

**North Carolina Cost Share Programs Review Summary
(May 2019)**

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| County | <u>Swain</u> | Date of Previous Review/Report | <u>10/24/13</u> |
| District Staff Name(s) | <u>Creeden Kowal, Shelby Cook</u> | Date | <u>5/1/19</u> |
| NRCS Staff Name(s) | <u>(not present) Amanda Buchanan, Jeffrey Epps</u> | | |
| Division Representative(s) | <u>Davis Ferguson, Lisa Fine</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. | | | | | | | | | | |
| How/when are the district board meetings scheduled? | | | | X | 2 nd Monday of each month at 9am. | | X | | | |
| How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law? | | | | X | Posted in office foyer, with county commissioner clerk, and on website/social media. Yes. | | X | | | |

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| Please describe the district's process for providing assistance to applicants by assessing resource concerns to determine if a BMP is "needed and feasible" and then developing the conservation plan. | | | | X | Applicants contact the office, a site visit is made to determine eligibility and need, ranking forms are filled out and conservation plans are then developed. | | X | | | |
| Does the district provide technical assistance without cost share funds? | | | | X | Yes | | X | | | |
| What type of technical assistance is provided without cost share funds? | | | | X | Advice on how to stop/slow erosion, stream bank management, waste management, etc. | | X | | | |
| Are applications, contracts and requests for payments reviewed and approved by the Board as a separate action item? | | | | X | Yes, as recorded in minutes. | | X | | | |
| Are application, contracts and requests for payments motions/decisions recorded in the board minutes? | | | | X | Yes, as separate action items/motions. | | X | | | |
| Has your district delegated signature authority for requests for payments to be approved outside of board meetings? How are they recorded in your board meeting minutes? | | | | X | Yes, recorded as approved in board meeting and always signed at meeting, but can be signed by chairman, Mitchell Jenkins at any time following approval at board meeting. | | X | | | |
| Applicants are limited when applying for incentive BMPs. How does your district track applicants so they do not go over the practice caps and to be sure they haven't already "adopted" the practice? | | | | X | N/A, no incentive BMPs to date. | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| If multiple partners farm together, how does the district track individual applicants as one operation or entity? | | | | X | N/A. However, would use Farm/Tract info provided by FSA which is based on social security numbers. | | X | | | |
| At what point in the application process does the district develop the contract? (After Ranking, After Application Approved?) Describe this process. | | | | X | After site visit, conservation plan development, and application approved by 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 | Yes, go over all documents in person, and also send a letter in mail with the documents and approval information. | | X | | | |
| What procedures do you follow for notifying the applicant that work can begin? | | | | X | Call applicant and send letter in mail as soon as approval is received from Division. | | X | | | |
| Describe the district/board's procedure for approving supervisor contracts. | | | | X | Supervisor abstains from voting. | | X | | | |
| Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting? | | | | X | Yes. | | X | | | |
| Is each contract reviewed in detail with the board before approval? Do you project CS2? | | | | X | Yes, district projects a Powerpoint with contract information and conservation plan map. Do not project CS2. | | X | | | |
| What information do you provide the applicant? | | | | X | Copies of contract, cons plan and map, job sheets, deadlines, and any technical assistance. | | X | | | |

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| What technical assistance do you provide during the BMP installation process to ensure the BMP is installed correctly and by the contract deadline? | | | | X | Job sheets, on site assistance and sometimes labor, and reminders to meet deadlines. | | 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. Are you using CS2? | | | | X | 1/3 rd deadline marked on contract folder, BMP spreadsheet, and yes CS2 is used. | | X | | | |
| If 1/3 of the work has not been completed within 12 months and the cooperators requests additional time, is the district recording 6-month extensions in the board minutes? | | | | X | N/A, but would record in meeting minutes. | | X | | | |
| What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards? | | | | X | BMP Check out list and record in contract folder notes. | | X | | | |
| Are BMPs measured then certified before the request for payment is approved? How is this documented? | | | | X | Yes, recorded in contract folder notes. | | 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. | | | | | | | | | | |
| 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 DWR. | | | | X | Yes. | | X | | | |

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| How does the district notify the NRCS area office or division to conduct spot checks for contracts that need to be spot checked by someone outside of the district? (Refer to Spot Check Policy) | | | | X | N/A, but would go through District Conservationist, Jeffrey Epps. | | X | | | |
| How does your district notify individuals that have BMPs that are out of compliance or need maintenance? (Refer to Non-Compliance Policy) | | | | X | N/A, but would notify by phone and in writing via mailed letter. | | X | | | |
| How are supervisors notified of BMPs that are out of compliance or need maintenance at any time throughout the year? | | | | X | N/A, but would notify by phone and in writing via mailed letter. | | X | | | |
| 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 in the contract file? | | | | X | N/A, but would do so. | | X | | | |
| If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation: contract numbers and/or names. | | | | X | N/A, but would do so. | | X | | | |
| Is the district notifying the division of non-compliance and resolutions? | | | | X | N/A, but would do so. | | 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. | | | | | | | | | | |
| Do you use the CS2 reports to show the board available program funds, encumbrances and expenditures? | | | | X | Yes. | | X | | | |
| How are technical assistance and operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit? | | | | X | Handled by county finance dept. Audited annually. 6/30/18 by Turner & Company CPAs P. A. (see letter) | | X | | | |

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| Who in the office does work for Cost Share Programs? | | | | X | Creeden Kowal | | X | | | |
| Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA. (Print a copy of what is in the data base. Does it match the district's version?) | | | | X | Yes, all NRCS employees and former district employees' JAA is documented in each supervisor's reference folder, which is placed in front of them at board meetings. | | 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. | | | | | | | | | | |
| Contract Number: 87-2018-205 Applicant Name: Sherman Colvard BMP: Pasture Renovation (DPR)  | | | | X | Pasture was within grazing height requirements. No concerns with contract file. | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 87-2017-200 Applicant Name: Tim Cochran BMP: Stock trails, watering tank</p>  | | X | | | <p>Watering tank not installed in location marked on map.</p> <p>Updated map was added to the contract in CS2. No other concerns were found with the contract file.</p> | X | | Update map to reflect installed location and upload to CS2 - COMPLETE | Complete | Plan of action accepted and completed by district. Nothing further required. |
| <p>Contract Number: 87-2016-197 Applicant Name: Tim Cochran BMP: Dry Stack</p> | | | | X | <p>Dry stack being used properly.</p> <p>No concerns with contract file.</p> | | X | | | |

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|  | | | | | | | | | | |
| <p>Contract Number: 87-2011-501 Applicant Name: Swain County Government BMP: Stormwater Wetland</p>  | | | | X | <p>Functioning properly and well maintained.</p> <p>No concerns with the contract file.</p> | | X | | | |
| <p>Contract Number: 87-2010-172/87-2012-177 (s) Applicant Name: Jack Walls BMP: Fence, Well, Ag Rd, Tank</p> | | | X | | <p>Corrective Action - BMPs in compliance, missing signatures on conservation plan, NRCS area office did not visit within a year of installation.</p> | X | | Obtain all signatures for conservation plan and have NRCS Area office confirm proper installation - COMPLETE | Immediately | Plan of action accepted. Documentation from Jake Stokes |

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|  | | | | | | | | | | was sent to/received by the division for the spot checks and signatures for the ones that were missing for supervisor Thurman Jacks Walls. |
| <p>Contract Number: 87-2014-194 Applicant Name: Jack Walls BMP: Streamside Pick-up</p>  | | | | | BMPs in compliance, missing signatures on conservation plan, NRCS area office did not visit within a year of installation. | X | | Obtain all signatures for conservation plan and have NRCS Area office confirm proper installation - COMPLETE | Immediately | Plan of action accepted. See above. Same supervisor and same plan to address it was completed. |

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| Contract Number: 87-2012-178-07 Applicant Name: Jack Walls BMP: Spring Development, Fencing, Tank, HUA  | | | | | BMPs in compliance, missing signatures on conservation plan, NRCS area office did not visit within a year of installation. | X | | Obtain all signatures for conservation plan and have NRCS Area office confirm proper installation - COMPLETE | Immediately | Plan of action accepted. See above. Same supervisor and same plan to address it was completed. |
| Contract Number: 87-10-172-07 Applicant Name: Jack Walls BMP: Ag Well, Pump, Ag Rd Repair, Tank, Fence | | | | | BMPs in compliance, missing signatures on conservation plan, NRCS area office did not visit within a year of installation. | X | | Obtain all signatures for conservation plan and have NRCS Area office confirm proper installation - COMPLETE | Immediately | Plan of action accepted. See above. Same supervisor and same plan to address it was completed. |

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