

**North Carolina Agriculture Cost Share Program Review Summary
(month, year)**

County	<u>Moore</u>	Date of Previous Review/Report	<u>August 11, 2006</u>
District Staff Name(s)	<u>J. Russell</u>	Date	<u>March 16, 2015</u>
NRCS Staff Name(s)	<u></u>		
Division Representative(s)	<u>K.Hedgepeth, R. James</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			
Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments)										
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 board meeting is scheduled on the second Thursday at 4pm.		X			
How do you notify the public of the board meeting schedule and does it adhere to the Open Meetings Law?				X	The meeting is posted on the door, the announcement is run in the local paper and on the website.		X			

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			
<i>When do you develop a conservation plan for a potential applicant?</i>				X	The staff begins the conservation plan when an application is received. They do a site visit to determine resource needs and eligibility for the programs.		X			
<i>How do you assess the resource concerns on the farm to determine if a BMP is needed and feasible?</i>				X	The staff converse with the landowner then do a field visit to assess resource concerns.		X			
<i>Are applications reviewed and approved by the Board as a separate action item?</i>				X	Yes. They are separate action items.		X			
<i>Are application decisions/motions recorded in the board minutes?</i>				X	Yes. It is noted in the minutes.		X			
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.				X	They do not do incentive BMPs as of now, but if they have applications they will use the self certification form.		X			
Please describe how the district tracks applicants who are applying for multiple incentive BMPs or consecutive incentive BMPs.				X	NA		X			
If multiple partners farm together, how does the district track individual applicants as one operation?				X	The staff keeps a spreadsheet of people to know how much cost share each person has received. The staff also knows the cooperators in the county as well as those that are farming together.		X			

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			
Once applications are approved, how do you develop a contract?				X	If the cooperator is eligible for the program the staff moves forward to the contract phase.		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 reviews the contract in person with the producer. They notify the applicant in person once it is approved by the division. The staff gives the applicant the timelines of when work must be completed.		X			
What procedures do you follow for notifying the applicant that work can begin?				X	The staff calls or visits the applicant and reviews the designs and the timeline.		X			
What information do you provide the applicant?				X	The staff provides designs, contract copies, conservation plan, the maintenance requirements and period, and timeline for when the BMP must be installed.		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Yes, this is noted in the minutes.		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 and discussion on the contract. This is noted in the minutes. The board chair		X			

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			
					asks if there is a conflict of interest at the beginning of the meeting and it is noted by staff at that time if there is a supervisor contract.					
<i>Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?</i>				X	Yes, the first supervisor contracts were the AgWRAP contracts that are set to begin this summer. They do have a supervisors that is a contractor and staff makes sure he abstains on any contract that he may have a conflict.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed by the contract deadline?				X	Depending on the BMP the staff has certain steps for each process. The staff is on site during installation if needed.		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	Staff keeps a spreadsheet of the date the 1/3 of the work needs to be completed.		X			
Is the district recording 6-month extensions in the board minutes?				X	Extensions are recorded in board minutes if an extension is needed.		X			

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			
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 conservation assistance notes, as built designs and check out notes are included in the contract file.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, The conservation assistance notes, as built designs and check out notes are included to show each BMP is measured and certified.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes, the receipts are kept in the file with the RFP.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes, this is noted in the minutes.		X			
If the BMPs are not installed by the end of the third program year per Commission policy, how does the district request a one-year extension?				X	The district sends a letter to the division requesting the extension and will go before the commission if necessary.		X			
<i>Are payment decisions/motions recorded in the board minutes?</i>				X	Yes		X			
Section 2: Spot Checks and Compliance Issues										
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	Staff and one to two board members participate in spot checks. The usually do it in the spring. This year they are planned for early april.		X			

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			
How does the district select which contracts to spot check?				X	Waste management system contracts are spotchecked for the first five years. The other contracts are randomly selected.		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		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	Currently division engineers are signing off on the AgWRAP contracts when they are completed. The staff would notify the NRCS area office if needed, but only have supervisor AgWRAP contracts.		X			

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			
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				They have had this happen in the past. The board sends a letter to the cooperator and the staff and a supervisor reviews the BMP and determine if it is back into compliance together in the field. The division commends the staff and supervisors for following up on non-compliance cases together.		X			
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	Yes, the staff notifies the board at the following board meeting.		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	Yes, the staff sends a letter from the board.		X			
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	The district hasn't had to do this for the last 15 to 20 years. If they have this issue come up they will follow the current division's policy for compliance.		X			
Is the district notifying the division of non-compliance and resolutions?				X	The staff will notify the division if necessary.		X			
Section 3: Record Keeping										
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.										

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			
How does the district track BMP funds?				X	The staff uses a spread sheet and CS2 to track funds.		X			
How does the district use the division on-line (website) reports?				X	Yes, they use the reports and CS2 reporting.		X			
How are your BMP funds audited? What is the date of the last audit? Who performed the audit? Was the BMP audit form completed and notarized?				X	They are done at the end of each program year. Staff, Supervisor and a notary review and certify the forms.		X			
How are technical assistance funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The fund are run through the county and the county performs and audit each October by an outside firm.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	J. Russell		X			
How are operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The fund are run through the county and the county performs and audit each October by an outside firm.		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The fund are run through the county and the county performs and audit each October by an outside firm.		X			

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			
How much time is spent on cost share program (ACSP, CCAP, AgWRAP) contracts and BMP implementation? How is that tracked?				X	Timesheets are turned into Paula.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position?				X	Yes, and each staff member keeps their JAA available.		X			
Do district supervisors complete supervisor forms when they have a financial interest in an entity requesting a cost share contract?				X	Supervisor disclosure forms are completed and sent to the division each February.		X			

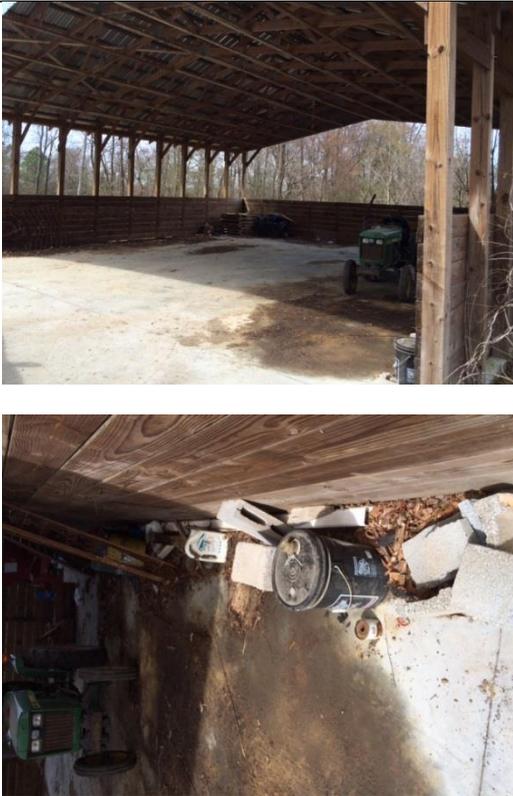
Section 4: Contract Reviews and Site Visits

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.

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			
Contract Number:63-2004-049 Applicant Name:Lewin Blue BMP: Manure Spreader 		X			The receipts were in the file. The file was missing the O & M form. Please make sure the O & M form is placed in the contract file.		X			
Contract Number:63-2005-023 Applicant Name: Lewin Blue BMP: Drystack			X		Only waste management equipment is allowed in the drystack. Please remove all other equipment immediately. Please see the cost share policy for drystacks located here: http://www.ncagr.gov/SWC/costshareprograms/ACSP/documents/dry_stack.p df The policy states "For example, if the operator stores equipment other than waste handling equipment in the structure and the design plan did not stipulate that the area of the designed structure was increased at the	X		The district mailed a letter to the applicant stating current policy for waste storage structures. The applicant was given thirty days to remove equipment other than waste management equipment from the drystack. The district went out and viewed the structure after 30 days and found that the structure was back in compliance.	30 days	

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			
					<p>producer's expense, then the operator is out of compliance." Also, please see the commission's policy on compliance located here: http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf</p> <p>Step 7 states "If the cooperator restored compliance, but was found out of compliance a second time.</p> <p>a. The district must require cooperator to repay pro-rated funds within twenty days of receipt of written demand.</p> <p>b. The district will notify the division.</p> <p>c. If payment is not received the division will send the non-compliance issue to the Attorney General's office for collection."</p>					

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			
Contract Number: 63-2005-058 Applicant Name: David Allred BMP: Waste Treatment Lagoon 				X	The waste pond looks good and is well maintained.		X			
Contract Number: 63-2006-005 Applicant Name: Harlan Butler BMP: Dry Stack			X		Only waste management equipment is allowed in the drystack. Please remove all other equipment immediately. Please see the cost share policy for drystacks located here: http://www.ncagr.gov/SWC/costshareprograms/ACSP/documents/dry_stack.p df The policy states "For example, if the operator stores equipment other than waste handling equipment in the structure and the design plan did not stipulate that the area of the designed structure was increased at the	X		The district mailed a letter to the applicant stating current policy for waste storage structures. The applicant was given thirty days to remove equipment other than waste management equipment from the drystack. The district went out and viewed the structure after 30 days and found that the structure was back in compliance.	30 days	

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			
					<p>producer's expense, then the operator is out of compliance." Also, please see the commission's policy on compliance located here: http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf</p> <p>Step 7 states "If the cooperator restored compliance, but was found out of compliance a second time.</p> <p>a. The district must require cooperator to repay pro-rated funds within twenty days of receipt of written demand.</p> <p>b. The district will notify the division.</p> <p>c. If payment is not received the division will send the non-compliance issue to the Attorney General's office for collection."</p>					

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			
Contract Number: 63-2009-029 Applicant Name: Terry Freeman BMP: Pasture Renovation 				X	Grass looks good and is well maintained.		X			
Contract Number: 63-2010-028 Applicant Name: Phillip King BMP: Incinerator				X	BMP looks good and is functioning.		X			

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			
										
<p>Contract Number: 63-2012-804 Applicant Name: Lewin Blue BMP: Water Supply Pond</p> 				X	Pond looks good.		X			

