



Top 10 Keys to Success for Cost Share Programs

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State Cost Share Programs Delivered through Districts



- ◆ Agriculture Cost Share Program (ACSP)
- ◆ Community Conservation Assistance Program (CCAP)
- ◆ Agricultural Water Resources Assistance Program (AgWRAP)



Responsibility of Supervisors

- ◆ Supervisors are responsible for the administration of state cost share programs in their district.
- ◆ Supervisors should ensure that the program is run according to Legislative and Commission policy.
- ◆ District Board should certify that cooperators in its District are being assisted correctly.
- ◆ YOU can be SUED



Top 10 Keys to Success for Cost Share

1. Let the sun shine in – Open Meetings



Open Meetings

- ◆ District Board Meetings must follow Open Meetings Law
 - Suggest regular meeting schedule/place
 - Proper advance public notice
 - Closed sessions restricted to:
 - Personnel matters
 - Attorney/Client discussions
 - Criminal Investigations
 - Contract negotiations
 - Information protected by law



§ 139-8.2. Certain information confidential (2020 NC Legislative Session)

(a) All information that is collected by soil and water conservation districts from farm owners, animal owners, agricultural producers or owners of agricultural land that is confidential under federal or State law shall be held confidential by the soil and water conservation districts, including:

(1) Information provided by an agricultural producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself, in order to participate in soil and water conservation programs.

(2) Geospatial information otherwise maintained by the district about agricultural lands or operations for which information described in subdivision (1) of this subsection is provided.

(b) This section shall not include applications for cost-share assistance and associated contract documents that require the approval of the soil and water conservation district or the Soil and Water Conservation Commission. (2020-18, s. 10(a).)



Protocol for Considering Cost Share Contract Information

- ◆ How to distribute to board members in advance materials to be considered
- ◆ How to prepare a redacted packet suitable for public viewing
- ◆ What is acceptable to review/discuss in open session
- ◆ Closed session for discussion of protected information (e.g., designs, acreage amounts, geospatial information)

Training tentatively planned in May



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1. Let the sun shine in – Open Meetings
2. Plan for Success – Annual Strategy Plan

Planning for Success

- ◆ Local Workgroup - With input from local stakeholders develop a list of resource concerns for the district/NRCS Team.
- ◆ Prioritize resource concerns
- ◆ Determine how available state and federal programs and technical assistance resources can be applied to address priority concerns
- ◆ Develop one comprehensive plan to fulfill requirements for district strategic plan (due June 1).
- ◆ Opportunity for coordinated outreach to potential applicants
- ◆ Highlights needs for additional funds/staff that might be obtained through grants.





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3. Shout it from the mountaintops - Outreach



Outreach

- ◆ Each district should evaluate their outreach effort to determine if priority segments of the population are being reached.
- ◆ Last year's outreach strategy may not be appropriate for this year's priorities
- ◆ Special care should be taken to educate special populations such as limited resource farmers and farmers who have not previously participated.
- ◆ New tools/concerns mean new opportunities
- ◆ Go beyond the minimum
- ◆ Celebrate your success



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Written Priority System

- ◆ A written priority system is required for cost share programs
- ◆ Should emphasize priorities in the Strategic Plan
- ◆ Plan the most cost effective contracts that will accomplish the greatest water quality benefit (water quantity for AgWRAP).
- ◆ Helps document impartiality
- ◆ Not first come, first served
- ◆ Recommend receive applications continuously, but batch applications periodically. Set a minimum score for approval.



Water Quality Benefit (ACSP & CCAP)

- ◆ Cost Share Program funds must be used to address a recognized nonpoint source problem
- ◆ Objective should not be to spread the money out to the most landowners
- ◆ Practices must be needed and feasible and appropriately selected and sited to best address the need
- ◆ Landowner objectives should not override sound conservation planning



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5. It all starts with the Conservation Plan



Technical Excellence is Our Heritage

- ◆ North Carolina has a strong partnership and rich heritage of delivering quality assistance through competent, trained staff
- ◆ Before cost share was available, districts grew because they helped landowners develop and implement technically sound conservation plans
- ◆ Districts can only remain strong if they maintain a reputation for technical quality and customer service



Conservation Planning

- ◆ Sound conservation planning should be the basis of all conservation work with landowners.
- ◆ Documents that the practices being installed are “needed and feasible.”
- ◆ Conservation plans should:
 - Make landowner aware of all resource concerns observed on fields being planned
 - Provide recommendations and alternatives to address all identified concerns
 - Record landowner decisions
 - Instruct landowner on proper operation/maintenance
- ◆ No requirement that farmer implement any recommendations



Top 10 Keys to Success for Cost Share

6. Quality is Job One – Job Approval Authority



Job Approval Authority

- ◆ Most district staff have JAA for some practices
- ◆ Approved by
 - NRCS for agricultural practices (fed/state programs)
 - Commission for ag practices and non-agricultural practices (state programs only)
- ◆ District staff AND supervisors responsibility to ensure that the person signing JAA for a contract and RFP has JAA for that practice.
- ◆ The board should have a summary of JAA for each employee, and it should be updated as staff receive additional JAAs.



Why is JAA important?

- ◆ Districts and partners need to maintain reputation of technical competence and quality – landowner trust
- ◆ Ensure that partnership technical employees have received appropriate training and demonstrated ability to design and/or approve installation of particular BMPs
- ◆ Accountability for cost share programs
- ◆ Protects district and supervisors from liability
- ◆ Timely implementation/approval - self sufficiency



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6. Quality is Job One – Job Approval Authority
7. Talk is cheap, but communication is priceless



Communication with Cooperators

- ◆ Cannot assume that cooperators understand process or expectations
- ◆ Make sure cooperators understand:
 - Work cannot begin before contract is approved by Division
 - What standards and specifications are expected
 - Operating and maintenance requirements



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8. Let your “Yes” be “Yes” – Know what you’re approving



Requests for Payment

- ◆ Supervisors must approve all Requests for Payment
- ◆ Approval certifies that the BMP installation is correct and that BMPs meet all standards and specifications.
- ◆ Make sure the person providing technical approval has appropriate JAA.
- ◆ File should document onsite verification of proper implementation.



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9. Complete doesn’t mean finished – Spot checks



Annual Spot Checks

- ◆ The district should randomly choose at least 5% of all CPOs which are under active maintenance. (Maintenance period begins at installation)
- ◆ At least one supervisor must participate in the on-site spot check (recommend 2 or more)
- ◆ Notify landowner in advance
- ◆ Be very sensitive to biosecurity for livestock operations



Compliance Issues

- ◆ Supervisors must ensure that cooperators adhere to the maintenance agreement.
- ◆ It is the district's responsibility to notify the cooperator and the Division of noncompliance.
- ◆ First objective: try to bring back into compliance
- ◆ May have to don the gray hat, seek repayment of pro-rated portion (100% for incentive practices)



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10. The proprieties must be observed – Avoid conflict of interest.



Avoid Conflict of Interest

- ◆ When making decisions about approving cost share assistance, must avoid even appearance of conflict of interest
 - Supervisor Disclosure Form
 - Recuse from vote if potential to benefit from contract
- ◆ Determine whether secondary employment of District employees could be a conflict of interest
 - Serving as contractor, difficult to discern between primary/secondary employment, secondary employment for a supervisor



QUESTIONS?

- ◆ Many answers can be found on the Division's website: www.ncagr.gov/swc
- ◆ Also feel free to contact the Division at:
(919) 707-3770