

FAQs Regarding the Interplay of Virginia Agricultural Best Management Practices (BMP) Cost-Share Program (VACS) and Mountain Valley Pipeline (MVP) Funds

- 1. Who should I contact when I have questions about the MVP funds and VACS?** MVP questions should go to Kendall Tyree, whereas VACS questions should go to David Bryan or the local DCR Conservation District Coordinator. Questions regarding the interplay of the two funds should be sent jointly to Kendall Tyree, David Bryan and the CDC.
- 2. Unless otherwise stated in the MVP Grant Agreement or this document, should my District rely on the VACS Manual for all programmatic guidance?** Yes.
- 3. Can my District match VACS and MVP funds on a single project?** Yes, and this is encouraged by DCR and the Association. The VACS portion of an application may be no greater than the cost-share percentage listed in the VACS Manual (e.g. 75% for a WP-4). However, MVP funds can be added to the VACS cost-share in order to bring the project *up to yet not exceeding 100% cost-share*.
- 4. Does my District need to follow formal priority and secondary considerations during ranking?** If the District chooses to match VACS and MVP funds for a single project, yes, the normal VACS priority and secondary considerations must be followed.
- 5. If my District chooses to NOT match funds, but rather fund projects fully by MVP, can we develop our own new ranking system for those funds?** Yes, as long as it is consistently followed and the District has a clear and defensible way of determining whether any individual project application will be ranked as a MVP application or a VACS application.
- 6. If my District chooses to fund a project with 100% MVP funds, do I need to have a signed state Part I, II and III?** The Association is working with DCR to develop its own Part I, II, III application and contract system for projects that are 100% funded by MVP dollars since technically the impacted participants will have no official contract with the Commonwealth and DCR. For any projects that are jointly funded by VACS and MVP, the District should use the state's normal Part I, II, III system.
- 7. If a project is 100% funded by MVP funds, does it still have to follow the new Bid Process?** VACS Guidelines apply (even for 100% MVP projects) unless specifically stated otherwise in the Grant Agreement or this FAQ document. So yes, all MVP projects (whether or not they are paired with VACS funding) are subject to the Bid Process as outlined on pages II-35 through II-39. This includes the use of the new "Conditionally Approved Pending Bids" status in Tracking for structural practices for all situations where bids are required.
- 8. Do MVP BMPs require a Conservation Plan?** MVP projects will follow the same Conservation Plan rules as normal VACS projects. Therefore, yes, most of the MVP-eligible practices do require a Board-approved Conservation Plan. Exceptions to this rule, as outlined on Page II-17 of the VACS Program Guidelines, include SL-1, SL-15A and SL-15B.

- 9. Do normal Carryover rules apply?** As with other special pools of money, MVP projects will not be held to normal Carryover rules but will be viewed by DCR as an exception to the routine annual Carryover procedures. Nonetheless, all MVP projects should be completed as quickly and efficiently as possible with a firm deadline of June 30, 2026 which all projects receiving MVP funds must be completed or cancelled.
- 10. What happens if a MVP participant sells the property during project lifespan?** In this situation, the District should follow normal transfer of responsibility procedures as outlined on Page II-47 and II-48 of the VACS Manual, using the appropriate form(s) on Page II-49 or II-50. Alternatively, the participant may return prorated cost-share funds as described on Page II-51 of the VACS Manual. Prorated returned cost-share funds may be retained by the District and reallocated after notification to the Association.
- 11. What if the participant fails to maintain, or destroys, an MVP project during lifespan?** The District should follow normal procedures for practices not maintained or destroyed during lifespan as described on Page II-47 of the VACS Manual, including the notification of the Office of Attorney General if necessary for funds reclamation. If the project gets to this point, both DCR and the Association should be notified.
- 12. Will there be a hardship process, if needed, for MVP funds?** Yes, the hardship instructions on Pages II-51 and II-52 of the Manual should be followed. The only difference from a normal VACS project would be that when DCR is contacted, the Association should also be contacted in order to form an ad hoc hardship committee to be composed of the DCR Agricultural Incentives Manager, VASWCD Executive Director and the local Conservation District Coordinator.

This FAQ document was developed by David Bryan, DCR Agricultural Incentives Program Manager (david.bryan@dcr.virginia.gov) and Dr. Kendall Tyree, VASWCD Executive Director (kendall.tyree@vaswcd.org). Please contact David and/or Kendall if you have any questions.