

**North Carolina Agriculture Cost Share Program Review Summary  
(February, 2015)**

County	<u>Durham</u>	Date of Previous Review/Report	<u>04/22-23/1996</u>
District Staff Name(s)	<u>J. Brooks, M. Dupree, E.Culberson</u>	Date	<u>2/12/15</u>
NRCS Staff Name(s)	<u>M. Kinane</u>		
Division Representative(s)	<u>L. Hart, K. Ibrahim</u>		
Additional Participants	<u></u>		

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<b>Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments)</b>										
Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
When do you schedule your board meetings?				X	The Durham district holds the board meeting on the first Monday of each month at 5:30pm.		X			
How do you notify the public of the board meeting schedule and does it adhere to the Open Meetings Law?				X	The district typically posts the meeting on the website and on the bulletin board. They also send it to the county to be posted on the county bulletin		X			

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					board. They have also posted on the Facebook page.					
<i>When do you develop a conservation plan for a potential applicant?</i>				X	The district develops a conservation plan when the cooperators request one or when they make an application to a program that requires it. (VAD)		X			
<i>How do you assess the resource concerns on the farm to determine if a BMP is needed and feasible?</i>	X				The planners take a look at what is needed as well as the issue the landowner/producer called them about. They talk with the landowner about needs and for the CCAP program they use the definition in the manual. The division commends the district for reviewing all resource concerns with the producers in addition to the producer's original request. This uses the program to address the biggest resource concerns.		X			
<i>Are applications reviewed and approved by the Board as a separate action item?</i>				X	Yes, and they are noted separate in the minutes.		X			
<i>Are application decisions/motions recorded in the board minutes?</i>				X	Yes, and they are noted separate in the minutes.		X			
<i>Because applicants are limited when applying for incentive BMPs, how does your district track the applications for incentive BMPs? Is your district using the self-certification form provided by the division to track incentive BMPs.</i>				X	The district does use the incentive form created by the division and they also keep record on a spreadsheet.		X			

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Please describe how the district tracks applicants who are applying for multiple incentive BMPs or consecutive incentive BMPs.				X	The districts has never had this issue, but know the staff knows the producers in the county and would be aware of entities farming together.		X			
If multiple partners farm together, how does the district track individual applicants as one operation?				X	See above		X			
Once applications are approved, how do you develop a contract?				X	Typically, CCAP does the application for assistance first, then follows with a contract at a later meeting. ACSP & AgWRAP typically develops the application and contracts together and takes them to the board.		X			
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?	X				The staff review the application and contract in person with the producer, usually when they are signing the paperwork. They explain that work cannot be done until the contract is approved. The division commends the district for reviewing the paperwork in person with the applicant and being sure they understand the designs and the cost share process.		X			
What procedures do you follow for notifying the applicant that work can begin?				X	It depends on the applicant. They email/call but follow up with a letter notifying them with a copy of the contract.		X			

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What information do you provide the applicant?				X	Staff provides copies of the design, contract, job sheets, O & M statement, conservation plan, contractors list, etc. depending on the BMP and the producer.		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Yes		X			
<i>Are contract decisions/motions recorded in the board minutes?</i>				X	Yes		X			
Describe the district/board's procedure for approving supervisor contracts.				X	The supervisor abstains from voting. Sometimes they remove themselves from the room and avoid any discussion.		X			
<i>Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?</i>				X	Yes		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed by the contract deadline?				X	The staff usually does a preconstruction conference and review the design with landowner, they attempt to be present during construction as possible and do a post construction check out when they certify the BMP.		X			
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.				X	The staff tracks the one-third policy on a spreadsheet, they also use CS2.		X			

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Is the district recording 6-month extensions in the board minutes?				X	Yes, it is documented in the board minutes.		X			
What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications?				X	The staff includes as built designs, notes in the file, final invoices, check offs, photos, normally have the date listed when the checkout was complete.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, see above.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes, they are kept in the file.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes, noted in board meetings		X			
<i>Are payment decisions/motions recorded in the board minutes?</i>				X	Yes		X			
<b>Section 2: Spot Checks and Compliance Issues</b>										
Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										
<i>Who participates in annual spot checks? When are they conducted?</i>				X	The spot checks are usually conducted in May and 1-2 board members participate, district staff, and NRCS. CCAP is done separately from ACSP & AgWRAP spot checks.		X			

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How does the district select which contracts to spot check?				X	The staff pulls contracts using a random number generator. They keep a spreadsheet of contracts in maintenance. Ponds inspected every year. All supervisor contracts are reviewed with NRCS.		X			
<i>Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWQ.</i>				X	Yes, drystacks and the litter spreader.		X			
How does the district review five percent of all waste utilization plans?				X	Yes		X			
How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs.				X	The staff in the district notify the DC for the area office to spot check.		X			

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The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation" How does your district notify individuals that have destroyed or mismanaged a BMP?				X	The district staff call the producer and send a letter. They visit the producer and provide technical assistance to help them get back into compliance. The division encourages the district to read the new compliance policy located on the website <a href="http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf">http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf</a> .		X			
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	The staff reports on any issues at the board meeting. Sometimes compliance issues are found during spot checks with supervisors.		X			
When does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept with the CPO?				X	The staff sends the producer a letter immediately when the BMP is found out of compliance.		X			
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	The district reports that one landowner chose to repay the funds. The division was notified and the funds were repaid.		X			
<i>Is the district notifying the division of non-compliance and resolutions?</i>				X	Yes.		X			

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<b>Section 3: Record Keeping</b>										
Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										
How does the district track BMP funds?				X	The district staff tracks funds on a spreadsheet and compare it with CS2.		X			
How does the district use the division on-line (website & CS <sup>2</sup> ) reports?				X	Yes		X			
How are technical assistance funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The funds run through the county, and the county audits funds each year.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	Jennifer Brooks TA ACSP Mike Dupree, TA 319		X			
How are operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The funds run through the county, and the county audits funds each year.		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The matching fund go into the district account. The district uses quick books and audits in June of each year. Two Supervisors perform the audit.		X			

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Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA.				X	Yes, a copy is kept in the office and has been provided to the division.		X			
Do district supervisors complete supervisor forms when they have a financial interest in an entity requesting a cost share contract?				X	Yes, they send them in to the division.		X			
<b>Section 4: Contract Reviews and Site Visits</b> Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										
Contract Number: 32-2007-004 Applicant Name: Wilma Garrett BMP: Grassed Waterway		X			The upper grassed waterway has some ruts in the bottom where the new path was installed. The district staff should work with the landowner to minimize any erosion. The lower grassed waterway was functioning as planned and looked good.	X				



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Contract Number: 32-2008-501 Applicant Name: Kings Daughter's Inn BMP: Cistern & Backyard Raingarden				X	BMP is functioning as intended and looks good.		X			

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Contract Number: 32-2009-013 Applicant Name: Kingsmill Farm (David Faulk) BMP: Waste Irrigation System					The contract was for two sections of pipeline to extend the waste irrigation capabilities. Currently the dairy is out of business and they are no longer irrigating. There is no way to actually find the exact piping but it appears from discussions with the landowner and the field visit it is still in place.		X			

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Contract Number: 32-2011-004 Applicant Name: Rougemont Sport Horses, INC BMP: Waste Application Equipment and Run-off Management System				X	BMPs are in place and functioning well.		X			

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  <i>Insert Picture</i>										

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Contract Number: 32-2012-007 Applicant Name: Talmage Layton BMP: Agricultural Pond Restoration 				X	The BMP is in place and functioning well.		X			
Contract Number: 32-2013-007 Applicant Name: Talmage Layton BMP: Heavy Use Area				X	The BMP is in place and functioning well.		X			

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Contract Number:32-2012-532 Applicant Name: Matthew Kane BMP: Backyard Raingarden				X	The BMP is in place and functioning well.		X			

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