans completed using the Ag Plan Reimbursement Program and entered into PK should have APRP listed as the funding source in PK.*

- 15.** If Ag E&S plans need to be approved by a certified plan reviewer, who is a certified reviewer? What type of plan review is required, administrative and technical or just administrative? We do a technical review if a plan is submitted for approval.

*This was a misprint in our final report template, which has been corrected. Ag E&S Plans and MMPs do not need to be reviewed by a certified planner/reviewer. The conservation district will need to complete an administrative review using the admin complete checklist and enter data into PracticeKeeper.*

- 16.** Shouldn't it be district ag staff who determine whether or not those plans meet state requirements?

*Yes, districts will be determining whether or not plans meet state requirements.*

- 17.** If a neighboring district reviews, then who pays that staff time?

*The district applying for the funding will be responsible for distributing funding to the landowner or others, including neighboring conservation districts. This will be a local decision.*

- 18.** If you have two certified employees, can one write the plan and the other review?

*No. If certification is required, one district may write a plan and have another review it.*

- 19.** If a plan is reviewed and deemed admin complete or compliant (Act 38 updates or Chesapeake Bay inspections) and there is a letter from a district proving this, would there still be another review of the plan for the reimbursement?

*No. A second review is not necessary.*

- 20.** If an NRCS conservation plan is written by a TSP, who certifies that plan if districts aren't certified to review that plan?

*Conservation districts should work with NRCS prior to plan development to ensure certification of this type of conservation plan written by a TSP. Conservation districts will administratively review to ensure all components of the plan are present and enter data into PracticeKeeper.*

**21.** How did DEP's previous program address plan reviews?

*Consultants used an administrative completeness checklist.*

**22.** So, do we submit an application prior to the plan actually being developed, then get reimbursed once the plan is complete?

*That is correct. You can submit an application for any plan started after the July 12, 2022, program announcement date.*

**23.** Are plan updates eligible? Example: the farmer has an expired Act 38 plan but still uses the same fields. Will this cover the cost of soil/manure analysis as well as the plan development?

*Yes, plan updates are eligible as long as those acres were never part of a plan reimbursed through the DEP program. Soil/manure analysis is a part of plan development. If the analysis was included in the original application and budget package, it could be eligible for reimbursement.*

**24.** As a planner, I don't think a contract with the district is necessary. The farmer is paying me directly not the district. Then the farmer is reimbursed.

*Each district can decide how they want to address this.*

**25.** Could you please go over the tax implications of this funding again? Thanks.

*We recommend checking with a tax professional to ensure you are in compliance with all relevant rules and regulations. Conservation districts will be responsible for collecting any W-9s and sending any 1099s that are needed.*

**26.** Could the program application form be modified to allow the landowner to assign their program payment directly to the plan developer?

*PACD will reimburse the conservation district for plan development and other expenses. The district may choose how they issue and keep track of payment for their records.*

**27.** So, a district will basically be required to participate in this program if a consultant wants to use the program to write plans within their county?

*If a consultant wants to use the program to write plans within their county, they will need a conservation district to sponsor. If a county conservation district is understaffed or cannot offer the program for various reasons, another district may offer the program to farmers across county lines.*

- 28.** Are new Act 38 plans eligible? Plan amendments? Plan updates? If a contractor writes the plan, and charges the farmer, how would this reimbursement work? Does the Nutrient Management Planner charge the district for these plans?

*Act 38 plans, plan amendments, and plan updates are eligible. PACD will reimburse the conservation district. The conservation district will determine how they would like to issue payments.*

- 29.** So, the 20% that the conservation district can charge for administrative costs, is this part of the \$1,500 per farmer or is that above and beyond the \$1,500

*The 20% admin is in addition to the ag plan reimbursement.*

- 30.** If a landowner receives \$1,500 for a plan, then the district can receive \$300 for Admin. In that case, the total payment made to the district would be \$1,800. Is this correct?

*This is correct.*

- 31.** If the district spends 20 hours working on plan, is only 20% of that time reimbursed?

*See the question and answer above. The district can take 20% of the total reimbursement amount to offset administrative costs. So, if a landowner receives \$1,500 for a plan, the district can receive up to an additional \$300 for administrative costs (staff time, etc.)*

- 32.** If a district does not charge for plan-writing, can they write the plan for the farmer at no cost and then get reimbursed for their staff time?

*No. The owner/operator may be reimbursed if the district charges a fee to write a plan. Please also keep in mind that a 20% match is required. The district may be reimbursed ACTUAL COSTS, that are not reimbursed through other state or federal programs, for education and outreach, office supplies, data entry, reporting, plan reviews and administration.*

- 33.** If the district writes the plan, can that be directly reimbursed by this program? or must they charge the farmer for staff time? in that case, after the farmer pays the district would they then apply for reimbursement?

*The conservation district can determine how they choose to issue payments. Keep in mind that a 20% match will still be required by either the landowner or the conservation district. See the response directly above.*

- 34.** Will PACD have available Appendix G for CDs? I do not see it on PACD's website.

*The budget spreadsheet is no longer required for this program. Please see #6 above.*

- 35.** What is the date that the program was announced?

*July 12, 2022*

- 36.** How soon can we start turning in applications?

*Right now! The grant opened on July 12, 2022, and applications are taken on a rolling basis.*

- 37.** Farms don't follow county lines. how would reimbursement for these plans work? if one county is participating but the other is not, etc.

*The landowner can choose to work with whichever conservation district is participating.*

- 38.** Will PACD sponsor plan development?

*PACD does not plan to sponsor plan development. However, if there are staffing concerns or other reasons a district could not participate, we will support a conservation district covering another county if both counties agree to this. Landowners may go to a neighboring county if the county they are located in cannot participate in the program.*

- 39.** What type of documentation do you require to show the landowner paid their cost share?

*We do not need copies of receipts but please retain them for your records. The conservation district will fill out the amounts on the reimbursement request and sign to certify that all information is correct.*

- 40.** If an ACT 38 plan is being updated right now, can the landowner still apply for this funding? Plan expires Sept. 30.

*Yes. The landowner may work with the conservation district to apply for funding.*

- 41.** Can the program be modified to include a 10-15% administrative fee to cover administrative costs realized by TSPs?

*The program will not be modified to include this.*

- 42.** Regarding Clinton's question about districts who don't charge for plan-writing, you stated that the district can cover the 20%. Why can't the district charge the staff time?

*If the conservation district charges a fee for plan writing, reimbursement can be awarded. Please keep in mind that a 20% match is required by the landowner or*

*the conservation district. It will be up to the conservation district how that match is secured. The district may be reimbursed ACTUAL COSTS, that are not reimbursed through other state or federal programs, for education and outreach, office supplies, data entry, reporting, plan reviews and administration.*

- 43.** Can a planner apply for the PACD program and REAP credits for plan development? How do we handle this?

*If the costs of a plan are not completely covered by the PACD program, the REAP program may be able to offset an additional portion of the cost.*

- 44.** There is no restriction for farms who are out compliance/in regulatory violation for not having a plan, correct? (Since the goal of the program is to get plans written, after all.)

*A farm that is out of compliance or in regulatory violation can use this program to help move towards compliance.*

- 45.** Since PACD is sending the \$1500 payment directly to the district, and in turn we need to issue a check to the farmer, would it be safe to assume that the responsibility of issuing a 1099 to the farmer would be on us? If so, I would need to know which 1099 form I would need to use to report those monies to the IRS. My accountant mentioned it would vary based on the origin of the grant funds and their purpose. Also, are these funds subject to or exempt from state tax?

*Yes, it is the conservation districts responsibility to collect W-9 forms and fill out 1099 forms. Please work with your tax professional to ensure you are using correct forms and submitting all documents to maintain compliance.*

- 46.** Must I watch the referenced online video?

*You do not need to watch the video in order to apply. All documentation related to the program is available on the PACD website at [https://pacd.org/?page\\_id=23966](https://pacd.org/?page_id=23966).*

- 47.** Am I correct that the eligibility must be approved before the work is started? So no past completed plans can be eligible?

*Applications must be approved before funding will be allocated to plan development. Plans begun after the July 12, 2022, announcement of the program are eligible for the program. Plans begun before this are not eligible.*

- 48.** Not sure on the budget part, seems as though one place says that is for districts that write plans but another place asks for budget?

*A budget/estimate that includes the cost of plan development and conservation district admin and E&O costs is required for each application. We have removed the budget spreadsheet (Attachment G) from the program.*

- 49.** And for billing, for example, if I am writing 5 E&S plans for a farmer with 5 tracts - I can bill up to \$1499 each and the landowner will receive that full amount up to \$6000? No acre limit so \$1499 for a 10-acre tract?

*PACD does not have an acre limit. Reimbursement will be the lesser of \$1,500 per plan or 80% of the cost of development. There is a maximum reimbursement of \$6,000 per landowner/operator if they are eligible for more than one plan.*

- 50.** In my example, a farmer went through the DEP planning reimbursement program to develop a Manure Management Plan (MMP) and Ag. E&S plans for his 150-acre operation. Since then, he started rented another 50 acres, which need a new Ag. E&S plan. He will also need to update his MMP since he plans to spread manure on those additional 50 acres. If the new 50 acres was not part of someone's reimbursement via DEP's program, our hypothetical farmer would be eligible to hire someone to write an Ag. E&S Plan for that tract. My question is would a portion of the new updated MMP, which would include the new 50 acres, be eligible for PACD's program? For instance, if the cost to write the MMP would be \$500.00, and the plan covers 200 acres total, but includes the "new 50 acres," would the farmer be eligible for 25% in this case (50 new acres ÷ 200 total acres = 0.25 = 25% à 25% x \$500.00 = \$125.00)?

*Yes, the 50 acres not reimbursed under DEPs program would be eligible. A match of 20% is required by the landowner or conservation district.*

- 51.** The agreement between the CD, the farmer, and the plan-writer states in part, "By submitting this registration form, ... and that I have an agreement to develop the above plan(s) **within 90 days of registration confirmation** and that I may be required to provide proof of this agreement upon request." Could you please explain the 90 days clause?

*The 90 days will apply to the time to write the plan and have it administratively reviewed by the conservation district. Nutrient Management Plans will need to be approved by the SCC or conservation district and entered into Practice Keeper for reimbursement. Time extensions would be approved on an individual basis.*

- 52.** Are Mushroom Farm Environmental Management Plans eligible for reimbursement?

*No, these plans are not eligible for reimbursement through this program.*