

Cost Share Committee Meeting Agenda: October 19, 2026

All Items are available on the Committee Website.

All committee members have access to ShareFile for checking out and editing documents.

[Soil & Water - Cost Share Committee | NC Agriculture](#)

I. Welcome & Purpose:

The Cost Share Committee was established to review and evaluate policies that affect multiple cost share programs. The Committee ensures consistency, clarity, and alignment of these policies across programs. It does not address Best Management Practices (BMPs), as those decisions remain the responsibility of each program's individual technical review committee.

Charge of the Cost Share Committee:

- Review and consider policy issues that span multiple cost share programs.
- Develop and recommend revisions to cost share program rules.

II. Review Draft September Meeting Minutes

III. Policies to review (*track changes incorporate meeting discussion items*)

1. Policy Clarification: Supervisor Attendance Requirements

Relevant policies include:

- **Cost Share Program Contracts on Government-Owned Property**

A district supervisor and a representative from the cooperating government agency must be present at the Commission meeting to present the request and respond to questions.

- **Prohibition of Post-Approval of Contracts**

If the request is referred, a district supervisor must appear before the Commission to request the exception.

- **Special Requests**

At least one district supervisor must present the district's request.

2. New and Expanded Operations – review revised draft (and feedback if applicable)

IV. Rules Review Process

[subchapter d rules.pdf](#)

Chairman Baker contacted Commission Chair Bleiweis and received the following guidance on this topic: *“It is requested that the Cost Share Committee begin the process of reviewing the rules and process by which Technical Assistance Funding is allocated - with the goal of potentially updating the rules to better reflect the needs of districts.”*

The JAA Criteria and rules, also on the committee agenda, shall also be reviewed with the goal of potential revision in light of JAA progress since JAA targets and deadlines were initially set.”

This means that the Commission is most interested in preparing revisions to the following rules:

- 02 NCAC 59D .0108 TECHNICAL ASSISTANCE FUNDS
- 02 NCAC 59D .0201 CRITERIA AND PROCEDURES FOR GRANTING JOB APPROVAL AUTHORITY

Develop a Rules Review Plan

- Decide whether the review will focus only on the two priority rules or the full rule set.
- Define a clear process and timeline for gathering input, drafting revisions, and finalizing language.
- Share the plan with all relevant partners.
- Define outreach methods— informational emails, updates at regularly scheduled meetings (Commission meetings, area meetings, annual meeting, CET, Division Update Meetings), are others necessary?
- Provide clear summaries of proposed changes to support accessible, easy feedback.

Reminder: Meetings scheduled for the third Monday of every month at 9am through Microsoft Teams.

Cost Share Committee Meeting Minutes: September 21, 2026

Participants: Patrick Baker (Chair), Blake Henley, Jason Byrd, Rodney Taylor, Rick McSwain, and Julie Henshaw. Other attendees included: John Beck (DSWC), Anne Coan (NCFB), Lorien Deaton (DSWC), Kristina Fischer (DSWC), and Darren Layton (Alamance SWCD).

I. Welcome & Purpose

Chairman Patrick Baker opened the meeting and confirmed attendance.

Patrick shared that Lee Holcomb had a schedule conflict and could not attend. Rodney Taylor joined late due to a competing meeting.

Several members discussed ShareFile access, confirming access. As a reminder, meeting recordings are available.

Patrick reminded the Committee of its purpose:

- Review and evaluate policies across cost share programs.
- Ensure consistency, clarity, and alignment across programs.
- Develop and recommend revisions to program rules.
- BMP-specific decisions remain under each program's technical review committee.

II. Review Draft August Meeting Minutes

The committee reviewed the draft August minutes.

- Motion to approve: Rick McSwain
- Second: Blake Henley
- Motion passed unanimously.

Julie will upload the approved version to ShareFile and the website.

III. Committee Communication and Outreach

a. Internal Communication

- Julie confirmed that raw survey responses are available in ShareFile, while a PDF version without the respondent's names is available on the Committee website.
- Members discussed email notifications from the comment form. Patrick, Jason, and Rick received notifications. Blake and Julie did not; we will make adjustments so all members receive the comments directly.
- Members were reminded to test ShareFile access before the next meeting.

b. External Communication

- Patrick distributed the policy feedback form through the regional listservs to encourage district comments. It was also included in the coordinator's monthly report.
- The committee received 19 responses from district staff and supervisors.

IV. Policies to Review (track changes reflect discussion)

1. Criteria for Extension of Previous Program Year Contracts Discussion:

- Committee reviewed district comments. Several respondents expressed concern about delegating contract-extension authority to the Division Director. This change was proposed to improve efficiency for district supervisors and staff. The delegation does not reduce Commission oversight; it simply allows staff to extend contracts that meet the same criteria the Commission would use. Districts whose extension requests are denied may still appeal directly to the Commission.
- Members agreed that the draft language was clear and complete, and they were confident that delegating this authority will improve efficiency without reducing Commission oversight.
- Changed name of policy to Contract Extension Request Policy.

Actions:

- Motion to approve Contract Extension Policy revisions: Rick McSwain
- Second: Jason Byrd
- Result: Passed unanimously; policy will proceed to the Commission.
- Motion to approve policy title change to *Contract Extension Request Policy*: Jason Byrd
- Second: Blake Henley
- Result: Passed unanimously.

2. Repair Policy Revisions Discussion:

- District comments recommend adding "and returned" to clarify that canceled contracts return funds to the state program account.
- Committee unanimously supported adding this language.
- Members affirmed removing 75%/90% cost-share percentages as cost share contracts percentages can vary depending on the practice and the program.

Actions:

- Motion to approve revised repair policy including new language: Jason Byrd
- Second: Rick McSwain

- Result: Passed unanimously

Patrick will contact the Commission Chair and request to present both revised policies at a Commission meeting for consideration and action.

3. Supervisor Attendance/Presentation Requirements (Work Session / Business Session) Discussion:

- Commission requested clarification of required supervisor attendance.
- Committee agreed supervisors may participate either virtually or in person for *either* the work session or business meeting.
- If presenting at the work session, supervisors do not need to attend the business meeting unless the Commission requests further clarification.
- Members recommended adjusting "may" to "shall" or "must" where appropriate.
- Please review text below for inclusion in the following policies: Repairs, Contract Extensions, [Cost Share Program Contracts on Government-Owned Property](#), [Prohibition of Post-Approval of Contracts](#)

To fulfill this requirement, a supervisor must participate in either the Commission work session or business meeting virtually or in-person. If the district supervisor presents at the work session, attendance is not required during the Business Meeting unless the Commission has outstanding questions or requests additional clarification following the work session presentation.

Please review the two policies linked above to see if other edits are needed for discussion at the next Committee meeting.

4. New and Expanded Operations Policy — Draft Review with Comments The Committee reviewed comprehensive draft revisions.

Cropland Operations

- Eligibility linked to land use history, not operator identity.
- Land with documented crop production history (including perennial crops) within the last three years is eligible.
- Newly planted land with no production history in the last three years is not eligible.
- "Cropping history" replaced with "documented crop production."
- Relocation language removed from cropland section.

Livestock Operations

- "Increase in animal units" language removed—small numbers of animal increases do not trigger expansion.
- Expansion is based on new housing or waste structures.

- Pasture-based operations follow similar rules: land must have livestock production history for the last three years.
- Lagoon and waste structure closures remain eligible regardless of abandonment period.
- Relocation clause removed due to redundancy and confusion.

Land Use Changes (Crop ↔ Livestock)

- Conversion creates a new resource concern.
- Livestock BMP eligibility requires a three-year establishment period.
- Committee unanimously supported *Option 2* for wording.

Action: Julie prepared edits into a revised draft. Patrick will distribute the revision to district listservs.

V. Rules Review Process – tabled due to time constraints

VI. Next Steps

- **Extension Policy:** Approved; forwarded to Commission.
- **Repair Policy:** Approved; forwarded to Commission.
- **Supervisor Participation:** Revision prepared above, review in October.
- **New & Expanded Operations:** Revised draft prepared by Julie and distributed by Patrick.
- **Rules Review:** Discuss next meeting
- **Outreach:** Continue sharing updates in monthly reports and use regional listservs.

Regular Meeting Reminder: Third Monday of each month at 9:00 AM via Microsoft Teams.

Next Meeting: October 19, 2026 at 9:00 AM.

COST SHARE PROGRAM CONTRACTS ON GOVERNMENT-OWNED PROPERTY

STATEMENT OF INTENT

02 NCAC 59D .0107(g) requires Agriculture Cost Share Program and Agricultural Water Resources Assistance Program contracts on property owned by federal, state or local governments to be approved by the commission. The intent of this policy is to establish criteria to guide the staff in presenting to the commission requests for consideration of ACSP and AgWRAP contracts on government property, regardless of funding source.

This policy does not apply to Community Conservation Assistance Program (CCAP) cost share contracts.

STATEMENT OF POLICY

It is the policy of this commission that all requests for approval of ACSP and AgWRAP contracts on government property must include the following:

1. Written explanation of why the district is recommending this contract be approved.
2. Written explanation from the cooperating agency of why the funds necessary for implementing the prescribed best management practices are not available from sources other than the ACSP or AgWRAP.
3. Written explanation of how this project will be used to demonstrate best management practices to local landowners.

A district supervisor and a representative from the cooperating government agency must be present at the commission meeting to present the request and respond to questions from commission members. To fulfill this requirement, a supervisor must participate in either the Commission work session or business meeting virtually or in-person. If the district supervisor presents at the work session, attendance is not required during the Business Meeting unless the Commission has outstanding questions or requests additional clarification following the work session presentation.

PROHIBITION OF POST-APPROVAL OF CONTRACTS

To maintain the integrity of cost share programs it is important that all involved parties have a common understanding of policy and eligibility criteria. District and NRCS employees at the field office are primarily responsible for the technical phase of this program.

Work on best management practices (BMPs) shall not be started before the district receives division approval. Certification that a practice is needed after the practice has been installed could be fraud.

District and NRCS employees are prohibited from assisting operators in signing a commission cost share program plan of operations for BMPs that have been started prior to receiving the necessary approvals.

For Agriculture Cost Share Program contracts only , cooperators may choose to begin work on best management practice(s) once approved by the district prior to receiving final approval from the Division of Soil and Water Conservation if the following conditions are met:

- i. The total amount of the contract does not exceed thirty-five hundred dollars (\$3500); and
- ii. The best management practices described in the conservation plan of operations (CPO) are solely vegetative in nature. Please refer to the BMP matrix of required conservation effects to determine if practices is eligible for vegetative exception; and
- iii. The cooperator(s) is not a district supervisor or Soil and Water Conservation Commission member.

If districts find that work has begun before division approval is received, the cooperator should stop work immediately, and ask the district board to consider requesting an exception to this policy from the commission. The district has the authority to deny the cooperator's request or to refer the request to the commission for consideration of approval. If the request is referred, a district supervisor is required to appear before the commission to request the exception. To fulfill this requirement, a supervisor must participate in either the Commission work session or business meeting virtually or in-person. If the district supervisor presents at the work session, attendance is not required during the Business Meeting unless the Commission has outstanding questions or requests additional clarification following the work session presentation.

SPECIAL REQUESTS

The commission recognizes the occasional need by districts to make requests for special allocations, approval of payments, exceptions to policies, or other requests under a cost share program that do not fall within the approval authority of Division of Soil and Water Conservation staff.

Districts making special requests of the commission must:

1. Notify the division at least 30 calendar days before the date of the commission meeting.
2. Provide the division all necessary materials for the appropriate section to review the request and document for the commission statutory, administrative code and policy positions.
3. Provide at least one district supervisor to present the district's request. A member of the Commission may not represent their district for any special request before the Commission. To fulfill this requirement, a supervisor must participate in either the Commission work session or business meeting virtually or in-person. If the district supervisor presents at the work session, attendance is not required during the Business Meeting unless the Commission has outstanding questions or requests additional clarification following the work session presentation.

Any request made by a district that is outside the bounds of division staff approval authority must follow the procedure hereby established.

NEW AND EXPANDED OPERATIONS FOR THE AGRICULTURE COST SHARE PROGRAM

Statement of Intent

Soil and Water Conservation Districts are allocated funds based on the identified level of agricultural nonpoint-source pollution problems, the district's BMP installation goals demonstrated in the annual strategic plan, and the district's record of performance in facilitating BMP installation on cooperating farms (02 NCAC 59D.0103). Districts are responsible for targeting technical and financial assistance to implement BMPs on identified critical areas (02 NCAC 59D.0108).

The Commission supports that consistent with North Carolina Administrative Rules (02 NCAC 59D), Districts have authority to approve contracts on previously established agricultural lands that are causing a water quality problem related to sediments, nutrients, chemicals, or other pollutants. Previously established operations are those established three or more years prior to the date of application for cost-share assistance.

- Eligibility is based on agricultural land use, not the operator's business history.
- A parcel of agricultural land must be in established agricultural use for three or more years before becoming eligible for cost-share contracts.
- Establishment is linked to land activity:
 - Cropland: When the first crop is planted.
 - Livestock: When animals are placed onsite.

Because agricultural operations differ significantly between cropland and livestock systems, eligibility criteria and requirements are organized into two primary categories:

- Cropland Agriculture
- Livestock Operations

Cropland Agriculture

Cropland is considered established when the first crop has been planted for three or more years. The three years begin when the first crop is planted (seed in the ground). Districts may approve cost-share assistance only on cropland operations meeting this requirement and contributing to a water quality concern.

Prohibited Contracts - Districts shall not approve:

- Cropland operations not established for at least three years.
- Cropland operations expanded within three years. *The original acreage that has been established for more than three years is eligible, but newly planted acreage that does not meet this policy, is not eligible. If the cooperator has purchased new land, or rented new land, that has not had a crop or crop production within the past three years, it is not eligible.*

Livestock Operations

Livestock operations are established once animals have been onsite for three or more years. The three years begin when animals are onsite.

Prohibited Contracts - Districts shall not approve:

- Livestock operations not meeting the three-year establishment period.
Livestock operations expanded within three years. Contracts for expanded livestock operations within three years are limited to pre-expansion resource concerns including waste treatment and storage capacity.
 - Expanded livestock operations include construction of structures increasing housing or waste management.
- Livestock operations abandoned for four or more years prior to repopulation, except for the Waste Impoundment Closure BMP.

Operational Changes Between Cropland and Livestock

When agricultural land transitions between cropland and livestock use, the establishment period resets based on the new agricultural activity.

Districts must determine eligibility by evaluating:

- The land's documented history of use, including when the new use began.
- The presence of a demonstrable water quality concern associated with the current agricultural activity.

This means:

- A shift from cropland to livestock triggers the livestock three-year establishment period beginning when animals are placed onsite.
- A shift from livestock to cropland triggers the cropland three-year establishment period beginning when the first crop is planted.

Eligibility is based on the current land use, supported by clear evidence of water quality impact—not the operator's business history or type of enterprise.

Relocating Operations (Both Cropland and Livestock)

Operations relocating for reasons unrelated to site restrictions (such as loss of leased land, access limitations, or land availability constraints) are not eligible for District-approved cost-share assistance.

However, relocation may be eligible when:

- The move is required due to site restrictions, such as inadequate land for proper waste treatment and storage, regulatory limitations, environmental constraints, or loss of a lease that prevent continued operation at the original site.

- Relocation is necessary to protect water quality, and the District documents how remaining at the original site would continue to cause or worsen a water quality concern.
- The operation meets all other establishment requirements for the current agricultural use at the new site (three-year livestock or cropland establishment period).

Additionally:

- Lagoon closures and waste storage structure closures on abandoned operations remain eligible regardless of relocation status.

Statement of Purpose

The Commission recognizes the possible need to provide assistance to not yet established and newly established operations. Districts are authorized to provide technical assistance to applicants of new operations to help ensure the proper design and installation of practice that protect water quality. If the District determines that cost share assistance is needed to address a water quality problem on agricultural land that was established less than 3 years prior to the date of cost share assistance application or on an operation that has expanded, the application can be presented to the Commission. The Commission reserves the authority to approve contracts on new or expanded operations on a case-by-case basis.

Operations that met standards that were in effect at the time of the start-up or expansion but are now out of compliance or will be out of compliance with a new law, regulation, standard or permit condition or is not in compliance with a policy or official guidance are eligible for cost share assistance regardless of when the operation was established or expanded. These contracts will be approved by the Division on a case-by-case basis. The District submitting the contract for approval must fully justify the water quality need and provide a clear citation to the specific cause for the operation now being out of compliance or out of conformity.

(Adopted 1992; revised March 23, 1994; revised September 16, 1998; revised September 18, 2002; revised March 10, 2004; revised August 10, 2005; revised May 2010; revised TBD)

Cost Share Committee Draft Policy Revision Feedback Survey

Reference #	16623399
Status	Complete
Respondent	District employee
Policy providing feedback on:	New and Expanded Operations
Do the proposed edits make this policy easier to understand and apply?	Yes
How clear is the revised policy?	Very clear
Do you have any concerns about implementing this policy?	No
Please share any comments, suggestions or concern about the revised policy. We welcome any feedback that can help improve it before it is finalized.	Seems to clarify a lot of the confusion around a new landowner with existing problems.
Last Update	2026-09-30 12:42:16
Start Time	2026-09-30 12:32:10
Finish Time	2026-09-30 12:42:16
IP	96.10.25.178
Browser	Chrome
Device	Desktop
Referrer	N/A

G.S. 150B-21.3A Report for 02 NCAC 59D, AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL												
Agency - Soil and Water Conservation Commission												
Comment Period -												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL	SECTION .0100 - AGRICULTURE COST SHARE PROGRAM	02 NCAC 59D .0101	PURPOSE	Readopted Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Select One	Select One
		02 NCAC 59D .0102	DEFINITIONS	Readopted Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One
		02 NCAC 59D .0103	AGRICULTURE COST SHARE PROGRAM FINANCIAL ASSISTANCE ALLOCATION GUIDELINES AND PROCEDURES	Readopted Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One
		02 NCAC 59D .0104	COMMUNITY CONSERVATION ASSISTANCE PROGRAM ALLOCATION GUIDELINES AND PROCEDURES	Readopted Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One
		02 NCAC 59D .0105	AGRICULTURAL WATER RESOURCES ASSISTANCE PROGRAM FINANCIAL ASSISTANCE ALLOCATION GUIDELINES AND PROCEDURES	Readopted Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One
		02 NCAC 59D .0106	BEST MANAGEMENT PRACTICES ELIGIBLE FOR COST SHARE PAYMENTS	Readopted Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One
		02 NCAC 59D .0107	COST SHARE AND INCENTIVE PAYMENTS	Readopted Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One
		02 NCAC 59D .0108	TECHNICAL ASSISTANCE FUNDS	Readopted Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One
		02 NCAC 59D .0109	COST SHARE AGREEMENT	Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One
		02 NCAC 59D .0110	DISTRICT PROGRAM OPERATION	Eff. January 1, 2020	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0200 – JOB APPROVAL AUTHORITY	02 NCAC 59D .0201	CRITERIA AND PROCEDURES FOR GRANTING JOB APPROVAL AUTHORITY	Eff. January 1, 2021	Necessary	No	n/a	No	Necessary	Select One	Necessary and must be readopted	Select One