



**N.C. Department of Agriculture & Consumer Services**  
N.C. ADFP Trust Fund  
*Agricultural Plan Monitoring Policy and Guidelines*



## **I. Purpose**

The N.C. Agricultural Development and Farmland Preservation (ADFP) Trust Fund, administered by the Farmland Preservation Division of the N.C. Department of Agriculture & Consumer Services, provides grants for agricultural conservation easements on family farms throughout the state of North Carolina.

The ADFP Trust Fund will “hold grantees accountable for the expenditure of State funds by performing monitoring and oversight functions,” in accordance with Administrative Code 09 NCAC 03M “Uniform Administration of State Grants” and Subsection .0400, pursuant to N.C.G.S. 143C-6-22 & 23. The ADFP Trust Fund will work with the grantee to ensure compliance with the terms and conditions of the contract. Monitoring is necessary to make certain the agricultural plans are maintained while ensuring a productive relationship between the funding source (ADFP Trust Fund) and grantee (counties or private nonprofit conservation organizations, according to N.C.G.S. 106-744).

## **II. Definition of Agricultural Plans**

Farmland Protection Plans and the Voluntary Agricultural Districts program are considered agricultural plans.

N.C.G.S. 106-738 (b) defines Voluntary Agricultural Districts. It includes “the purpose of such agricultural districts shall be to increase identity and pride in the agricultural community and its way of life and to increase protection from nuisance suits and other negative impacts on properly managed farms. The county or city that adopted an ordinance under this Part may take such action as it deems appropriate to encourage the formation of such districts and to further their purposes and objectives.”

N.C.G.S. 106-744 (e) defines Farmland Protection Plans. It includes “a list and description of existing agricultural activity in the county,” “a list of existing challenges to continued family farming in the county,” “a list of opportunities for maintaining or enhancing small, family-owned farms and the local agricultural economy,” “describe how the county plans to maintain a viable agricultural community and shall address farmland preservation tools,” and “a schedule for implementing the plan and an identification of possible funding sources for the long-term support of the plan.”

## **III. Involved Parties**

The ADFP Trust Fund, administered by the Commissioner of Agriculture, is the funding source for agricultural development projects. The ADFP Trust Fund has full-time staff administratively located in Raleigh, North Carolina. Part-time field staff members are located remotely throughout the state. The ADFP Trust Fund Document Specialist is the monitoring program manager, unless otherwise designated by the Farmland Preservation Division Director. Field staff members will conduct on-site monitoring, unless otherwise directed by the Document Specialist.

The ADFP Trust Fund Advisory Committee is administratively located within the N.C. Department of Agriculture and Consumer Services. The Advisory Committee will advise the Commissioner on the prioritization and allocation of funds, the development of criteria for awarding funds, guidelines for monitoring easements and projects, program planning, and other areas where monies from the ADFP Trust Fund can be used to promote the growth and development of family farms in North Carolina.

Grantees are counties or private nonprofit conservation organizations. Grantees are the first point of contact for monitoring agricultural plans and discussing potential violations of contracts. Grantees are required to monitor the project at least once a year and complete annual monitoring reports for the length of the monitoring term.

#### **IV. ADFP Trust Fund Monitoring Roles and Responsibilities**

Agricultural plans will be monitored for five (5) years after the closing of the contract, unless otherwise directed by the Program Director or Commissioner of Agriculture.

The ADFP Trust Fund monitoring methods include, but not limited to:

- In-office: ADFP Trust Fund staff will review any materials pertaining to the plan, e.g. website, promotional materials, news etc. The ADFP Trust Fund field staff member will conduct a conference call with the grantee.

In-office monitoring protocol for ADFP Trust Fund staff:

- Review completed "Grantee Monitoring Checklist – Agricultural Plan."
- Review the most current data available (e.g. website, promotional materials, news etc.).
- Conduct a conference call with the grantee.
- Complete "ADFP Trust Fund Staff Monitoring Report – Agricultural Plan."
- Complete "ADFP Trust Fund Staff Incident Report – Agricultural Development Project or Agricultural Plan" if necessary.
- In-office monitoring will be completed each year for the length of the monitoring term.

Incident report protocol for ADFP Trust Fund staff:

- The "ADFP Trust Fund Staff Incident Report – Agricultural Development Project or Agricultural Plan" must be filed if a grantee reports a violation or if ADFP Trust Fund staff discovers a violation during in-office monitoring.
- The completed "ADFP Trust Fund Staff Incident Report – Agricultural Development Project or Agricultural Plan" will be submitted to the Program Director for review, investigation, and/or corrective action.
- The appropriate NCDA&CS staff will formally notify grantee via letter of violation or potential violation.
- Thirty days from the date of notification of a violation, the grantee shall submit a Plan of corrective Action to the ADFP Trust Fund Staff. The Plan of Corrective Action must be a comprehensive plan detailing the corrective action that will be taken to remedy all violations and bring the plan back in compliance. The ADFP Trust Fund staff will work with grantee for correction.

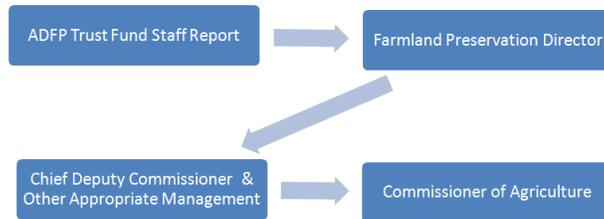
#### **V. Grantee Monitoring Responsibilities and Expectations**

Grantees will complete and submit "Grantee Monitoring Checklist – Agricultural Plan" to ADFP Trust Fund office annually on or before December 31. In January, ADFP Trust Fund staff will coordinate to the extent possible with the grantee's annual monitoring schedule.

Failure to file annual monitoring reports on or before December 31 of each year shall constitute a violation of the grant contract.

## VI. Additional Guidance and Reference – Dispute Resolutions

For issues in dispute, the ADFP Trust Fund Staff will report such differences to the Farmland Preservation Director. If the Farmland Preservation Director is unable to find a resolution, the Director will review with the appropriate NCDA&CS management for assistance and instruction, e.g. Office of the General Counsel, Chief Deputy Commissioner, and Commissioner of Agriculture. See chart below.



ADFP Trust Fund Staff are to follow appropriate approved ADFP Trust Fund Policies and Guidelines as directed by the ADFP Trust Fund Advisory Committee and the Commissioner of Agriculture, i.e. ADFP Trust Fund Grantee Eligibility Classification.

## VII. Monitoring Documents

The following documents will be used for the monitoring of conservation easements:

- Grantee Monitoring Checklist – Agricultural Plan
- ADFP Trust Fund Staff Monitoring Report – Agricultural Plan
- ADFP Trust Fund Staff Incident Report – Agricultural Development Project or Agricultural Plan

## VIII. Document Filing, Retention, and Disposal

All completed reports, including photographs and supplemental documentation from grantees, will be scanned for electronic storage and printed for paper files. Electronic copies of monitoring documents will be stored on the ADFP Trust Fund server and SharePoint page.

All monitoring documents will be filed, retained, and disposed pursuant to the ADFP Trust Fund records retention schedule.