

A close-up photograph of a human hand reaching towards a body of water. The hand is positioned on the right side of the frame, with fingers slightly curled. The water is calm, showing clear ripples and a reflection of the hand. The background is a soft, out-of-focus landscape with hills under a bright sky. The overall tone is serene and contemplative.

**Cost Share Program
Refresher Training**

**Conservation Employees
Training (CET)
August 14, 2012
9:00 am to 11:30 am**

1. Welcome & introductions
2. Cost Share Online Contracting System-IBeam
Kelly Ibrahim, ACSP Program Manager
3. Identifying the program-What are the resource concerns?
Tom Hill, CCAP Coordinator
4. Program Reviews & Policy
Lisa Fine, Cost Share Specialist
5. Commission Policy Continued
David Harrison, Cost Share Specialist
6. Compliance
Ken Parks, Cost Share Specialist
7. Conservation Reserve Enhancement Program
Donnarie Hales, CREP Manager

NCACSP Online Contracting System-IBeam

Kelly Ibrahim

NC Agriculture Cost Share Program
Manager

Things to Remember

- You must use Internet Explorer-8. So you can not use any other web browser
- Don't navigate using tabs when entering a contract
- Only enter contracts, RFPs, etc for your county. You will be able to see other counties contracts so be careful not to choose the wrong one.

Things to Remember

- Call/email if you have questions

Kelly Ibrahim

kelly.ibrahim@ncagr.gov (919) 715-9631

Tom Hill

Thomas.hill@ncagr.gov (919) 715-6107

Lisa Fine

lisa.fine@ncagr.gov (919) 715-9629

Ken Parks

ken.parks@ncagr.gov (919) 715-6100

David Harrison

david.harrison@ncagr.gov (919) 715-6108

IBeam

- <http://www.ncagr.gov/SWC/costshareprograms/OnlineContractingSystem.html>

Contracting

- Supplements/Repairs for contracts prior to 2012 have to be entered as original contracts
 - Please scan the 11A from the original contract and upload it under reference documentation
- Enter all contract information and print forms from “Reports” module
- Submit contracts to your board for approval

Contracting

- Before submitting to division for approval upload required documents to “Reference Material” section
- http://www.ncagr.gov/SWC/costshareprograms/documents/IBeam_uploads.pdf

| Items to be uploaded in OCS-IBeam | Items to be mailed to the Division | Items to be kept in district file |
|--|---|-----------------------------------|
| Signature pages for contracts | Request for Payments | All self certification forms |
| Operation and Maintenance Statements- (e.g.) -Waste management plan form -Waste storage structure form -Water control structure form -Nutrient management plan form -Pet waste receptacle form -Cistern form -Rain garden form | Any document containing a social security number or tax id number | Designs |
| Receipts-All actual cost BMPs | Direct deposit forms & voided checks | Additional documentation |
| Worksheets- (e.g.) -CCAP BMPs -Lagoon Closure worksheets -Pond sediment removal worksheets | NC-1A commission member contract form | |
| Bids | NC-1B supervisor contract form | |
| Photos | NC-18 contract expiration form | |
| Maps that include -BMP location -Road names -soils -topography | Program eligibility verification for ACSP & AgWRAP: http://www.ncleg.net/Sessions/2011/Bills/House/PDF/H950v7.pdf (page 94) | |
| Addendums to contracts (e.g.) -field notes -additional answers to contract questions | | |
| Job approval authority letters | | |

Sample contract

RFPs

- Enter your RFP information into online system
- Print RFP for signatures
- Submit online for division approval
- **Mail “yellow” sheet to division with complete signatures along with direct deposit forms**

Sample RFP

Questions?

**Identifying the Program
What are the Resource Concerns?**

Tom Hill

**NC Community Conservation
Assistance Program Coordinator**

Identifying the Program

What are the Resource Concerns?

- ACSP – Agriculture Cost Share Program
- AgWRAP – Agriculture Water Resources Assistance Program
- CCAP – Community Conservation Assistance Program
- Special grant funds

Identifying the Program

What are the Resource Concerns?

- From a contract processing standpoint, all programs have been combined
- From a functional standpoint, they have not!
- Each program has its own mission and addresses its own resource concerns
- Some BMPs are available in more than one program...

Identifying the Program
What are the Resource Concerns?

HOWEVER!!!

Identifying the Program

What are the Resource Concerns?

There purposes are very different!

- When is a well well-placed to make water well for water quality?
- When is a well well-placed to increase water availability on the farm?

Which program would you (should you, must you!) use for each of these situations?

Identifying the Program

What are the Resource Concerns?

The objectives of the North Carolina **Agriculture Cost Share Program** are to reduce the delivery of agricultural nonpoint source pollution into the watercourses of the state by:

- Properly managing nutrients (nitrogen and phosphorous) to make them less available to runoff;
- Reducing sediment delivery into streams, rivers, lakes, and estuaries;
- Managing farm pesticides in an environmentally sound manner; and
- Reducing freshwater loading in Primary Nursery Areas.

Identifying the Program

What are the Resource Concerns?

“ This program, herein referred to as AgWRAP, was established to assist farmers and landowners in doing any one or more of the following:”

- Identify opportunities to increase water use efficiency, availability and storage;
- Implement best management practices (BMPs) to conserve and protect water resources;
- Increase water use efficiency;
- Increase water storage and availability for agricultural purposes.

Identifying the Program

What are the Resource Concerns?

CCAP Objectives:

“Reduce the delivery of residential, suburban and urban nonpoint source pollution into the watercourses of the state by:”

- a. properly managing nutrients (nitrogen and phosphorous) to make them less available to runoff;
- b. reducing sediment delivery into streams, rivers, lakes and estuaries;
- c. managing pesticides in an environmentally sound manner; and
- d. reducing freshwater loading in Primary Nursery Areas.

Identifying the Program

What are the Resource Concerns?

Special Grant Funds

- Conditions of the grant
 - May only apply to certain needs as defined in the application
 - A water quality grant would follow ACSP/CCAP rules and purposes, a water quantity grant would follow AgWRAP

Identifying the Program

What are the Resource Concerns?

Summing it up:

- Know the purpose of the planned practices
- Know the purpose of the program(s)
 - Water quality
 - Agriculture – ACSP
 - Urban/Suburban - CCAP
 - Water quantity
 - AgWRAP

Identifying the Program
What are the Resource Concerns?

It is that easy!!!

Program Reviews

Lisa Fine
Cost Share Specialist

Common issues found during reviews

- no written priority system – “scoring sheets” are used but there is no indication of what is done with the scores to decide who gets funding – consider highly qualified, qualified, ineligible categories – see handout.
- Open meetings law – districts are required to give the public 7 days notice of changes to regularly scheduled board meetings. District must provide 48 hour notice for “special” called meetings. Spot check visits are considered a board meeting if a quorum of members is present. See manual for more information.
- Board minutes incomplete – Need to record in board minutes that applications, contracts, and RFPs were presented as separate action items with separate votes. Minutes should include name, application/contract number, BMPs, and amounts, that a motion was made and seconded. The ACSP rule states that “after an application is approved, the applicant and the district shall enter into a contract....”.
- Need to record in board minutes that supervisors abstained from voting on anything that could be a conflict of interest;
- Need to record in minutes at the beginning of the program year any district caps, designee information, district policies, etc...

Common issues found during reviews

(cont'd)

- Should track applicants who may apply for multiple or consecutive incentives so as not to exceed the caps. Districts should track applicants on a spreadsheet so that they will know which farmers are already receiving cost share for incentives. See new Self-certification form NC-ACSP-INC.
- Should provide cooperator copies of documentation of what is expected of them – copy of contract, job sheets, standards, maps, deadlines. Some districts have a check off sheet of items they go over with the cooperator before they are approved for work to begin. Some districts send reminders of approaching deadlines.
- Should follow 1/3 policy – districts should add a column to their spreadsheets to track when the 1/3 date is (1/3 work must be done in the first 12 months after division approval – interim performance milestone). Use NC 18 form to cancel contracts that did not meet the 1/3 policy. Boards can grant up to 6 months for an extension. These extensions should be noted in minutes.

Common issues found during reviews

(cont'd)

- Should **document** any contact with cooperator including site visits – districts should use Conservation 6 notes or districts own form to document the first visit to the farm to determine cost share need, any contact you have with the farmer, any construction checks or BMP checks, delivery of contract and supporting documents, dates, etc...
- Should send the cost share staff copies of any letters to cooperators on maintenance needs and non-compliance issues. Written documentation should be sent to cooperators whose practices are found to need maintenance or are out-of-compliance. Copies of all letters regarding these issues should be sent to Raleigh.
- Should track time spent on cost share projects – districts should keep track of time spent on all state cost share projects. Can be as simple as estimates written on a calendar.

Common issues found during reviews

(cont'd)

- During field checks the thing we see most often is:
 - Drystack – can't park or put anything under it that is not related to moving waste. No trucks, RV's, campers, washing machines, dog houses, fans from poultry houses, other farm equipment, or hay. If the farm is out of business or no longer using the drystack it still must remain unused for any other purpose until the end of the contract maintenance Period due to the state funds being used for something other than what was intended. Farmer can repay a prorated amount of the contract back to the state to get out of the maintenance agreement. There is a one and done policy on compliance now.

Audit Requirements

N.C. General Statute 139-7 requires that the supervisors provide for an annual audit of funds.

In order to meet the requirements of the above referenced statute, the Agriculture Cost Share Program policy dictates that funds for technical assistance (salary and fringe) and matching funds for operating expenses be audited annually. If county government manages technical assistance and matching funds for operating expenses, then the county's annual audit meets the audit requirement for those funds.

For Cost Share BMP funds, the chairperson certifies that adequate accounting procedures are being followed and that funds are reconciled with the information on the cost share reports section on the Division's web page.

The District is required to document that an audit of all funds has been performed annually and the results of the audit. The District is not required to submit that documentation to the Division. However, should the annual audit reveal discrepancies or fraud, the Division must be notified immediately

North Carolina Cost Share Programs: BMP Fund Certification

List total funds allocated, encumbered, returned, and expended per each funding source ()
 _____ Soil and Water Conservation District

Fiscal Year: July 1, ____ to June 30, ____

Agriculture Cost Share Program (ACSP)

| ACSP Program Funds | CS | CE | II | DA | EE | AS | CA | LC | MG |
|--|----|----|----|----|----|----|----|----|----|
| Total allocations from Division of Soil and Water Conservation | | | | | | | | | |
| Funds encumbered to current year contracts | | | | | | | | | |
| Funds returned to the state (prior year contracts) | | | | | | | | | |
| Payments for all contracts (all 3 active program years) | | | | | | | | | |

CS: State Appropriation funds; CE: Conservation Reserve Enhancement Program (CREP) Earmark funds; II: Impaired and Impacted Stream Ecosystem Enhancement Program funds; AS: Section 319 grant funds; CA: Clean Water Management Trust Fund grant funds; LC: Lagoo Poultry Waste grant funds; TD: Tile Drainage grant funds; AQ: Aquaculture grant funds; SB: Swine Buyout grant funds; DE: Drought Ear

Community Conservation Assistance Program (CCAP)

| CCAP Program Funds | CC | CF | CG | CR |
|--|----|----|----|----|
| Total allocations from Division of Soil and Water Conservation | | | | |
| Funds encumbered to current year contracts | | | | |
| Funds returned to the state (prior | | | | |

Forms

- **Self Certification Form – NC-ACSP-INC**

The purpose of this addendum is to allow applicants to certify that they are eligible for the practices noted on the form since it is not possible for the districts or the division to know all the contracts that a cooperator might have.

**North Carolina Agriculture Cost Share Program
Self-Certification for Incentive BMPs**

Contract number:

Cooperator:

BMP:

Amount:

The purpose of this addendum is to allow applicants to certify that they are eligible for the practices noted above. Producers who have adopted this practice as defined in the BMP policy on lands that they farm in any district are not eligible. All applicants may be asked to submit documents and maps necessary to justify their claim.

This information will be maintained in the district file as a portion of the application and is part of the public record.

To be considered for application eligibility for incentive BMPs, you must complete and initial the statements below. Please complete a separate form for each incentive BMP for which you have received cost share assistance through the NC Agriculture Cost Share Program.

Incentive BMP Farmer Certification

Please initial next to the statement according to your certification.

I hereby certify that I have not adopted the practice above on any land that I farm.

I hereby certify that I have received incentive BMP payments for the _____ incentive BMP in _____ County in the amount of \$ _____. The total does not exceed the BMP dollar cap established for this incentive BMP set forth in the NC Agriculture Cost Share Program. I understand that I may be asked to provide documents and maps to justify my claim.

Signature

Date

- Substitution of parties agreement - NC

This form used to be called the BMP transfer agreement.

NCDA&CS
DSWC
(01/2012)

NC-CSP-SP

**AMENDMENT TO
COST SHARE AGREEMENT:
SUBSTITUTION OF PARTIES**

The following Agreement is effective for and applies to Cost Share Agreement No. _____ (hereinafter "Cost Share Agreement"), with the Soil and Water Conservation District (hereinafter "the District") on _____, _____, the terms of which became effective on _____, _____, and do not end until _____, _____. (copy of Cost Share Agreement attached) The Cost Share Agreement was entered into by and between _____, as Cooperator, and the District. This Agreement is entered into by and between the parties identified below, and is intended to allow the Substitute Cooperator to become a primary party to the above-referenced Cost Share Agreement and to release the Cooperator from any remaining rights or obligations under said Cost Share Agreement.

Whereas, Cooperator is unable to continue its obligations and responsibilities under the terms of the Cost Share Agreement, and Cooperator or Cooperator's Authorized Personal Representative has agreed to transfer its interest and obligations under said Cost Share Agreement to Substitute Cooperator for valuable consideration as deemed by Substitute Cooperator and Cooperator; and

Whereas, Substitute Cooperator has demonstrated that he/she has control of the property upon which the subject Best Management Practice (hereinafter "BMP") resides; warrants that he/she is familiar with and understands the requirements of the subject BMP as detailed in the Conservation Plan of Operation, Cost Share Agreement, and other supporting documents; has read and understands all other terms of the Cost Share Agreement and, if applicable, Third Party Addendum now in effect; and otherwise acknowledges that he/she has been given an opportunity to review the applicable statutes, administrative rules, and policies and procedures.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration as deemed by the parties, the parties agree as follows:

1. Substitute Cooperator agrees to assume all of Cooperator's remaining duties and responsibilities as outlined in the above-referenced Cost Share Agreement for the remainder of the maintenance period.
2. Cooperator agrees to waive his/her right to receive any such cost share payments or cost share incentive payments as yet undisbursed, and hereby agrees to allow the District to disperse any remaining payments directly to the Substitute Cooperator.
3. The District agrees to allow the Substitute Cooperator to become a primary party to the Cost Share Agreement, and release the



Commission Policy

David Harrison
Cost Share Specialist

CONTRACT REVISIONS

- Changes to BMPs as contracted
- Minor – will need to notify cost share specialist to release contract for revisions, you can only revise between contracted BMPs outside a program year
- make changes in IBEAM and print RFP
- Major – only in current year with Division approval and if District has funds (contact cost share specialist to release contract)
- **Supervisor Contracts – SWCC approval**

SUPPLEMENTAL CONTRACTS

- Adds money to a past year contract
- If last contract of Program Year, Supplement is first contract of new Program Year
- Otherwise, Original contract must be paid out before Supplement is submitted
- Reference Original Agreement number in IBEAM and all the original information should populate for PY2012. For PY2011 enter in IBEAM as an supplement but upload original contract in reference material
- **Supervisor Contracts – SWCC approval**

CONTRACT REPAIRS

- Damages beyond the control of the applicant
- 75% of actual costs not to exceed average costs – keep invoices (50% for animal wms)
- If funds are within original contract – revise contract
- If insufficient funds in contract – new contract
- One year to complete repairs
- **Supervisor Contracts – SWCC approval**

RFP APPROVALS

- **RFPs should be considered and approved at board meetings**
- District Boards may delegate signature authority on RFPs to a primary supervisor and an alternate supervisor
- RFPs approved outside of a board meeting must be presented and recorded at the next board meeting as an information item

SUPPLEMENTAL ALLOCATIONS

- January 15th - \$200,000+ available
- Districts –
 - Process cancellations by February 1st
 - Obligate 75%+ of BMP funds by March 1st
 - Request amount needed by March 1st
- Allocations are made according to District requests – same parameters as current year
- Keep a look out on the listserv for request information

Listserv

- Everyone should be member
- Visit

<http://www.ncagr.gov/SWC/districts/listserv.html>

Compliance Policy

Ken Parks

Cost Share Specialist

COMPLIANCE POLICY

COOPERATOR NON-COMPLIANCE WITH MAINTENANCE REQUIREMENTS FOR COST SHARE CONTRACTS
NC Soil & Water Conservation Commission

STATEMENT OF INTENT

Districts are not consistent in determining how many times a cooperator can be found in non-compliance with the maintenance requirements expressed in cost share contracts before being asked to repay cost share funds. Some districts have allowed cooperators to go out of compliance multiple times without making the cooperator repay cost shared funds. This results in a situation where a cooperator may only be in compliance with the maintenance requirements for a cost-shared practice for a fraction of the time expected. This also undermines the ability of districts to hold all cooperators accountable to maintain the practices installed with public cost share assistance.

The intent of this policy is to clarify the maximum number of times a cooperator may be found out of compliance with contract requirements before being required to repay cost share funds or cost share incentive.

STATEMENT OF POLICY

The Commission's policy for addressing non-compliance on cost share contracts shall be as follows:

For cost share practices:

First time found out of compliance – district sends written warning by certified mail within 30 calendar days to cooperator with notification to correct non-compliance within 30 calendar days, or repay a prorated amount of contracted funds (with reasonable consideration for vegetation re-establishment up to 12 months);

If cooperator restored compliance, but was found out of compliance a second time, then the district must require cooperator to repay pro-rated funds.

For incentive practices, districts must require the cooperator to repay 100% of funds the first time the cooperator is found out of compliance, unless the cooperator has failed to achieve compliance despite making a good-faith effort.

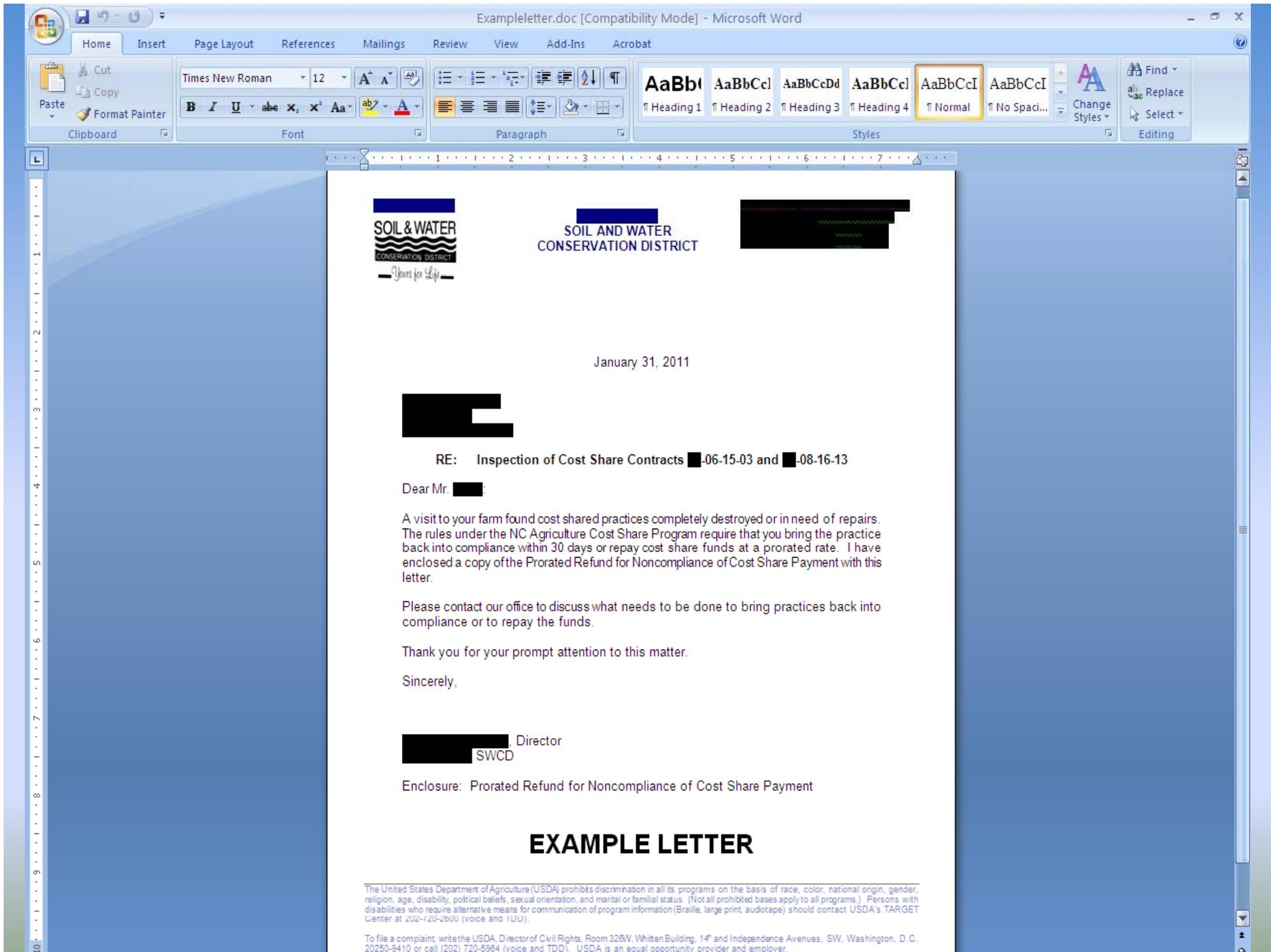
This policy applies to all cost share programs under the Commission's authority.

This policy was approved by the Soil and Water Conservation Commission in regular session on September 16, 2009.

NON-COMPLIANCE PROCESS

(What steps do I take now?)

- 1. When was the BMP found out of compliance?** - Driving to a farm site, going to lunch or a meeting, spotcheck, etc. Notify your cost share specialist at the division in writing of the non-compliance. Document in the 6 notes also with the date, who was there and what you saw.
- 2. District board sends a written notice in a mailed (certified) letter to bring the BMP back in compliance or repay a pro-rated amount of the BMP according to the compliance policy within 30 days of the letter (1 year for vegetative practices).** Send copy to the division.
- 3. If the BMP is brought back into compliance no further action is needed unless found out of compliance again. If the BMP is found out of compliance a second time then the cooperators must repay a pro-rated amount of the BMP to NCDA&CS.** All incentive BMPs (no-till, cover crop, etc.) are repaid at 100% of the amount of the BMP that is out of compliance.
- 4. If the cooperators does not repay the pro-rated funds, the district board must notify the division in writing to turn the matter over to the AG's office.** Send copies of all documentation to the division (letters, receipts of letter, photos, notes, etc.).
- 5. The compliance matter will be turned over to the Attorney General's office for processing. If the cooperators offers to repay any amount of the pro-rated amount, the cooperators must make the check out to NCDA&CS and send it in to division. Once received by the division the check will be processed as a refund back to the district's funds.**



SOIL AND WATER
CONSERVATION DISTRICT



January 31, 2011



RE: Inspection of Cost Share Contracts ■-06-15-03 and ■-08-16-13

Dear Mr. ■■■

A visit to your farm found cost shared practices completely destroyed or in need of repairs. The rules under the NC Agriculture Cost Share Program require that you bring the practice back into compliance within 30 days or repay cost share funds at a prorated rate. I have enclosed a copy of the Prorated Refund for Noncompliance of Cost Share Payment with this letter.

Please contact our office to discuss what needs to be done to bring practices back into compliance or to repay the funds.

Thank you for your prompt attention to this matter.

Sincerely,

■■■ Director
■■■ SWCD

Enclosure: Prorated Refund for Noncompliance of Cost Share Payment

EXAMPLE LETTER

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint, write the USDA, Director of Civil Rights, Room 320W, Whitten Building, 14th and Independence Avenues, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

REFUND CALCULATOR

48-06-03-13Refund.xls [Compatibility Mode] - Microsoft Excel

Home Insert Page Layout Formulas Data Review View Add-Ins Acrobat

Clipboard Font Alignment Number Styles Cells Editing

PRORATED REFUND FOR NONCOMPLIANCE OF COST SHARE PAYMENT

| | | |
|---------------------------------|-----------------|---------------------|
| Out of Compliance Date | Completion Date | Amount Paid |
| 12/20/10 | 04/03/07 | \$11,826 |
| Percentage Age of Practice Life | Percent Refund | Amount to be Repaid |
| 40 | 74% | \$8,751 |

INSTRUCTIONS: Use the 'tab' key to move from cell to cell. You will only be able to enter data into the top row. Hold your mouse pointer over a cell to view the comments for that cell. All calculations are based on Table 1 on page IV-10 in the NCACSP Manual.

| | |
|------------------------|----------------|
| % age of practice life | percent refund |
|------------------------|----------------|

BMPs Out of Compliance



BMPs Out of Compliance



BMPs Out of Compliance



BMPs Out of Compliance



BMPs Out of Compliance



BMPs Out of Compliance



Questions

Conservation Reserve Enhancement Program (CREP)

Donnarie Hales
CREP Manager

donnarie.hales@ncagr.gov

252.948.3891



N.C. Conservation Reserve Enhancement Program (CREP)

Donnarie Hales, CREP Manager



What is CREP?

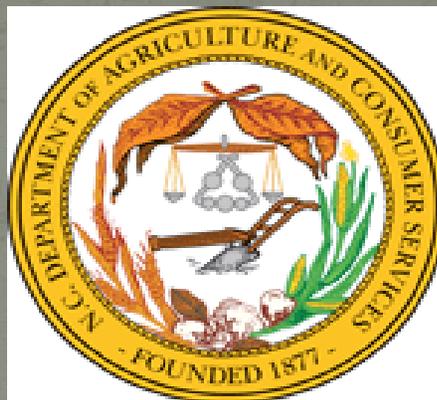
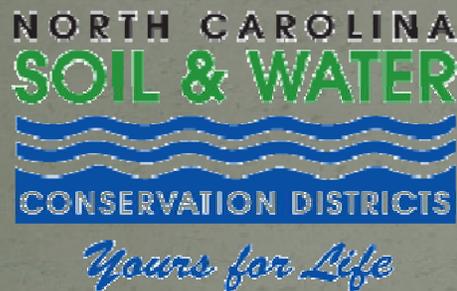
- CREP was created off the heels of the highly successful Conservation Reserve Program (CRP)
- Objective: improving and protecting water quality with the additional benefits of restoring wetlands and wildlife habitat.
- Program Goal: enroll 100,000 acres of environmentally sensitive land within the Chowan, Neuse and Tar-Pamlico rivers basins, as well as the Jordan Lake watershed area.

Expansion

- 2008: CREP expanded to cover 76 counties in N.C. throughout the Yadkin-PeeDee, Roanoke, Cape Fear, Lumber, Neuse, Tar-Pamlico, White Oak, Chowan, and Pasquotank River Basins.



CREP Partners



What BMPs are offered through CREP?

- CP₃: Tree Planting
- CP_{3A}: Hardwood Planting
- CP₂₁: Grassed Filter Strip
- CP₂₂: Riparian Buffer
- CP₂₃: Wetland Restoration
- CP₃₁: Bottomland Timber Establishment



Farm the Best, Buffer the Rest

Additional Benefits for Landowners

- Best management practice cost share assistance (up to 100%)
- A one time incentive payment up to \$1,000 per acre
- Soil rental payments (based on a predetermined rate)
- Tax incentives

30 year
&
Permanent
Easements



Before: Cattle In Stream



After: Cattle Fenced Out of Stream



Contact Us to Learn More!

Donnarie Hales, CREP Manager

Washington Regional Office

252-948-3891

donnarie.hales@ncagr.gov

