



**SECTION III
POLICIES GOVERNING THE NORTH CAROLINA
COMMUNITY CONSERVATION ASSISTANCE PROGRAM**

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GENERAL POLICIES FOR THE N.C. COMMUNITY CONSERVATION ASSISTANCE PROGRAM

1. The most beneficial water quality protection item should be installed first in any N.C. Community Conservation Assistance Program contract (also known as Conservation Plan of Operation (CPO), and agreement; in this manual it will be called “contract”).
2. Practices should only be installed as part of a total water quality management system. All practices necessary to solve the water quality problem should be installed whether cost shared or not. (For example, a riparian buffer should not be installed in an eroding lot unless the erosion problems on the rest of the property are also addressed.) **Both cost shared and non-cost shared best management practices (BMPs) to be installed must be included in the contract.**
3. BMPs shall be designed and installed according to the N.C. DENR, Division of Water Quality “Updated Draft Manual of Stormwater Best Management Practices”, N.C. NRCS Technical Guide, or Soil and Water Conservation Commission standards and specifications at the minimum design necessary to solve the water quality problem. If the applicant chooses to exceed design criteria for purposes not associated with water quality, the applicant will be responsible for the additional cost. Additional costs are required to be reflected in the contract.
4. Applicants are responsible for appropriate local, state and federal permits.
5. If an applicant sells property which contains a cost shared BMP(s) during the maintenance period, he/she is required to repay the state a pro-rated amount of the original cost(s) or arrange for the buyer to assume (in writing) the maintenance of the BMP.
6. Any conversion from the intended use of the BMP during the maintenance period will require the operator to repay the state a pro-rated amount of the original cost share payment.
7. Landowners who receive cost share funds for the purchase of equipment are prohibited from using the cost shared equipment as collateral during the maintenance period. In addition, if the cost shared equipment is sold during the maintenance period, the operator must repay the state a pro-rated amount of the original cost share payment.
8. Applicants found to be out of compliance with a cost share contract must be notified in writing by the district and informed of the “reimplementation or refund” rule (see Section IV). A copy of the notification letter and any follow-up must be forwarded to the division.
9. Districts are prohibited from approving cost share contracts with an applicant on a different site or property if the operator is out of compliance with the cost share program at any site or property.



10. Districts are required by state law to conduct an annual audit (technical assistance funds and matching funds) with the chairperson certifying under oath that the audit is correct. Alternatively, the district may have an independent audit conducted by a CPA or by the county government. For cost share BMP funds, the chairperson certifies that adequate accounting procedures are being followed and that funds are reconciled with the division's quarterly printout.
11. When a cost shared BMP is damaged or destroyed by the applicant or his/her agents, the applicant must repair/reimplement the BMP(s) within the time period stated in the cost share program rules (see Section IV). The applicant is not eligible to receive cost share funds for the repair/reimplementation of the BMP(s) and is not eligible for funds for any BMP(s) on a different site or property until the repair/reimplementation is completed.
12. When a cost shared BMP is damaged or destroyed and the applicant is not at fault, a contract may be approved for cost share funds for the repair or reimplementation of the BMP(s). The repair must be implemented before cost share funds can be used for BMPs on a different site or property. Contracts for repairs must be limited to one calendar year. Repair contracts require approval by the division prior to the start of installation and must follow the routine procedures of the N.C. Community Conservation Assistance Program.

However, if the district certifies that a damaged BMP poses an immediate threat to public health or the environment, the procedural changes to expedite approval of the contract should then be followed. District staff must certify that a site visit has been performed which verifies the damage to the BMP, that an immediate threat exists and that the damage has occurred through no fault of the cooperator. The district should notify the division in writing, complete forms NC-CCAP-11 and NC-CCAP-11-A including signature of district staff, and submit all information to the division as soon as possible. The division will accept the notification, forms NC-CCAP-11 and NC-CCAP-11-A, as valid contract documents and confirm notification of "pending" approval of the contract to the district so that repair/reinstallation may begin immediately. The division will honor a request for payment (NC-CCAP-3) on the repair contract when the district submits completed forms (NC-CCAP-2), NC-CCAP-11 and NC-CCAP-11A accompanied by a site sketch and location map containing all appropriate signatures (see Section VI for more information on repair contracts).

Any request to cancel a repair contract must include a written justification. The district must provide an explanation to the division for all repair contracts that expire without installation. If an operator chooses not to repair the BMP within the one-year time stipulated by the contract, then he/she is in noncompliance and subject to reimbursing the state regardless of the fact that the need for repair/reimplementation was not the fault of the operator. This policy is supported by the N.C. Department of Justice, Office of the Attorney General.



13. CCAP funds may not be used to replace a BMP(s) that was originally funded with CCAP funds for the convenience of the applicant or to allow the applicant to upgrade using technological advances. However, when the Commission approves a change in the components of a BMP which may be cost shared, a cooperator may retrofit the originally cost shared BMP to include the new cost shared BMP component based on the current year average cost.
14. If an applicant has received cost share monies (state or federal) to install BMP(s) to correct a water quality problem; and, after installing the BMP(s) the applicant creates at the same site another situation that causes a water quality problem, then the applicant is no longer in compliance in protecting water quality off-the-site as agreed in the original contract and is out of compliance with the N.C. Community Conservation Assistance Program.
18. Any contract, revision, supplement or repair completed under Community Conservation Assistance Program or other nonpoint source pollution cost shared programs for lands owned or operated by a district, county, division or NRCS employee or district supervisor will be spot checked by representatives of the division within one year after completion of a contract item.



SPECIAL REQUESTS - FINANCIAL N.C. Soil & Water Conservation Commission

The commission recognizes the occasional need by districts to make requests for special allocations or for approval of payments under the Community Conservation Assistance Program that do not fall within the approval authority of Division of Soil and Water Conservation staff.

Districts making a special financial request of the commission must:

1. Notify the division at least 15 working 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.

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



**INTRODUCING NEW OR REVISED BMPs TO THE
N.C. COMMUNITY CONSERVATION ASSISTANCE PROGRAM
N.C. Soil & Water Conservation Commission**

The commission encourages the continued search for new and innovative means to improve water quality in North Carolina. The Community Conservation Assistance Program for nonpoint source pollution control is a vehicle for introducing new and improved BMPs that will protect the state's surface and ground waters.

The commission holds that a standard procedure for introducing a new BMP or a revised BMP to the Community Conservation Assistance Program should be as follows:

1. Technical Review Committee members, or districts, or individuals interested in a new BMP should submit to the division:
 - a) Name and definition of the BMP
 - b) Support information on the need for the BMP
 - c) Substantiation that the BMP meets the intent of the cost share program
 - d) Justification for the average cost of the BMP

2. The division will:
 - a) Review documentation for the new or revised BMP
 - b) Present in conjunction with the originator to the TRC
 - c) Present the TRC's recommendation (with sufficient support information) to the commission
 - d) Notify the districts of the commission's determination of approval, denial or further study
 - e) Revise appropriate pages of the Average Cost Guide to reflect new or revised BMP information

3. Recommendations of the TRC may be appealed to the commission upon written request to the commission and approval by the commission.

4. Revision of a BMP that comes about through a change in the N.C. DENR, Division of Water Quality "Updated Draft Manual of Stormwater Best Management Practices", the N.C. NRCS Technical Guide, or Soil and Water Conservation Commission standards and specifications or by the TRC in the standard revision of the Average Cost Guide shall not require commission approval. However, the commission reserves the authority to review any and all revisions made in BMPs or average costs for BMPs.



**NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION
CLARIFICATION OF COMMISSION POLICY
CRITERIA FOR EXTENSION OF PREVIOUS PROGRAM YEAR CONTRACTS**

STATEMENT OF INTENT

On June 30 of each program year all outstanding third year contracts automatically expire and all funds encumbered to those contracts are returned to the Cost Share Program Account. The Commission recognizes that to a very limited extent some contracts should be extended one additional year. The intent of this policy is to restate and clarify the Commission's policy on criteria for extension of previous program year contracts and to specify minimum documentation required to support the request to extend the contract.

STATEMENT OF POLICY

Prior to presentation to the Commission, the Division must receive by June 30 of the expiration year a written statement from the District Board that explains why an extension is necessary and that the District has the technical assistance available to assist the applicant. The District must also provide to the Division a timeline of key dates involving the contract, an explanation of the amount of work already completed under the contract, and an explanation as to why the contract was not completed in the time normally allotted. The timeline of key dates should (at a minimum) include:

- Date of application by cooperator for cost share assistance
- Date contract approved by District Supervisors
- Date contract approved by Division
- Approximate date the cooperator began work on implementing the contracted BMPs
- Other applicable dates of significance (e.g., date required engineering approval received, date materials or equipment ordered and delivered)
- Date installation will begin, and
- Date installation will be completed.

Cost Share Program contracts can be extended only one year beyond the original three-year period.

Generally the Commission will not approve an extension unless at least 1/3 of the required work in the cost share contract is completed prior to June 30 of the year the contract was originally scheduled to expire. However, the Commission will consider extension requests where the District can document that it has been unable to provide needed technical assistance in a timely manner. The Commission will not consider an extension where delays result from the inaction on the part of the cooperator or disagreements over technical standards or District recommendations.

Division staff are authorized to deny any request for extension that does not meet the above criteria.

Division staff are also authorized to approve extension requests for purpose of payment if the contract is completed and the request for payment is received by the day before the July



Commission meeting. Otherwise, extension requests must be approved by the Commission on a case-by-case basis.

If the request for payment is not received by the day before the July Commission meeting, the District must appear before the Commission to request the extension. A district supervisor must present any requests for extension to the Commission

This policy shall remain in effect until rescinded, amended, or otherwise altered by the Soil and Water Conservation Commission. Any change in policy shall be effective at the discretion of the Commission. Notice shall not be required.



AUDIT REQUIREMENTS OF SOIL AND WATER CONSERVATION DISTRICT FOR COST SHARE FUNDS

N.C. General Statute 139-7 states:

"The supervisors...shall provide for an annual audit of the accounts of receipts and disbursements. In any given year, if the supervisors provide for an internal audit, and the supervisor serving as chairman certifies, under oath, that this internal audit is a true and accurate reflection of the accounts of receipts and disbursements, then the supervisors shall not be required, notwithstanding the provision of G.S. 159-34, to provide for an audit of the accounts of receipts and disbursements by a certified public accountant or by an accountant certified by the Local Government Commission."

In order to meet the requirements of the above referenced statute, the Community Conservation Assistance Program policy dictates that funds for technical and administrative assistance and education and outreach activities expenses be audited annually. If county government manages these funds, then the county's annual audit meets the audit requirement for those funds. If county government does not manage these funds, then these funds may be audited by an independent CPA or internally as stipulated in the above referenced statute.

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 provided by the Division.

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.



DISTRICT SUPERVISOR USE OF COMMUNITY CONSERVATION ASSISTANCE PROGRAM FUNDS

Senate Bill 917 amended General Statute 139, Sections 4 and 8, of the district law to address the availability of the cost share programs to supervisors. Specifically, the new law sets the two following requirements for a supervisor to apply for and receive a grant under the cost share programs:

- 1) The supervisor does not vote on the application or attempt to influence the outcome of any action on the application, and
- 2) The application is approved by the commission.

To comply with this general statute amendment, supervisor contracts must receive commission approval on a case-by-case basis prior to approval by the division. This includes contracts for land owned or operated by supervisors or for which the supervisor has a financial interest. A supervisor serving on the commission must follow a similar process with final approval from the Secretary of the N.C. Dept. of Environment and Natural Resources (see Section VI for applicable forms).

When completing the name and address of the applicant and landowner on the NC-CCAP-1, application form, the district **must always designate if they are a district supervisor (DS) or a non-district supervisor (NDS)**. The NC-CCAP-3 request for payment form also contains a field titled for designation of supervisor status. These fields on each of the program forms **must always be completed designating the applicant and landowner as a DS or NDS**. Also, for a district supervisor, either form NC-CCAP-1A or NC-CCAP-1B must be completed and submitted with the contract. If the applicant is the district chair, the vice chair of the board of supervisors must sign the NC-CCAP-1B form as the representative for the district.

The N.C. Soil and Water Conservation Commission provides the following guidance to the division staff in reference to CCAP contracts for commission members and district supervisors:

- If a district supervisor lives in one district and applies for cost share in another district, his or her contract is required to be approved on a case-by-case basis by the N.C. Soil and Water Conservation Commission prior to approval by the division.
- Repairs for supervisors' contracts require commission approval on a case-by-case basis prior to approval by the division.
- Revisions for supervisors' contracts **do not** require commission approval on a case-by-case basis prior to approval by the division.
- Supplements for supervisors' contracts **do not** require commission approval on a case-by-case basis prior to approval by the division.



- Six-month extensions for supervisors' contracts permitted under the commission's Policy on Interim Performance Measures for CCAP contracts may be approved by the district board and **do not** require commission approval on a case-by-case basis.

The commission requires the following information to be submitted for its consideration for all CCAP contracts for district supervisors:

1. Score on priority ranking sheet.
2. How the contract ranked relative to other contracts considered (e.g., ranked 8th out of 12 projects presented).
3. Whether any higher or equally ranked contracts were denied.
4. If answer to number 3 (above) is yes, then an explanation must be provided as to why the supervisor's contract was approved instead of the other contracts.



**DISTRICT BOARDS' RESPONSIBILITY IN
TECHNICAL AND FINANCIAL ASSISTANCE DISTRIBUTION
N.C. Soil and Water Conservation Commission**

The commission, as administrator of the cost share programs, reminds all districts that our mission is to assist all landowners with reasonable, efficient and effective programs that address nonpoint source pollution problems.

The charge for supervisors as local administrators is to execute the cost share programs to satisfy a recognized nonpoint source problem, not to spread the money out to the most landowners or to buy the easiest BMP that can be installed. The commission requests that each district look closely at their respective county's needs to solve water quality problems. The priority for technical and financial assistance should be assigned to the landowner or area that would provide higher benefits for water quality protection.

The North Carolina legislature and/or the commission may enact laws or adopt policy, respectively, which require priority targeting of nonpoint source pollution in specific river basins. The district's system for prioritization must include a method of insuring the legislature's and/or the commission's priority targeting goals are met.



COST SHARE PROGRAM MATCH

The Commission, in accepting the authority and responsibility of the Cost Share Program, retains the authority to approve the use of Cost Share Program BMP, technical and administrative assistance, and education and outreach activities funds as “match” for the purpose of securing grants or other project funds.

All entities, Districts, municipal, county, state, federal or private, must provide to the Division written request to use Cost Share Program funds as “match” for any purpose. The Division shall be provided a complete copy of the specific project proposal, (including project purpose, activities and funding sources) for which Cost Share Program funds are to be used as a match. The Division will make this information available to the Commission, which will approve all requests for “match” when Cost Share Program funds are to be used as the “match”.



COMMISSION ADVISORY TO DISTRICTS ON SECONDARY EMPLOYMENT

Some district employees have other sources of income, such as farms, second jobs or consulting companies. Secondary sources of income can be important for adequate support of the employee as well as his or her family. Districts are advised to be aware of the potential for the appearance of a conflict of interest or an actual conflict of interest. This is especially important for the positions that are partly funded through state appropriations that also are involved in the state-funded cost share programs.

In the interest of avoiding conflicts and assisting the districts with guidance to employees engaged in secondary employment, the commission suggests that the following steps be followed:

1. The district board should provide its district employees with a copy of county policy pertaining to secondary employment. This can be obtained from the county manager.
2. The district board should consider adopting its own policy pertaining to secondary employment.
3. The district board should provide written permission to the employees engaged in secondary employment. The permission should identify the employee, the type of secondary employment, the time of day in which the employee is allowed to engage in secondary employment and the time period covered by the written permission.

Secondary employment includes self-employment, ownership of businesses, and any activity that may provide the employee with salary, wages, commissions, sales income, goods, services, travel benefits, room, board or other things of value.

If the district is not already covered by a county secondary employment policy, the district may wish to adopt a policy similar to the state's policy.

1. Conflict of Interest Secondary employment will not be allowed if it is in conflict with the employee's primary job responsibilities or if it would impair the employee's ability to carry out his/her primary job responsibilities. The following prohibitions shall be observed:
 - a) Activities wherein an employee could enrich either himself/herself or his/her secondary employer by resort to privileged information or specialized knowledge about policy, programs, regulations, procedures, litigation, or intended actions.



- b) Activities that make it difficult for the public to discern whether the employee is engaged in primary employment or secondary employment.
- c) Compensation through secondary employment for service that ought to be provided as a part of primary employment responsibilities.
- d) Use of state equipment, materials or facilities in furtherance of secondary employment activity.

2. Impairment of Work Performance Employees shall avoid secondary employment that would impair their ability to perform their primary job responsibilities.

- a) Employees shall not engage in any activity that will impair the physical stamina and mental attentiveness necessary to perform their primary employment. Hours, stress, physical strain and travel required for the secondary and primary jobs will be considered, along with prior productivity, when making this determination.
- b) Employees shall not engage in secondary employment during their normal work hours.



PROHIBITION OF POST-APPROVAL OF CONTRACTS

To maintain the integrity of the 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.

BMPs are not to be started before the district receives division approval. Certification that a practice is needed after the practice has been installed could be fraud.

NRCS employees who condone post-approval of practices are subject to disciplinary action by NRCS management. District and NRCS employees are prohibited from assisting operators in developing or signing a plan of operations (form NC-CCAP-11) for BMPs that have been started prior to receiving the necessary approvals.



OPEN MEETINGS LAW SYNOPSIS

The N.C. General Assembly has passed laws requiring all official meetings of “public bodies” to be held open to the public (N.C. G.S. 143-318). The state’s 96 local soil and water conservation districts are public bodies under the terms of this law and must hold all meetings open to the public. Official meetings include any time a majority of the members of the district board of supervisors gather together to transact the public business of the district. Public business of the district includes: deliberating or debating proposals before the board, conducting hearings and voting on proposals. This law also applies to conference calls in which the public must be able to listen in by loudspeaker. The board must keep full and accurate minutes of each official meeting and these minutes shall be considered public records.

For regular meetings, districts must post a schedule of the place and time of all meetings with the board’s secretary. If the district is a part of county government, the schedule must be posted with the clerk of the county board of commissioners. Changes of regular meetings must be posted seven days before the meeting. Where the board holds *special* meetings outside its regular schedule, the board must give notice of the new meeting to all who have requested notice of meetings. The board must also post notice of non-scheduled meetings on its “principal bulletin board” or door of its meeting room. Both notices must be given at least 48 hours before the meeting.

For emergency meetings, districts must notify local news media that have requested notice immediately after notifying members of the public body. An “emergency meeting” is one called because of an unexpected circumstance that requires immediate consideration by the public body. No further notices are required for *recessed* meetings. Executive sessions are exceptions to the open meeting law. However, the session must meet specific requirements described in the law and minutes are required to be kept (see N.C. G.S. 143.318.11 and 143.318.18).

In addition, the district must document at the district level that all board of supervisors meetings have met the requirements of the Open Meetings Law.

News media and others have the right to tape or broadcast meetings, subject to reasonable restrictions.

The Open Meetings Law governs spot checks and other site visits where a quorum of supervisors is present.

Certain meetings such as joint meetings or retreats may be subject to the open meeting law if they involve acquiring information that constitutes district business.



Public Records Law Synopsis: N.C. General Statute 132

Public records and public information compiled by North Carolina government agencies, or its subdivisions, are the property of all citizens. Like all public offices and officials, districts, supervisors, district and state staff and the commission are subject to the public records law. At reasonable times, anyone may examine or obtain copies of these records free or at minimal cost, (copying costs) unless otherwise specified by law. Agencies may require requests for copies of computer databases to be in writing.

The law applies to nearly everything on paper, tape, or disk relating to district business. The few exceptions to the law include records of criminal investigations, county personnel records, confidential communications from legal counsel, some state tax information, and designated trade secrets in connection with public contracts, regulations or industrial developments. Districts must bear the cost of separating confidential information from non-confidential information. Also, an index must be maintained for any electronic data processing systems.

It is a crime to destroy a public record without the consent of the N.C. Department of Cultural Resources. This department can supply information on the procedure and schedules that govern the purging of old records.

Federal government agencies are governed by a separate but similar federal law -- the Freedom of Information Act of 1966 and Amendments: 5 USC Sec. 552, Part 1, Subchapter II.



ACCOUNTABILITY MEASURES FOR THE COMMUNITY CONSERVATION ASSISTANCE PROGRAM

Districts must provide the following items for each BMP installed through the CCAP:

- ❑ Drainage area
- ❑ Percentage of impervious cover in the drainage area
- ❑ Pollutant removals from N.C. DENR, Division of Water Quality's "Updated Draft Manual of Stormwater Best Management Practices". This resource is available at: http://h2o.enr.state.nc.us/su/bmp_draft_manual.htm

The following minimum resource concerns, where applicable, should be included with each contract: soil erosion (sheet and rill: RUSLE), nitrate leaving root zone, nitrate leaving field and phosphorus leaving field. Other resource concerns may be included where applicable and feasible (see Section V for specific BMP requirements).

When reporting effects for CCAP contracts, accomplishments for all conservation practices implemented in the conservation system should be reported. Any revision to a contract or conservation plan that changes the effects should be reported to the division.



NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION POLICY ON PROGRAM OUTREACH

North Carolina has a very active and dynamic conservation program that depends on a strong partnership between federal, state and county levels of government. Each level of government provides staff and financial resources to the conservation program. These resources have had, and continue to have, a significant impact on improving the quality of the state's water, soil, wildlife and other natural resources, while improving the overall quality of the environment for the benefit of all citizens.

The success of conservation programs is dependent upon the partnership's one-on-one relationship with land users who are the decision makers for conservation of natural resources. Significant conservation accomplishments have been made by a variety of decision makers to include large and small land users, those of different ethnic origins, those economically disadvantaged and those with adequate fiscal resources, male and female, and both absentee landowners and those who live on their own properties. The overall continued success of the conservation program depends on the partnership's ability to effectively deliver conservation programs to all potential customers and clients, making them aware of program opportunities and encouraging their participation.

The N.C. Soil and Water Conservation Commission endorses and actively supports the development and implementation of a dynamic outreach program to improve the delivery of conservation programs to all potential customers and clients. Each local soil and water conservation district is encouraged to evaluate its present program delivery strategies and use a process of "locally led conservation" to develop and implement strategies insuring all North Carolina citizens have equal access to conservation programs, staff and financial resources, in particular those citizens who qualify but may not have participated previously.



N.C. SOIL AND WATER CONSERVATION COMMISSION

POLICY FOR SUPERVISOR INVOLVEMENT IN SPOT CHECKS FOR COMMUNITY CONSERVATION ASSISTANCE PROGRAM CONTRACTS

STATEMENT OF INTENT

The commission has delegated to district boards of supervisors responsibility for assuring that best management practices funded by Community Conservation Assistance Program contracts are properly implemented and maintained. The commission requires that 25 percent of all active program contracts be spot checked by supervisors each year. The intent of this policy is to restate and clarify the commission's policy on supervisor involvement in spot checks.

STATEMENT OF POLICY

It is the policy of the commission that at least one supervisor shall participate as part of the on-site spot check process. The commission advises for more than one supervisor to participate in conducting spot checks. The commission commends districts that use video or still photography to supplement and document their spot check activities, but under no circumstances are these practices permissible as substitutes for on-site participation by supervisors.

This policy shall remain in effect until rescinded, amended, or otherwise altered by the N.C. Soil and Water Conservation Commission. Any change in policy shall be effective at the discretion of the commission. Notice shall not be required.



N.C. SOIL AND WATER CONSERVATION COMMISSION

POLICY ADDRESSING INTERIM PERFORMANCE MILESTONES IN COMMUNITY CONSERVATION ASSISTANCE PROGRAM CONTRACTS

STATEMENT OF INTENT

It is the intent of the commission that the staff develop and use contracts that will require cooperators in CCAP to initiate work on implementing best management practices within twelve months.

STATEMENT OF POLICY

It is the policy of this commission that all CCAP contracts written shall include an interim performance milestone for at least one-third of the work required to be implemented on a contract to be completed within 12 months of the date the contract receives final division approval. District boards of supervisors may grant up to an additional six months for the work to begin if the cooperator requests an extension in writing or by appearance before the district board. In the event that the cooperator fails to complete at least one-third of the required work within 12 months, or within 18 months if the district grants a six month extension, the district shall terminate the contract and notify the cooperator and division (using form NC-CCAP-18).

Determination of what constitutes one-third of the work required by the contract shall be at the discretion of the district board of supervisors.

This policy shall remain in effect until rescinded, amended, or otherwise altered by the N.C. Soil and Water Conservation Commission. Any change in policy shall be effective at the discretion of the commission. Notice shall not be required.



NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION

POLICY ADDRESSING CANCELED FUNDS FROM COMMUNITY CONSERVATION ASSISTANCE PROGRAM CONTRACTS

STATEMENT OF INTENT

The commission is responsible for ensuring that Community Conservation Assistance Program (CCAP) funds are allocated in such a manner as to address the highest priority water quality needs of the state. The commission allocates financial assistance funds to local soil and water conservation districts each year according to each district's strategy plan for the current program year. When funds from CCAP contracts written in a previous program year are canceled, the funds should be made available to the commission to be reallocated to meet current year needs of districts.

STATEMENT OF POLICY

It is the policy of the commission that all canceled funds from CCAP contracts, other than funds canceled from contracts written in the current CCAP program year, shall revert to the state account to be reallocated to districts by the commission. Districts shall not be required to submit revised annual strategy plans to be eligible to receive supplemental allocations, but they may submit revised strategy plans if their strategy plan differs significantly from the annual strategy plan that was submitted by June 1 of the current program year.

This policy shall remain in effect until rescinded, amended, or otherwise altered by the N.C. Soil and Water Conservation Commission. Any change in policy shall be effective at the discretion of the commission. Notice shall not be required.



NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION

POLICY ADDRESSING REFUNDED FUNDS FROM COMMUNITY CONSERVATION ASSISTANCE PROGRAM CONTRACTS

STATEMENT OF INTENT

Soil and water conservation districts are responsible for ensuring that Community Conservation Assistance Program (CCAP) contracts are properly maintained and operated for the period of time described in the cost share contract and Conservation Plan of Operations. If a cooperator fails to maintain the cost shared practices for the required period, then a prorated refund of the cost shared funds may be required (see Section IV). Since districts often must exert considerable effort to affect repair of damaged practices or to recover funds, they should also be given the first opportunity to use recovered funds to contract with other cooperators to install additional practices.

STATEMENT OF POLICY

It is the policy of the commission that all refunded funds from CCAP contracts, regardless of the program year in which the contract was initiated, shall be added to the current year district allocation. Districts shall not be required to submit revised annual strategy plans to be eligible to receive refund allocations.

This policy shall become effective immediately and shall remain in effect until rescinded, amended, or otherwise altered by the N.C. Soil and Water Conservation Commission. Any change in policy shall be effective at the discretion of the commission. Notice shall not be required.