Conservation Cost-Share Program Handbook

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155:20-1-1. Purpose

The purpose of the Conservation Cost-Share Program is to provide financial assistance through cost-share payments to land users identified as eligible for applying soil and water conservation or water quality best management practices.

155:20-1-2. Definitions

In addition to terms defined in 27 O. S. Ann. ' ' 3-1-103 and 3-3-114, the following words and terms, when used in this document, shall have the following meanings, unless the context clearly indicates otherwise:

"Allocated funds" means funds budgeted through the Commission and the conservation districts for cost-share payments.

"Allocation period" means that period of time established by the Commission in which a conservation district has to obligate the allocated funds received for any program year.

"Applicant" means an eligible person who applies for a cost-share payment from a conservation district.

"Available funds" means monies budgeted, unobligated, and approved by the Commission for cost-share payments.

"Average cost" means the calculated cost, determined by averaging recent actual costs and current cost estimates, considered necessary for a participant to carry out a conservation practice or a designated component of a conservation practice. Actual cost includes labor, supplies, and other direct costs required for installation of a practice.

"Case file" means the collection of materials that is assembled and maintained for each approved application for a cost-share payment.

"Commissioners" means the five members who are appointed by the Governor and confirmed by the Senate that make up the governing board of the state agency known as the Oklahoma Conservation Commission.

"Commission staff" or **"staff"** means employees of the Oklahoma Conservation Commission.

"Conservation Cost-Share Fund" means the fund created by the Oklahoma Legislature and Governor into which appropriations and other monies will be deposited for the purpose of funding activities associated with the Conservation Cost-Share Program. This fund is a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Commission to implement and maintain the Conservation Cost-Share Program.

"Conservation Cost-Share Program" means the assumption by the state of a proportional share of the cost of installing conservation structures, conservation practices or best management practices on land for public and environmental benefits.

"Conservation plan" means the record of decisions approved by a conservation district for applying and maintaining soil and water conservation practices on the land.

"Conservation practice" means best management practice.

"Cost" means the amount actually paid or engaged to be paid by the participant for equipment use, materials, and services for carrying out a conservation practice, identifiable component, or if the participant uses their own resources in carrying out an identifiable component, the constructed value of their own labor, equipment use, and materials.

"Cost-share payment" means a disbursement of money to a participant for completed and certified cost-share conservation practices.

"Cost-share rate" means the percentage of the total cost of implementing an approved cost-share conservation practice that will be paid by public funds.

"Deobligated funds " means monies from a conservation district's allocated funds that have been obligated to a participant and then subsequently released.

"Designated technical representative" means a qualified technician designated by the conservation district to determine need, design and layout of proposed conservation practices, determine compliance with applicable design standards and specifications, and certify completion of practices.

"Disbursed funds" means funds released by the Commission for payment to participants for completed and certified cost-share conservation practices.

"District cooperator agreement" means a written and signed agreement between a conservation district and any person or entity who owns or controls land within the district. The agreement generally states that the district will provide the cooperator with technical assistance in developing a conservation plan for land under the cooperator's control and that the cooperator will start to implement the provisions of the plan as resources become available.

"Eligible conservation practices" means those conservation practices that have been approved by the Commission.

"Eligible person" means any landowner or land user that is not prevented by law from participating in the Program.

"FSA" means Farm Service Agency.

"Geographic Information System" means an organized collection of computer hardware, software, geographic data, and personnel designed to efficiently capture, store, update, manipulate, analyze, and display all forms of geographically referenced information.

"Identifiable component" means all of an eligible conservation practice, or a part thereof, that when carried out can be clearly identified as a segment in the sequence of carrying out the conservation practice.

"Land user" means any person, firm, corporation, or entity who has control over a tract or tracts of land in Oklahoma such as a landowner, operator, lessee, or tenant.

"Landowner" means any person, firm, corporation, or entity holding title to land lying within an Oklahoma conservation district.

"Legal description" means the section, township, range, and county where a cost-share conservation practice is located.

"Life span" means the period of time specified in the maintenance agreement and/or conservation plan during which the conservation practice is to be maintained and used for the intended purpose.

"Locally Led Conservation Initiative" means a program activity which will address general renewable natural resource conservation issues that are causing or have the potential to cause detrimental effects to the environment.

"Maintenance agreement" means a written agreement between the participant and a conservation district wherein the participant agrees to maintain the applied conservation practices for a period of time as established by the Commission and outlined in the applicable conservation plan.

"NRCS" means Natural Resources Conservation Service.

"Obligated funds" means monies from a conservation district's allocated funds that have been committed to a participant after approval of the application by the district board..

"Participant" means an applicant whose application has been approved and funds have been obligated by the district for funding cost-share conservation practice implementation.

"Performance agreement" means a written agreement between the participant and a conservation district wherein the participant agrees to perform conservation practices for which obligated funds are being paid.

"Priority system" means a system devised by a conservation district, under guidelines of the Commission, for ranking approved conservation practices or for ranking applications for cost-share assistance. The system or systems devised will be used to facilitate the disbursement of allocated funds in line with a district's priorities.

"Priority watershed" means a watershed that has been identified by the Commission as having special properties or conditions that require a watershed management plan to address the maintenance, improvement, or re-mediation of these properties or conditions through intensive nonpoint source management. Procedures that identify a priority watershed will be consistent with other state watershed priority setting systems.

"Priority Watershed Initiative" means a program activity which will address special environmental concerns that exist within a priority watershed. Funds directed to this initiative will be used for cost-share payments to a participant who implements a conservation plan. Special cost-share rates and conservation practices may be available to participants.

"Program" means the Conservation Cost-Share Program.

"Program initiative" means one or both of the two program activities - the Locally Led Conservation Initiative and the Priority Watershed Initiative.

"Program year" means a consecutive period of time established by the Commission which will be used to identify conservation cost-share practices that have been allocated funds from the Conservation Cost-Share Fund.

"State average cost" is the arithmetic mean of the average cost of a conservation practice or a designated component of a conservation practice as submitted by the districts to the Commission. State average cost may be calculated and applied by geographic region, as determined by the Commission.

"Tracts of land" means all land owned by the applicant/participant in a single parcel or several parcels.

155:20-1-3. Responsibilities

(a) The Commissioners shall:

(1) Identify problems affecting the state’s renewable natural resources and set resource guided goals that the Conservation Cost-Share Program will address.

(2) Establish, based on Commission staff recommendations, program year guidelines.

(3) Designate priority watersheds and allocate funds to be used in these watersheds based on recommendations from Commission staff.

(4) Consider the establishment of a reserve fund to address contingencies that may arise concerning the operation of the Conservation Cost-Share Program within the districts and/or the Commission.

(b) The Commission staff shall:

(1) Present to the Commissioners a prioritized list of problems affecting the state's renewable natural resources and recommend a set of resource guided goals in addressing these problems.

(2) Recommend program year guidelines to the Commissioners.

(3) Recommend to the Commissioners priority watersheds and the amount of funds to be allocated to each priority watershed. Input from the Nonpoint Source Working Group will be used in developing these recommendations.

(4) Develop, and make available to districts, guidance including a detailed list of policies, procedures, and forms necessary for the efficient administration of the program.

(5) Monitor, evaluate, and assess waters of the state to determine the condition of streams and rivers impacted by nonpoint source pollution and report the results of these studies to the Commission, districts, and appropriate local, state, and federal agencies.

(6) Assist districts in identifying and prioritizing nonpoint source problems as well as other problems impacting the state's renewable natural resources.

(7) Assist and give guidance to districts in selecting cost-share conservation practices that will be used to address Commission established nonpoint source problems in priority watersheds.

(c) The conservation district shall:

(1) Identify and prioritize problems affecting the district's renewable natural resources. If so applicable, the district may identify unique priority areas for focusing the application of conservation practices.

(2) Consult with Commission staff concerning the selection of cost-share conservation practices which will be used to address nonpoint source pollution problems in priority watersheds or parts of priority watersheds that exist within the district.

(3) Apply to the Commission for an allocation of funds to address the Priority Watershed Initiative and the Locally Led Conservation Initiative.

155:20-1-4. Administration of funds

(a) **Conservation Cost-Share Fund.** The Conservation Cost-Share Fund shall be administered according to 27 O. S. Ann. ' 3-3-115.

(b) **General.**

(1) The Commission will, upon recommendations from Commission staff, set aside not more than 10 percent of any legislative appropriation for administration of the Conservation Cost-Share Program. This money will be used to fund personnel and operating costs, including technical assistance costs, associated with administration of the Program at both the Commission and conservation district level. In addition, a reserve fund may be maintained to meet contingencies that may arise. The remainder of the appropriation will be allocated to two main program initiatives - the Priority Watershed Initiative and the Locally Led Conservation Initiative.

(2) Any funds allocated to districts and not obligated during the allocation period

for a given program year will be released by the district and made available for reallocation by the Commission. Additionally, any funds obligated during the allocation period but not disbursed within one year after the end of the allocation period shall be released to the Commission and made available for reallocation. The Commission will reallocate these funds and such funds will be identified as current program year funds.

(3) During any allocation period, should any funds become deobligated within the district, for whatever reason, then these funds are available for re-obligation by the district board within the respective program initiatives.

(4) Nothing in any contract or agreement executed between the district and participant shall be interpreted or construed to constitute a financial or general obligation of the state. No state revenue shall be used to guarantee or pay for any damages to property or injury to persons as a result of the provisions of any contracts or agreements.

(c) **Locally Led Conservation Initiative allocation.** The Locally Led Conservation Initiative will receive funds from the Conservation Cost-Share Fund as allocated by the Commission.

(d) **Priority Watershed Initiative allocation.** The Priority Watershed Initiative will receive funds from the Conservation Cost-Share Fund as allocated by the Commission. Funds will be allocated watershed by watershed by the Commission, based on recommendations prepared by Commission staff with input from the Nonpoint Source Working Group and other interested groups. This money will be available for cost-share conservation practices that address water quality, soil erosion, and animal waste issues in high priority watersheds.

(e) **Reserve fund.** The Commission may administer a reserve fund to be set aside and used only to meet contingencies that occur in the districts or within the Commission. Money for this fund shall come from the Conservation Cost-Share Fund as determined by the Commission.

155:20-1-5. Eligibility for Conservation Cost-Share Program

(a) **Eligible land.** The determination whether land is eligible for cost-share payments shall be pursuant to any restrictions established by the conservation district in whose jurisdiction the land is located and pursuant to 27A O. S. Ann. ' ' 3-3-114.

(b) **Eligible purposes.** Cost-share payments shall be available only for eligible conservation practices.

(c) **Eligible conservation practices.** Conservation practices that the Commission has approved shall be eligible for cost-share payments. A complete listing of the eligible conservation practices will be identified in the Commission's program year guidelines

(d) **Requirement to file an application and conservation plan.** In order to qualify for a cost-share payment, an eligible person shall file:

(1) An application for allocated funds.

(2) A conservation plan approved by the district in which the eligible person's land is located.

Section 3
Rules / Guidelines
Summary

RULES/GUIDELINES SUMMARY

Before beginning each program year your district board should review the Conservation Cost-Share Program Rules and current Program Guidelines. The Program Rules can be found in Section 2 of the Cost-Share Program Handbook. The current Program Guidelines can be found in Section 1 of the Cost-Share Program Handbook.

CONDUCTING YOUR DEVELOPMENT MEETING

The district board must conduct a local Program development meeting to identify and prioritize problems affecting the district's renewable natural resources. This action must be taken once each calendar year. The Commission recommends that your development meeting be scheduled sometime between April and September each year. This can be accomplished during a regularly scheduled board meeting or in conjunction with a NRCS local work group meeting. This development meeting must be advertised locally to allow local interested parties to participate in the discussion. The meeting can be advertised through a number of different methods. Such as a notice in the paper, letter to district cooperators, article in your newsletter, or flyers distributed through town. During the discussion please keep in mind that the purpose of the Program is to reduce soil erosion and improve water quality. After identifying and prioritizing problems, submit suggested practices to the Commission that will be the most beneficial to local applicants. From the suggested practices the Commission will select and approve the practices to be offered during the program year.

CONSERVATION DISTRICT PARTICIPATION

The Program is a voluntary program. Conservation districts are not required to participate. Board action is required each program year to allow your district to participate in the Program. This action should be taken after your district has reviewed current Program Guidelines.

CONSERVATION DISTRICT BOARD MEMBERS PARTICIPATION

On November 1, 1999 conservation district directors became eligible to participate in the Program. Individual directors should give careful consideration to public perception when making their decision to participate in the Program. Board action is required each program year to allow district board members to make application in the Program. Any board member making application must immediately remove himself from any and all discussions and votes on Program items and the guidelines below must be followed.

- Only two conservation district board members in any single conservation district shall participate in the Program in any single program year.
- Individual district board members applying cannot discuss any element of the Program including but not limited to practices, rates, average costs, selection criteria, application approval/disapprovals, cost-share payments, and extensions.
- Individual district board members applying for the Program must abstain from voting on all elements of the Program.
- Individual district board members cannot use their position as a conservation district board member to improve or elevate their individual chances of becoming a successful applicant.

A District Director Participation Form can be found in Section 5 of the Cost-Share Program Handbook. A completed copy of this form must be on file in the Commission office each program year.

AUTHORIZED DISTRICT REPRESENTATIVE

The district board must designate an authorized district representative each program year. This person can sign all forms. The authorized district representative must be a district board member. Board members making application in the Program cannot serve as the authorized district representative. It cannot be a district employee. Board action is required each program year to designate the authorized district representative.

DESIGNATED TECHNICAL REPRESENTATIVE

The district board must designate a technical representative each program year. This person will assist in developing conservation plans and determining the need for practices. The representative will also be responsible for design and layout of approved practices, determining compliance with approved standards and specifications, and certifying practice quantities and completion of practices. Board action is required each program year to designate the technical representative.

CONSERVATION PRACTICES

District boards can select only practices from the Commission's approved guidelines that will be offered locally. Board action is required each program year to approve practices for your district's practice list. The approved conservation practice list can be found in Section 1 of the Cost-Share Program Handbook.

CONSERVATION PRACTICE SPECIAL REQUESTS

If the district board wishes to offer a practice that does not appear in the Commission's approved guidelines they must submit a special request for the Commission's consideration. All practice special requests must be in writing and contain supporting documentation. All practice special requests require approval by the Commission prior to advertising your Program locally. Approval of practice special requests will be in writing from the Commission.

COST-SHARE AVERAGE COST

The district board must establish cost-share average costs using the Commission's approved guidelines. Based on those average costs the district board must establish local cost-share average costs (unit costs) for each conservation practice that they intend to offer locally. If the component is not in the Commission's approved guidelines your district cannot cost-share on that component. The local average costs are a component of calculating the cost-share payment. Board action is required to approve the average costs from the Commission's approved guidelines.

COST-SHARE AVERAGE COST VARIANCE

An average cost variance from the Commission's approved guidelines can be requested by the district board. Board action is required to make this request. In order for a variance to be considered the request must be in writing and accompanied by supporting data compiled by the district. The average cost variance must be approved by the Commission prior to approving applications. The approved Program average costs can be found in Section 1 of the Cost-Share Program Handbook. A Cost-Share Average Cost Variance Form can be found in Section 5 of the Cost-Share Program Handbook.

COST-SHARE RATE

The district board must establish a cost-share rate from the Commission approved guidelines. The cost-share rate must be expressed as a percentage and cannot exceed the limit set in the guidelines. The cost-share rate is a component of calculating the cost-share payment. The district board may set a different cost-share rate for each conservation practice to be offered locally.

MAXIMUM COST-SHARE PAYMENT AMOUNT

The district board must establish a maximum cost-share payment amount (the not to exceed amount) from the Commission approved guidelines. The maximum payment amount is per participant, per program year. The maximum payment amount is a component of calculating the cost-share payment. Program guidelines establish the maximum cost-share payment amount. Your district board must establish a maximum cost-share payment amount that does not exceed the guidelines established maximum.

SELECTION CRITERIA

Applicants for the Program must be a district cooperator with a conservation plan. The district board must establish selection criteria that will be used to evaluate and approve applications. The Commission does not recommend a first come first served system. Board action is required to approve selection criteria.

APPLICATION PERIOD

The district board must establish an application period. The Commission recommends a 2-3 week application period. Your district can have multiple application periods during the allocation period for a program year. Board action is required to establish an application period. The district board must establish specific dates and places to advertise your Program locally. Any costs associated with the advertisement of your local Program can be reimbursed from your other operating funds. An example Program announcement flyer can be found in Section 5 of the Cost-Share Program Handbook.

TAKING APPLICATIONS

If an applicant does not have an approved conservation plan and a cooperator agreement at the time of application they should be advised that both documents will be needed before a cost-share payment can be received. Should the applicant be selected by the district board for cost-share assistance a conservation plan should be initiated. It is critical that the district and district conservationist work together to ensure that the plan be completed and approved before a cost-share claim is submitted. Instead of a total farm plan, the Commission is requiring an approved plan only on the tract of land where the practice is to be constructed.

Applicants can apply for multiple practices in the same program year and on the same application form. The participant cannot receive a combined cost-share payment amount that exceeds the district board’s established maximum cost-share payment amount allowed for each participant. If it is determined that the cost-share applicant is not the owner of the land where the conservation practice is to be constructed a Consent Form must be completed and attached to the application prior to the district board evaluating the application for approval. The Consent Form is not effective until signed by both parties, the land owner and applicant. An Application and Consent Form can be found in Section 5 of the Cost-Share Program Handbook.

APPROVING APPLICANTS

The district board must use their established selection criteria when approving Program applicants. Approved applicants must be notified, in writing, within 10 days after district board action. Applicants should be instructed to contact the district to set up an appointment to sign a Performance Agreement, W9 Form and schedule the designated technical representative to design and layout the approved conservation practice. The Commission recommends 7-10 working days from the date of notification to allow the applicant to schedule an appointment. An example notification letter can be found in Section 5 of the Cost-Share Program Handbook. A Performance Agreement and W9 Form can be found in Section 5 of the Cost-Share Program Handbook.

Applicants denied for any reason must be notified, in writing, within 10 days of the district board decision. The district board must give reason(s) for the denial and advise the applicant of their right to appeal and the procedures necessary to exercise those appeal rights. The Commission suggests that the district board allow 15 days from the date of notification to receive an appeal from the unsuccessful applicant. An example notification letter for unapproved applicants can be found in Section 5 of the Cost-Share Program Handbook

If your district has more qualified applicants than funds, the district may choose to approve those applicants meeting your district's established selection criteria on the condition that funding becomes available. Performance Agreements for approved alternates must be signed and dated by both the alternate and the district on or before the allocation period ends. Work cannot begin until notified by the district that funds are available. All approved alternates must understand that there is no guarantee that funds will become available during the program year. An example notification letter for approved alternates can be found in Section 5 of the Cost-Share Program Handbook.

ESTABLISHING COMPLETION DATES

Your district board is required to establish a completion date for each approved participant. The completion date cannot exceed the program year ending date established in the Commission's approved guidelines. If your district chooses to use a number of days instead of a specific date for the completion date you must also establish the date that the number of days will begin. Board action is required to establish completion dates.

TIME EXTENSIONS

Your district board must establish a policy for granting completion date time extensions. All time extension requests must be in writing. All time extensions require board action. Time extensions cannot exceed the program year ending date established in the Commission's approved guidelines.

PERFORMANCE AGREEMENTS

Each successful applicant is required to sign a Performance Agreement. A Performance Agreement is a written contract between the participant and conservation district wherein the participant agrees to perform conservation practices for which allocated cost-share funds are being paid. If multiple practices were approved for a single participant and those practices have different maximum cost-share payment amounts, cost-share rates, and completion dates the Performance Agreement must reflect those amounts, rates, and dates.

<u>The Performance Agreement is not effective until signed and dated by both parties and a Form W-</u>

9 is attached. The name of the participant, conservation practice, maximum amount, cost-share rate, and completion date for each approved participant must appear in the board meeting minutes. Work cannot begin until an effective agreement is in place. An amendment to a Performance Agreement requires board action. A Performance Agreement can be found in Section 5 of the Cost-Share Program Handbook.

MAINTENANCE AGREEMENTS

Each participant is required to sign a Maintenance Agreement. A Maintenance Agreement is a written agreement between the participant and conservation district wherein the participant agrees to maintain the approved conservation practice for the expected life span of the practice as established by the district board. If multiple practices were approved for a single participant and those practices have different life spans the participant is required to sign a separate Maintenance Agreement for each conservation practice. Completion of the Maintenance Agreement and signature of the participant are required prior to the disbursement of the cost-share payment. A Maintenance Agreement can be found in Section 5 of the Cost-Share Program Handbook.

APPEALS PROCESS

If an appeal is filed, the district board has 30 days in which to make a decision and notify the applicant in writing regarding the decision on the appeal. It is suggested that the district board hear an appeal at its next regularly scheduled board meeting. These appeals must be listed on the agenda and heard in open session; no appeals shall be heard or discussed in executive session. The district board needs to give the applicant an opportunity to be heard, that is, what is the reason for contesting the decision. If the district board agrees with the applicant, then the district board can reverse its earlier decision and approve the application. However, if the district board feels that its original denial of the application was justified, the district board is certainly entitled to stand by its original ruling. The district board must then notify the applicant, in writing, that the applicant can appeal the decision to the Commission.

If the applicant desires to appeal the district board's decision they must make a written appeal to the Commission within 30 days of the district board's decision. The district will need to send a copy of the case file, the criteria for selecting applicants, and the reasons for the district board's denial of the application to the Commission.

VIOLATIONS OF AGREEMENTS

If a violation of a Performance or Maintenance Agreement is alleged a representative of the conservation district and/or a representative of the Commission will investigate. If a violation has occurred the conservation district shall give the participant 21 days to correct the violation. If the participant does not correct the violation the conservation district will demand repayment of the cost-share payment. The participant shall not be given more than 45 days to make repayment. The participant can contest the decision and request a formal hearing to reconsider the demand of repayment.

If a formal hearing is requested, the Commission suggests that the district board conduct a formal hearing at its next regularly scheduled board meeting. The formal hearing must be listed on the agenda and heard in open session; no formal hearing shall be heard or discussed in executive session. The district board needs to give the participant an opportunity to be heard, that is, what is the reason for contesting the decision. If the district board agrees with the participant, then the district board can reverse its earlier decision. However, if the district board feels that its original decision is correct the district can renew the demand for repayment. The district board must then notify the participant, in writing, that he can contest the district board's decision to the Commission.

If the participant desires to contest the district board's decision they must make a written appeal to the Commission within 30 days of the district board's decision. The district will need to send a copy of the case file and the reasons for demanding repayment to the Commission.

CANCELLATION OF PERFORMANCE AGREEMENTS

A Performance Agreement can be canceled in the following ways.

- By notification <u>in writing</u> from the participant.
- By the district board if the conservation practice is not completed as required by the Performance Agreement.
- By the district board if it is discovered that information provided by the participant is false.

<u>The district board in a regularly scheduled board meeting must cancel a Performance Agreement. The participant must be notified in writing when a Performance Agreement has been canceled. The Performance Agreement is effectively canceled on the date of the board meeting. The name of the participant for whom the agreement was canceled must appear in the board meeting minutes.</u>

If a Performance Agreement is canceled and funds are de-obligated during the allocation period then those funds are available for re-obligation by the district board. If a Performance Agreement is canceled and funds are de-obligated <u>after</u> the allocation period has ended then those funds are returned to the Commission and are no longer available to the district board for reobligation.

SUBMITTING A COST-SHARE CLAIM

When the participant submits all invoices to the district for completed practices a cost-share claim must be completed. The district will submit a claim in the district's name. Multiple completed agreements can be submitted on one claim. For each agreement listed on the claim a copy of the following back-up documentation must be submitted with the claim

1. All invoices
2. Performance Agreement
3. Certification of Completion and Acceptance
4. payment calculation sheet
5. Consent (if applicable)

All Cost-Share Program reimbursements will be made to the district by EFT. Once the district has received the cost-share funds they can make payment to the participant with a district check. A Release of Warrant Form must be completed or each payment made by the district. The Commission cannot process cost-share claims received after the program year has ended. A Certificate of Completion and Acceptance Form and Payment Calculation Sheet can be found in Section 5 of the Cost-Share Program Handbook. An example claim can be found in Section 5 of the Cost-Share Program Handbook.

CASE FILE

A case file must be developed for each approved applicant. The case file can be filed in the participant's conservation plan file or filed separately. Documents pertaining to unsuccessful applicants should be retained at least until the end of the program year. Documents pertaining to successful applicants should be retained for at least 3 years after the end of the program year. A Case File Checklist can be found in Section 5 of the Cost-Share Program Handbook.

REPORTING AND ACCOUNTING

The district is required to submit monthly reports to the Commission showing Performance Agreement number, effective date of the Performance Agreement, obligated amount, actual state cost-share payment, and unobligated amount. This form will provide a monthly financial report of the district's allocated cost-share funds. Do not report multiple program years on the same form.

The report should reflect cumulative amounts from the beginning of the program year to the close of the last business day of each month. The report is due in the Commission office by the 5th day of each month. A Monthly Report form can be found in Section 5 of the Cost-Share Program Handbook.

Once all effective Performance Agreements have been completed and the participants have received payment a final Monthly Report (there is not a separate form) should be sent to the Commission office. The district does not need to continue sending Monthly Reports once the final report has been reviewed by the Commission.

Districts can request an additional allocation of cost-share funds for a program year by submitting a written request to the Commission office. The request must be made prior to the end of the allocation period.

The district has one year from the end of the allocation period to disburse obligated funds. Any funds obligated during the allocation period but not disbursed within one year after the allocation period will be automatically released to the Commission.

Roles and Responsibilities

ROLES AND RESPONSIBILITIES

Conservation Commission Commissioners

- Identify problems affecting state's renewable resources
- Set resource based goals to address problems
- Establish eligible cost-share conservation practices
- Establish cost-share rates for practices
- Establish state average costs for practices and components
- Adjust average costs, if necessary
- Allocate funds from the Conservation Cost-Share Fund
- Designate beginning and ending dates for Program year
- Establish the allocation period
- Redistribute unallocated funds
- Identify priority watersheds
- Establish min/max cost-share payment/participant/program year
- Determine if a reserve fund is needed
- Appoint hearing officer for appeals
- Coordinate with NRCS State Conservationist on assistance for the program annually

Conservation Commission Staff

- Prepare a list of problems affecting state's renewable natural resources
- Recommend to Commissioners goals to address problems
- Recommend to Commissioners cost-share practices
- Develop standards and specifications for conservation practices not present in NRCS field office technical guides
- Assist districts in identifying and prioritizing non-point source problems
- Assist and give guidance to districts in evaluating and selecting cost-share conservation practices
- Perform clerical, administrative and record-keeping duties
    - process claims
    - issue cost-share payments to districts
    - provide program evaluation and auditing to districts
    - receive and maintain monthly reports from districts
    - submit quarterly reports to the Commissioners
    - submit annual reports to Commissioners, Governor and Legislature
    - track accomplishments with GIS
    - give guidance to districts - policies, procedures, forms
- Develop procedures for processing errors in technical determinations
- Consult with NRCS on development of conservation practice standards and specifications
- Recommend cost-share rates and state average costs
- Recommend priority watersheds and funding
- Develop procedures for reallocation of unallocated funds
- Act on appeals
- Monitor, evaluate and assess waters of the state

- Identify and prioritize problems affecting the district's renewable natural resources
- Hold at least annually a conservation cost-share program development public meeting
    - seek input from Commission, NRCS, FSA and other interested groups or individuals
    - select conservation practices, subject to Commission approval
- Apply for an allocation of funds for the locally led conservation initiative and , if applicable, the priority watershed initiative
- Establish and maintain a list of identifiable components, cost-share rates, cost-share methods and average costs used for conservation practices
- Compile average costs and provide to Commission for determining state average costs
- Identify who the designated technical representative shall be for the district
- Announce, conduct local information and outreach activity for the conservation cost-share program
- Establish the time period for accepting applications
- Accept and process applications
- Determine eligibility of land and persons
- Establish, under Commission guidance, a system for evaluating applications and selecting participants
- Obligate allocated funds for approved applications
- Provide or arrange for the designated technical representative to assist applicants and participants
- Notify applicants of application determinations in writing
- Establish case files for participants
- Certify the completion of conservation practices
- Approve cost-share payments to participants
- Maintain control ledgers tracking cost-share funds
- Submit claims, reports and other documents in a timely manner as outlined in the handbook
- Submit monthly reports to the Commission
- Submit requests to the Commission for reallocated funds
- Release all funds not obligated by the end of the allocation period
- Act on appeals

Natural Resources Conservation Service State Office

- Coordinate with Commissioners and OCC staff on program implementation
- Execute with OCC agreements regarding technical assistance and support
- Provide costs data and associated information for development of practice lists and average cost
- Provide technical standards and specifications for conservation practices
- Coordinate quality assurance of conservation practice design and implementation.

Natural Resources Conservation Service Field Office

- Provide input to local conservation district regarding natural resource needs/concerns for development of annual program
- Provide input to local conservation district regarding variance to the eligible practices, cost-share rates, and average costs
- Annually submit to conservation district their approval, the NRCS designated technician(s) meeting the criteria to provide technical services for the State Cost-Share Program
- Assist local conservation district personnel in evaluating the conservation practice need and eligibility
- Assist local conservation district and applicant in the development of a conservation plan meeting NRCS policy, procedures, and standards
- Provide design and layout, where applicable, of approved conservation practice(s) consistent with NRCS approval authorities
- Provide to local conservation district and applicant timely checkout and certification of completed conservation practices
- Formally notify local conservation district and NRCS state office of technical errors in conservation practice implementation
- Refer all program policy cost-share/payment issues to responsible local conservation district personnel
- Report information of potential fraud, waste or abuse to local conservation district and NRCS state conservationist.

Designated Technical Representative

- Have a minimum one year practical experience in planning, designing, and applying conservation practices
- Assist applicants/participants in developing conservation plans
- Design and layout approved conservation practices
- Determine compliance with standards and specifications
- Certify conservation practice quantities and completion of conservation practices

Section 4
Frequently Asked Questions

FREQUENTLY ASKED QUESTIONS

Question: Does the district need to set a completion date for each signed Performance Agreement?
Answer: Yes, the Commission suggests 90-120 days.

Question: Can an extension of time be given to participants to complete construction of their approved practice?
Answer: Yes. This requires district board action and recording in district board meeting minutes. All time extensions must be requested in writing.

Question: Are conservation districts required to participate in the Conservation Cost-Share Program?
Answer: No. The Program is voluntary.

Question: Who can sign documents associated with the Cost-Share Program?
Answer: The authorized district representative. The authorized district representative must be a district board member. Any board member making application in the program cannot serve as the authorized district representative. It cannot be a district employee. Board action is required to designate the authorized district representative.

Question: Can an applicant apply for more than one practice in the same program year?
Answer: Yes. The applicant <u>cannot</u> receive a combined amount that exceeds the districts established maximum cost-share amount allowed for each participant.

Question: Can district directors participate in the Conservation Cost-Share Program?
Answer: Yes. Effective November 1, 1999 conservation district directors are eligible to participate in the Program. Any board member making application must immediately remove himself from any and all discussions and votes on Program items and the following guidelines must be followed.

- Only two conservation district board members in any single conservation district shall participate in the Program in any single program year.
- Individual district board members applying cannot discuss any element of the Program including but not limited to practices, rates, average costs, selection criteria, application approval/disapprovals, cost-share payments, and extensions.
- Individual district board members applying for the Program must abstain from voting on all elements of the Program.
- Individual district board members cannot use their position as a conservation district board member to improve or elevate their individual chances of becoming a successful applicant.

Question: When is the monthly report due in the Commission office?
Answer: The 5th of each month.

Question: What cost-share related actions does the district board need to take action on in a district board meeting?

Answer: Making and recording in the board meeting minutes the decision to:

- Schedule and conduct a locally led meeting.
- Participate in the current program year.
- Send suggested conservation practices to OCC.
- Are local board members allowed to make application in the Program?
- Designate the authorized district representative.
- Designate the technical representative.
- Request a conservation practice special request, in writing, from the OCC.
- Select local program year conservation practices from the OCC approved Program year guidelines.
- Set local cost-share average costs for selected practices from the OCC approved program year guidelines.
- Set cost-share rate from the OCC approved program year guidelines.
- Setting minimum and maximum cost-share payment amount from the OCC approved program year guidelines.
- Request a cost-share average cost variance, in writing, from the OCC.
- Establishing specific eligibility and selection criteria/priority system that will be used by the district to select successful applicants.
- Set the application period.
- Select the specific dates and places your district will advertise the program locally.
- Selecting successful applications using the eligibility and selection criteria/priority system approved by the district board.
- Establish a completion date for each performance agreement.
- Establish a cost-share rate for each performance agreement.
- Establish a maximum cost-share payment for each performance agreement.
- Establish a policy for amending a performance agreement.
- Establish an appeals process policy. Review and act on appeals filed.
- Establish a policy for cancellation of performance agreements.

Question: Can district employees participate in the Conservation Cost-Share Program?

Answer: No. By Oklahoma Conservation Commission policy Conservation Commissioners, Conservation Commission staff, conservation district employees or the spouses of any of these people shall not be eligible to participate in the Conservation Cost-Share Program?

Question: Can the district board request additional cost-share funds, which exceed their initial allocation?

Answer: Yes. The request must be in writing and must be made prior to the end of the allocation period. Additional cost-share funds will be given according to a process established by the Commission only if funds are available.

Question: When is the performance agreement effective?

Answer: On the date of the last signature.

Question: What documentation must be attached to the district′s cost-share claim?
Answer: For each agreement listed on the claim the following back-up documentation must be attached:

- Invoices (contractor or in-kind from participant) **must** contain the following information: vendor name, date of purchase, purchaser's name (the purchaser should be the cost-share participant), and materials or services purchased
- Certification of Completion
- copy of participant′s Performance Agreement
- calculation sheet that indicates how the cost-share payment was calculated

Question: Are applicants required to have an email address?
Answer: No.

Question: Can an applicant start work prior to an effective performance agreement being in place?
Answer: No

Question: When can a performance agreement be canceled?
Answer: A Performance Agreement can be canceled in the following ways.

- By notification in writing from the participant with board action following.
- By the district board if the conservation practice is not completed as required by the Performance Agreement.
- By the district board if it is discovered that information provided by the participant in the application and/or Performance Agreement is false.

Question: What needs to be in the case file?
Answer: The following items should be in each participant's case file.

- approved application for allocated funds
- copy of estimated cost sheet
- a reference to the approved conservation plan
- performance agreement
- amendments to performance agreement
- maintenance agreement
- amendments to maintenance agreement
- certifications of conservation practice quantities and cost
- vouchers, bills, or receipts
- copies of any approved cost-share payment claims
- any receipts of payment
- consent form (if applicable)
- release of warrant
- any correspondence to and from the participant (successful applicant letter, cancellation letter, payment transmittal letter, etc.)
- any notes of relevant conversations with the participant (phone calls made to remind them of upcoming completion date, scheduling site visits with technical representative, etc.)

Question: Can monthly reports be faxed or emailed to the Commission?
Answer: Yes

Question: Can districts sell grass seed to a cost-share participant to be used on an approved practice?
Answer: Yes. As long as the participant has a choice of where he purchases his grass seed. Purchasing the grass seed from the district cannot be a condition for getting approved for cost-share.

Question: Are associate directors eligible to participate in the cost-share program?
Answer: Yes, however the district board does have the option of making associate directors in their district ineligible.

Question: Can a participant use in-kind contributions as part of his share of the cost of constructing a practice?
Answer: Yes. Documentation is required with the claim. Statements of in-kind service and materials for cost-share work **<u>must</u>** contain the following information:

- date of purchase (under no circumstances should dates be altered)
- purchaser's name (**The purchaser must be the cost-share participant.)**
- materials or services purchased

Question: By what date must the district obligate all cost-share funds?
Answer: All district cost-share funds must be allocated by the end of the allocation period set forth in the guidance provide by the Commission.

Question: What are the eligibility requirements to participate in the Conservation Cost-Share Program?
Answer: The following are the eligibility requirements as stated in the Rules

- Be a district cooperator.
- Provide a social security number or federal employee identification number.
- Have an approved conservation plan.

Question: Can the district establish additional eligibility requirements to participate in the Conservation Cost-Share Program in their district?
Answer: Yes

Question: How long do we retain case files?
Answer: Unsuccessful applicant files should be retained until the end of the program year. Successful applicant case files should be retained for 3 years after the end of the program year.

Question: Do I need to send every cost share participant I paid with a district check a 1099-MISC form?
Answer: You are only required to prepare a 1099-MISC form for cost share participants that your district paid $600 or more during the calendar year.

Question: When are the 1099-MISC forms due to the recipient?
Answer: 1099-MISC forms are due to the recipient by January 31st each year.

Question: When are the 1096 forms due to the IRS?
Answer: 1096 forms are due to the IRS by February 28th each year.

Section 5

Forms

Example Correspondence

Checklists

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
DIRECTOR PARTICIPATION

The ______________________ Conservation District voted at their ______________________ board meeting to

☐ allow

☐ not allow

local board members to apply for Cost-Share Program Year ______________________ .

District board member(s) that will be making application are

1. ______________________

2. ______________________

A copy of your district's completed form is required to be on file in the Conservation Commission office.

EXAMPLE OCC (10/2014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
DIRECTOR PARTICIPATION

The __#1 Greater Tuna__ Conservation District voted at their #2 January 5, 2015 board meeting to

#3 [√] allow

[ ] not allow

local board members to apply for Cost-Share Program Year __#4 7__.

District board member(s) that will be making application are

1. __#5 Albert Bell
2. ____Cathy Dixon

A copy of your district's completed form is required to be on file in the Conservation Commission office.

DIRECTOR PARTICIPATION
INSTRUCTION SHEET

Each conservation district participating in the Conservation Cost-Share Program must complete the Director Participation form each program year. A copy of your district's completed form is required to be on file in the Conservation Commission office.

The numbers below correspond to numbers appearing on the completed example Director Participation form.

1. Enter the conservation district name.
2. Enter the date of the district board meeting in which board action was taken.
3. Check the appropriate box. Did your district board allow or not allow local conservation district board members to make application in the current program year?
4. Enter the program year number.
5. Enter the names of individual board members that will be making application in the current program year.

Board members that do not list their name on this form are not allowed to make application in the current program year.

OCC (10/2014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
COST-SHARE APPLICATION

Conservation District ________________________________

Name ________________________________

Address ____________________ City ____________________ State ______ Zip ______

Phone Number ____________________ Email ____________________

☐ I am a United States citizen. OR ☐ I am a qualified alien under federal Immigration and Naturalization Act, and I am lawfully present in the United States.

Do you have an approved conservation plan? ☐ Yes No ☐

Do you have a district cooperator agreement? ☐ Yes No ☐

For which conservation practice(s) are you applying?

____

County where practice(s) will be constructed. ____________________

Legal description where practice(s) will be constructed. ____________________

Do you own or rent this land? ☐ Own Rent ☐

If you are not the landowner, provide a properly executed consent form from the owner(s) of the land and file it with this application.

I understand this application does not obligate the applicant or the Conservation District to enter into a contract. I am not an Oklahoma Conservation Commission commissioner or employee, conservation district employee or the spouse of any of these people mentioned above. To the best of my knowledge, the information on this application is correct.

Applicant Signature ____________________ Date ____________________

Failure to provide correct, complete information will result in the withholding or withdrawal of financial assistance.

FOR OFFICE USE ONLY	
Verification of Cooperator Agreement	Verification of Conservation Plan
FSA Farm Number	FSA Tract Number
Date Reviewed by Conservation District Board	

EXAMPLE OCC (10/2014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
COST-SHARE APPLICATION

Conservation District **#1 Greater Tuna**			
Name **#2 Petey Fisk**			
Address **#3 Rt 1 Box 1**	City **#4 Sooner**	State **#5 OK**	Zip **#6 71111**
Phone Number **#7 405-111-1111**	Email **#8 pfisk@me.com**		
☐ I am a United States citizen. **#9 citizen or alien** OR ☐ I am a qualified alien under federal Immigration and Naturalization Act, and I am lawfully present in the United States.			
Do you have an approved conservation plan? ☐ Yes ☐ No **#10** Do you have a district cooperator agreement? ☐ Yes ☐ No **#11**			
For which conservation practice(s) are you applying? **#12 pond**			
County where practice(s) will be constructed. **#13 SE ¼ SE ¼ T1N R1W**	Legal description where practice(s) will be constructed. **#14 Tuna**		
Do you own or rent this land? **#15** ☐ Own ☐ Rent If you are not the landowner, provide a properly executed consent form from the owner(s) of the land and file it with this application.			

I understand this application does not obligate the applicant or the Conservation District to enter into a contract. I am not an Oklahoma Conservation Commission commissioner or employee, conservation district employee or the spouse of any of these people mentioned above. To the best of my knowledge, the information on this application is correct.

Applicant Signature **#16 Petey Fisk** Date **#17 1-22-15**

Failure to provide correct, complete information will result in the withholding or withdrawal of financial assistance.

FOR OFFICE USE ONLY	
Verification of Cooperator Agreement	Verification of Conservation Plan
FSA Farm Number	FSA Tract Number
Date Reviewed by Conservation District Board	

APPLICATION
INSTRUCTION SHEET

The Application must be completed by anyone wanting to participate in the Conservation Cost-Share Program.

The numbers below correspond to numbers appearing on the completed example Application form.

1. Enter the conservation district name.
2. Enter the applicant’s legal name.
3. Enter the applicant’s mailing address.
4. Enter the applicant’s city.
5. Enter the applicant’s state.
6. Enter the applicant’s zipcode.
7. Enter the applicant’s phone number and/or cell number.
8. Enter the applicant’s e-mail address.
9. Is the applicant a United States citizen or qualified alien? Yes or no answer.
10. Does the applicant have an active conservation plan? Yes or no answer.
11. Does the applicant have an active cooperator agreement? Yes or no answer.
12. Enter the conservation practice(s) name. The practice must be on the district’s approved list.
13. Enter the county where the land is located.
14. Enter the legal description where the conservation practice(s) will be constructed.
15. Does the applicant own or rent? Choose one. If the applicant is not the owner of the land a properly executed Consent form must be attached to the application prior to your district board’s consideration.
16. Applicant’s signature. Stamped signatures are unacceptable.
17. Enter the date signed by the applicant.

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
CONSENT

Owner's Name					
Owner's Address		City		State	Zip
Owner's Phone Number		Owner's Email			
Legal description where the practice(s) is to be constructed.					
Applicant's Name					

I, owner of the property listed above, do hereby grant the property renter the right to enter into the Conservation Cost-Share Program for ______________________ conservation practice(s).

☐ I, the owner, agree to pay the difference not covered by the Conservation Cost-Share Program.

☐ The renter agrees to pay the difference not covered by the Conservation Cost-Share Program.

Land Owner

Applicant

Date

Date

EXAMPLE

OCC (10/2014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
CONSENT

Owner's Name **#1 R R Snavely**			
Owner's Address **#2 Rt 2 Box 22**	City **#3 Tuna**	State **#4 OK**	Zip **#5 73111**
Owner's Phone Number **#6 405-222-2222**	Owner's Email **#7 rrsnavely@aol.com**		
Legal description where the practice(s) is to be constructed. **#8 SE ¼ SE ¼ T1N R1W**			
Applicant's Name **#9 Petey Fisk**			

I, owner of the property listed above, do hereby grant the property renter the right to enter into the Conservation Cost-Share Program for **#10 pond** conservation practice(s).

#11

- ☐ I, the owner, agree to pay the difference not covered by the Conservation Cost-Share Program.
- ☑ The renter agrees to pay the difference not covered by the Conservation Cost-Share Program.

#12 R R Snavely

Land Owner

#13 1-23-15

Date

#14 Petey Fisk

Applicant

#15 1-23-15

Date

CONSENT
INSTRUCTION SHEET

The Consent will ensure that the applicant, if not the owner of the land on which the conservation practice(s) is to be constructed, is authorized to participate in the Conservation Cost-Share Program.

The Consent form is only required if the applicant is not the owner of the land. It is <u>not required</u> for applicants that own the land where the practice is to be constructed.

The Consent becomes effective when both parties have signed and dated it. The Consent must be effective prior to your district board considering the application for approval.

The numbers below correspond to numbers appearing on the completed example Consent.

1. Enter the landowner's name.
2. Enter the landowner's mailing address.
3. Enter the landowner's city.
4. Enter the landowner's state.
5. Enter the landowner's zipcode.
6. Enter the landowner's telephone number or cell phone number
7. Enter the landowner's e-mail address.
8. Enter the legal description of the land where the conservation practice(s) will be constructed.
9. Enter the applicant's name.
10. Enter the conservation practice(s) name the applicant is applying for cost-share assistance on.
11. Check one. Who will be responsible for expenses not covered by cost-share funds? The landowner or renter.
12. Landowner's signature. Stamped signatures are unacceptable.
13. Enter the date signed by the landowner.
14. Applicant's signature. Stamped signatures are unacceptable.
15. Enter the date signed by the applicant.

Agreement No: ____ - ____ - ____ OCC (10/2014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
PERFORMANCE AGREEMENT

This agreement, made and entered into by and between the ____________

Conservation District, hereinafter referred to as District, and ____________

hereinafter referred to as participant.

Part I – Conservation Practice(s) To Be Completed

____

is the conservation practice(s) to be constructed as set forth in the participant's Conservation Plan.

Part II – Stipulations

A. The participant agrees:
1. To perform or have performed all work described in Part I in accordance with conservation practice standards and specifications furnished by the District or the Natural Resources Conservation Service (NRCS).
2. To submit to the District a detailed, itemized statement of costs and copies of contractor's invoices when conservation practice(s) are constructed by a contractor.
3. To submit to the District detailed invoices for participant in-kind contributions.
4. To complete or have completed all work described in Part I on or before ____________.
5. To obtain required permits and approvals prior to the construction of the conservation practice(s).
6. To permit free access to the participant's land for District and NRCS representatives to inspect the conservation practice(s) upon completion.
7. To maintain the conservation practice(s) as outlined in the cost-share Maintenance Agreement for the specified life of the conservation practice(s) at no cost to the District.
8. To accept the District's method of calculating the cost-share payment(s) for completed work.
9. To complete and attach an IRS W-9 Form-Request for Taxpayer Identification Number and Certification.

B. The District agrees:
1. To provide assistance to the participant to develop a new or revised Conservation Plan that reflects the conservation practice(s) outlined in Part I.
2. To provide specifications and technical assistance for work described in Part I.
3. To provide and pay a cost-share rate of ____ or the lesser of the established District average cost or actual cost to construct the conservation practice(s). Cost-share reimbursement will not exceed ____________.
4. To accept in-kind contributions from the participant for work performed by the participant on approved cost-share conservation practice(s) constructed.

Part III – Signatures

This agreement shall be effective from the last date of signature below. Work can not begin until an effective agreement is signed and dated by the participant and the conservation district.

PARTICIPANT:	CONSERVATION DISTRICT:
____________	____________
Participant Signature	Authorized District Representative Signature
____________	____________
Date	Date Approved by the Board of Directors

☐ Completed W-9 Form Attached

Agreement No: [ ] - [ ] - [ ] #1

OCC (10/2014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
PERFORMANCE AGREEMENT

This agreement, made and entered into by and between the [ ]

Conservation District, hereinafter referred to as District, and [ ]

hereinafter referred to as participant.

Part I – Conservation Practice(s) To Be Completed

[ ]

is the conservation practice(s) to be constructed as set forth in the participant's Conservation Plan.

Part II – Stipulations

A. The participant agrees:

1. To perform or have performed all work described in Part I in accordance with conservation practice standards and specifications furnished by the District or the Natural Resources Conservation Service (NRCS).
2. To submit to the District a detailed, itemized statement of costs and copies of contractor's invoices when conservation practice(s) are constructed by a contractor.
3. To submit to the District detailed invoices for participant in-kind contributions.
4. To complete or have completed all work described in Part I on or before [ ] .
5. To obtain required permits and approvals prior to the construction of the conservation practice(s).
6. To permit free access to the participant's land for District and NRCS representatives to inspect the conservation practice(s) upon completion.
7. To maintain the conservation practice(s) as outlined in the cost-share Maintenance Agreement for the specified life of the conservation practice(s) at no cost to the District.
8. To accept the District's method of calculating the cost-share payment(s) for completed work.
9. To complete and attach an IRS W-9 Form-Request for Taxpayer Identification Number and Certification.

B. The District agrees:

1. To provide assistance to the participant to develop a new or revised Conservation Plan that reflects the conservation practice(s) outlined in Part I.
2. To provide specifications and technical assistance for work described in Part I.
3. To provide and pay a cost-share rate of [ ] or the lesser of the established District average cost or actual cost to construct the conservation practice(s). #6 Cost-share reimbursement will not exceed [ ] .
4. To accept in-kind contributions from the participant for work performed by the participant on approved cost-share conservation practice(s) constructed.

Part III – Signatures

This agreement shall be effective from the last date of signature below. Work can not begin until an effective agreement is signed and dated by the participant and the conservation district.

PARTICIPANT:

[ ]

Participant Signature

[ ]

Date

#10

☐ Completed W-9 Form Attached

CONSERVATION DISTRICT:

[ ]

Authorized District Representative Signature

[ ]

Date Approved by the Board of Directors

PERFORMANCE AGREEMENT
INSTRUCTION SHEET

The Performance Agreement is a written contract between the participant and conservation district wherein the participant agrees to construct conservation practices for which obligated funds are being paid. Funds become obligated when the Performance Agreement has been signed and dated by both parties.

It is the district's responsibility to review the Performance Agreement with the participant and answer any questions they may have. Be able to explain to the participant the district's method of calculating cost-share payments. Point out the date that the participant has to complete the construction of the practice(s). Explain to the participant that they will receive a 1099 form for payments received under the Conservation Cost-Share Program.

The Performance Agreement is effective from the last date of signature. Work cannot begin until an effective agreement is signed and dated by the participant and the conservation district.

The numbers below correspond to numbers appearing on the completed example Performance Agreement.

1. Assign a Performance Agreement number. This is an eight digit number.
   The first 2 digits are the conservation district number.
   The next 3 digits are the program year number. This number is assigned by the Commission.
   The last 3 digits identify individual participants and are assigned by the district.
2. Enter the conservation district name.
3. Enter the participant name.
4. Enter the conservation practice(s) name approved for this participant.
5. Enter the established completion date to construct the conservation practice(s) the participant has been approved for by your district. The completion date cannot exceed the program year ending date established in the Commission approved program year guidelines. The established completion date is determined by the district board and requires board action.
6. Enter the cost-share rate. Cost-share rate is the percentage of the total cost of constructing an approved cost-share conservation practice that will be paid by public funds. The percentage approved for each conservation practice cannot exceed the percentage established in the Commission approved program year guidelines. This percentage is determined by the district board and requires board action.
7. Enter the maximum cost-share payment amount that the district board has authorized for each participant. The amount cannot exceed the range established in the Commission approved program year guidelines. This amount is determined by the district board and requires board action.
8. Participant's signature. Stamped signatures are unacceptable.
9. Enter the date signed by the participant.
10. A W-9 form must be attached to the Performance Agreement. Check the box indicating a W-9 form is attached. The participant will receive a 1099 form for payments received under this Program. Any payments received under the Conservation Cost-Share Program are considered income to the recipient.
11. Authorized district representative signature. The authorized district representative must be a district director. District directors making application in the program cannot serve as the authorized district representative. Stamped signatures are unacceptable.
12. Enter the date signed by the authorized district representative.

Form **W-9**
(Rev. August 2013)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

#1
Name (as shown on your income tax return)
Petey Fisk

Business name/disregarded entity name, if different from above

#2
Check appropriate box for federal tax classification:
☑ Individual/sole proprietor ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ ______

☐ Other (see instructions) ▶

Exemptions (see instructions):
Exempt payee code (if any) ______
Exemption from FATCA reporting code (if any) ______

#3
Address (number, street, and apt. or suite no.)
Rt 1 Box 1

City, state, and ZIP code
Sooner OK 71111

Requester's name and address (optional)

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

#4

Social security number
1 0 0 – 1 0 – 1 0 1 0

Employer identification number
 –

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here | **Signature of U.S. person ▶** Petey Fisk #5 | **Date ▶** 2/10/15 #6

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. The IRS has created a page on IRS.gov for information about Form W-9, at *www.irs.gov/w9*. Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

FORM W-9
INSTRUCTION SHEET

Form W-9 must be attached to the participant's Performance Agreement. The W-9 information will be used by the district to prepare the participant's 1099-MISC form.

The numbers below correspond to numbers appearing on the completed example Form W-9.

1. Enter the participant's name.
2. Check the appropriate box for the participant's federal tax classification.
3. Enter the participant's complete mailing address.
4. Enter the participant's social security number or employer identification number.
5. Participant's signature. Stamped signatures are not acceptable
6. Enter the date signed by the participant.

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
MAINTENANCE AGREEMENT

It is hereby recognized and agreed that the construction of

conservation practice(s) will be maintained as designed and constructed for a minimum of years. The undersigned participant hereby assumes all responsibility for maintenance of the treated areas in a manner which will serve the above purpose. The participant will protect the constructed conservation practice from damage and make minor repairs as necessary. Should the participant choose to remove or destroy the conservation practice before the end of its life span, the participant will be expected to repay a prorated amount of the cost-share back to the conservation district. Destruction of a conservation practice(s) by an act of nature is exempt from this provision. The participant also agrees to permit free access to the participants land for District and NRCS representatives to inspect maintenance of the conservation practice(s) for the life span of the conservation practice(s). The

Conservation District agrees to make available the needed technical assistance to assist the participant in making sound maintenance decisions.

Participant Signature

Date

EXAMPLE

Agreement No.: **#1 00 - 016 - 001** OCC (10/2014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
MAINTENANCE AGREEMENT

It is hereby recognized and agreed that the construction of **#2 Pond** conservation practice(s) will be maintained as designed and constructed for a minimum of **#3 10** years. The undersigned participant hereby assumes all responsibility for maintenance of the treated areas in a manner which will serve the above purpose. The participant will protect the constructed conservation practice from damage and make minor repairs as necessary. Should the participant choose to remove or destroy the conservation practice before the end of its life span, the participant will be expected to repay a prorated amount of the cost-share back to the conservation district. Destruction of a conservation practice(s) by an act of nature is exempt from this provision. The participant also agrees to permit free access to the participants land for District and NRCS representatives to inspect maintenance of the conservation practice(s) for the life span of the conservation practice(s). The **#4 Greater Tuna** Conservation District agrees to make available the needed technical assistance to assist the participant in making sound maintenance decisions.

#5 Petey Fisk
Participant Signature

#6 5 - 22 - 15
Date

MAINTENANCE AGREEMENT
INSTRUCTION SHEET

The Maintenance Agreement is a written agreement between the participant and conservation district wherein the participant agrees to maintain the constructed conservation practices for a period of time established by the conservation district and outlined in the applicable conservation plan.

The numbers below correspond to numbers appearing on the completed example Maintenance Agreement.

1. Enter the participant's Performance Agreement number.
2. Enter the name of conservation practice(s) to be maintained.
3. Enter the number of years the conservation practice(s) will be maintained.
4. Enter the conservation district name.
5. Participant's signature. Stamped signatures are unacceptable.
6. Enter the date signed by the participant.

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
CERTIFICATE OF COMPLETION AND ACCEPTANCE

Conservation District		
Performance Agreement Number		
Conservation Practice Name and Number		
Effective Date of Performance Agreement (Last date of signature appearing on Performance Agreement.)		
Established Completion Date (Part II A 4 on Performance Agreement)		
Date Conservation Practice Construction Completed		
Legal Description of Conservation Practice Constructed		

I CERTIFY: That the participant has submitted a sworn affidavit as evidence that all labor, materials, and other charges have been paid in accordance with the terms of the Performance Agreement; and that all records and documents required by the Conservation District have been submitted. Based upon this information, the Performance Agreement is hereby accepted as completed.

Authorized District Representative Signature

Date

I CERTIFY: That the conservation practice has been satisfactorily completed in accordance with the applicable NRCS conservation practice standards and specifications as described in the Performance Agreement.

Designated Technical Representative Signature

Date

EXAMPLE OCC (102014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
CERTIFICATE OF COMPLETION AND ACCEPTANCE

Conservation District	#1 Greater Tuna	
Performance Agreement Number	#2 00-016-001	
Conservation Practice Name and Number	#3 pond 512	Critical area planting 342
Effective Date of Performance Agreement (Last date of signature appearing on Performance Agreement.)	#4 2/10/15	2/10/15
Established Completion Date (Part II A 4 on Performance Agreement)	#5 6/1/15	6/1/15
Date Conservation Practice Construction Completed	#6 5/22/15	5/22/15
Legal Description of Conservation Practice Constructed	#7 SE¼ SE¼ 8T1NR1W	SE¼ SE¼ 8T1NR1W

I CERTIFY: That the participant has submitted a sworn affidavit as evidence that all labor, materials, and other charges have been paid in accordance with the terms of the Performance Agreement; and that all records and documents required by the Conservation District have been submitted. Based upon this information, the Performance Agreement is hereby accepted as completed.

#8 Elmer Watkins
Authorized District Representative Signature

#9 5 - 23 - 15
Date

I CERTIFY: That the conservation practice has been satisfactorily completed in accordance with the applicable NRCS conservation practice standards and specifications as described in the Performance Agreement.

#10 Joe Bob Lipsey
Designated Technical Representative Signature

#11 5 - 22 - 15
Date

CERTIFICATE OF COMPLETION AND ACCEPTANCE INSTRUCTION SHEET

The Certificate of Completion and Acceptance will ensure that the participant has completed construction of the conservation practice(s) in accordance with the Performance Agreement.

This form must accompany the participant's claim for cost-share payment.

The numbers below correspond to numbers appearing on the completed example Certificate of Completion and Acceptance.

1. Enter the conservation district name.
2. Enter the participant's Performance Agreement number.
3. Enter the conservation practice name and number.
4. Enter the effective date of the Performance Agreement. This is the last date of signature.
5. Enter the established completion date to construct the conservation practice(s). This date must be the same as Part II A 4 of the Performance Agreement. This date should include all approved completion date time extensions.
6. Enter the date construction of the conservation practice(s) was completed.
7. Enter the legal description of the land where the conservation practice(s) was constructed.
8. Authorized district representative's signature. Stamped signatures are unacceptable
9. Enter the date signed by the authorized district representative.
10. Designated technical representative's signature. Stamped signatures are unacceptable.
11. Enter the date signed by the designated technical representative.

COST-SHARE PAYMENT CALCULATION SHEET

Conservation District	
Participant's Name & Agreement #	

	Conservation Practice						
1	Conservation practice units completed						
2	Average cost (unit cost)						
3	Cost-share rate (percentage)	0%	0%	0%	0%	0%	0%
4	**Calculated total (line 1 x line 2 x line 3)**				$0.00	$0.00	$0.00
5	**Maximum cost-share payment amount (Refer to Part II B 3 of the Performance Agreement)**						
6	Actual total cost of installing the conservation practice (all invoices)						
7	Cost-share rate (percentage)	0%	0%	0%	0%	0%	0%
8	**Calculated total (line 6 x line 7)**		$0.00				

TOTAL AMOUNT OF COST-SHARE PAYMENT
(lesser of line 4, 5, or 8)

EXAMPLE

OCC (10/2014)

COST-SHARE PAYMENT CALCULATION SHEET

Conservation District **#1 Greater Tuna**

Agreement # **#2 00 - 016 - 001**

MULTIPLE PRACTICE CALCULATION

	Column #1	Column #2			
Conservation Practice number/component	#3 pond	Critical area planting			
1.Conservation practice units completed	#4 1200 acres	1 acre			
2.Average cost (unit cost)	#5 $2.07/acre	$186.95/acre			
3.Cost-share rate (percentage)	#6 60%	60%			
4.**Calculated total (1 X 2 X 3)**	#7 $1,490.40	$112.17	Row #4		
5.Maximum cost-share payment amount (Refer to Part II B 3 of the Performance Agreement.)	#8 $3,000		Row #5		
6.Actual total cost of installing the conservation practice (all invoices)	#9 $3000	$150			
7.Cost-share rate (percentage)	#10 60%	60%			
8.**Calculated total (6 X 7)**	#11 $1800	$90	Row #8		

TOTAL AMOUNT OF COST-SHARE PAYMENT (lesser of line 4, 5, or 8) **#12 $1,580.40**

How to determine the Total Amount of Cost-Share Payment.

Step 1 Compare column #1, row #4 to column #1, row #8 – the lesser amount is $1,490.40.
Step 2 Compare column #2, row #4 to column #2, row #8 – the lesser amount is $90.
Step 3 Add $1,490.40 and $90 – the total is $1,580.40.
Step 4 Compare $1,580.40 to column #1, row #5 – the lesser amount is $1,580.40. The total cost-share payment for this participant will be $1,580.40.

COST-SHARE PAYMENT CALCULATION SHEET INSTRUCTION SHEET

The Cost-Share Payment Calculation Sheet should be used to calculate amount of the cost-share payment to each participant. This form must accompany the participant's claim for cost-share payment. Each component of each practice must be calculated separately. When determining the appropriate cost-share amount to pay you must consider 3 different amounts. They are:

1) the calculated total (district average cost calculation) – line 4 on the calculation sheet
2) maximum cost-share payment amount – line 5 on the calculation sheet
3) the calculated total (actual cost calculation) – line 8 on the calculation sheet

After calculating these 3 amounts the cost-share payment will be the lesser of the three amounts. Refer to Part II B 3 of the Performance Agreement.

The numbers below correspond to numbers appearing on the completed Cost-Share Payment Calculation Sheet example.

1. Enter the conservation district name.
2. Enter the participant's Performance Agreement number.
3. Enter the conservation practice number. A calculation must be completed for each practice.
4. Enter the conservation practice units completed. For example: the number of cubic yards or number of acres.
5. Enter the average cost for completing the conservation practice component. Refer to Section IV of the State Guidelines for the Conservation Cost-Share Program.
6. Enter the established districtcost-share rate. Refer to Part II B 3 of the Performance Agreement.
7. Line 4 - Calculate this amount by **multiplying** the practice units completed, average cost, and cost-share rate.
8. Line 5 - Enter the maximum cost-share payment amount. Refer to Part II B 3 of the Performance Agreement.
9. Enter the actual total cost of constructing the conservation practice component. This amount will be the total of all invoices submitted by the participant for each component. This amount must be calculated by component.
10. Enter the established district cost-share rate. Refer to Part II B 3 of the Performance Agreement.
11. Line 8 - Calculate this amount by **multiplying** the actual total cost of constructing the conservation practice and cost-share rate.
12. Enter the **lesser amount of lines 4, 5, or 8** on the calculation sheet. This will be the amount of cost-share payment to the participant. If you have multiple columns take the lesser amount for each column.

OSF Form 3
(Revised 10/03)

STATE OF OKLAHOMA
Notarized Claim Voucher
And
Disbursement of Payroll Withholdings

CLAIM OF:

ALT. NAME:

Vend I.D.: LOC.:

TOTAL CLAIM AMOUNT	**AGENCY BUSINESS UNIT**	**CLAIM VOUCHER NO.**	**WARRANT NO.**

Agency, Board, Comm., Dept.:

ASSIGNMENT SECTION

ASSIGNEE:

Vend I.D.: LOC.:

I hereby assign this claim to the above assignee and authorize the State Treasurer to issue a warrant in payment to said assignee.

Claimant Date

OSF - AUDITED BY:

FOR AGENCY USE:

ORDER NO.	AMOUNT	OBJECT ACCOUNT	OBJECT SUB-ACCT	FUNDING CLASS	ACT/SUB DEPT	BUDGET REF YR	CFDA CHARTFIELD	PROGRAM	PROJECT	OPER UNIT	RESERVED	RESERVED
TOTAL												

DATE	ITEM	QUANTITY	ARTICLE	UNIT PRICE	AMOUNT CLAIMED	OBJECT ACCOUNT

THE SECTION BELOW IS NOT REQUIRED FOR WITHHOLDING PAYMENTS-EXCEPT FOR WITHHOLDING REFUNDS

TOTAL AMOUNT APPROVED $

The undersigned contractor, vendor, individual, or duly sworn agent, of lawful age, upon oath says that this claim is true and correct. Affiant further states that the work, services, or materials as shown by this claim have been completed or supplied in accordance with the plans, specifications, orders, requests, and all other terms of the contract. Affiant also states that any refunds represented by this payment are due. (NOTE: Claimant signature only for payroll wihholding refunds.

Claimant

State of ____________ County of ____________

Subscribed and sworn before me ________ , ________

Notary Public (or Clerk or Judge)

My Commission expires ________ , ________

I hereby approve this claim for payment and certify it complies with the purchasing laws of this State. And as appropriate, with the payroll wihholding rules and regulations of this State.

Agency's Approving Officer

Title Date

OSF Form 3
(Revised 10/03)

STATE OF OKLAHOMA
Notarized Claim Voucher
And
Disbursement of Payroll Withholdings

CLAIM OF: #1 Greater Tuna Conservation District

ALT. NAME:

Vend I.D.: LOC.:

#5 $2,580.40			
TOTAL CLAIM AMOUNT	AGENCY BUSINESS UNIT	CLAIM VOUCHER NO.	WARRANT NO.

Agency, Board, Comm., Dept.:

OSF - AUDITED BY:

FOR AGENCY USE:

ASSIGNMENT SECTION

ASSIGNEE: ______

Vend I.D.: ______ LOC.: ______

I hereby assign this claim to the above assignee and authorize the State Treasurer to issue a warrant in payment to said assignee.

______ Claimant Date

ORDER NO.	AMOUNT	OBJECT ACCOUNT	OBJECT SUB-ACCT	FUNDING CLASS	ACT/SUB DEPT	BUDGET REF YR	CFDA CHARTFIELD	PROGRAM	PROJECT	OPER UNIT	RESERVED	RESERVED
TOTAL												

DATE	ITEM	QUANTITY	ARTICLE	UNIT PRICE	AMOUNT CLAIMED	OBJECT ACCOUNT
			#2 agreement # 00-016-001		#3 $1,580.40	
			agreement # 00-016-015		$1,000.00	

THE SECTION BELOW IS NOT REQUIRED FOR WITHHOLDING PAYMENTS-EXCEPT FOR WITHHOLDING REFUNDS

TOTAL AMOUNT APPROVED #4 $2,580.40

The undersigned contractor, vendor, individual, or duly sworn agent, of lawful age, upon oath says that this claim is true and correct. Affiant further states that the work, services, or materials as shown by this claim have been completed or supplied in accordance with the plans, specifications, orders, requests, and all other terms of the contract. Affiant also states that any refunds represented by this payment are due. (NOTE: Claimant signature only for payroll wihholding refunds.)

Joe First #6
Claimant

State of oklahoma County of sooner

Subscribed and sworn before me 5/24/2015

Berta Bumiller #7
Notary Public (or Clerk or Judge)

My Commission expires 6/1/2017

I hereby approve this claim for payment and certify it complies with the purchasing laws of this State. And as appropriate, with the payroll wihholding rules and regulations of this State.

______
Agency's Approving Officer

______
Title Date

COST-SHARE CLAIM
INSTRUCTION SHEET

The cost-share claim must be submitted to OCC and the funds received by the district prior to the district issuing a check to the participant.

Each agreement listed on the claim must be accompanied by:

- invoices (contractor or in-kind from participant)
- Certification of Completion and Acceptance
- Performance Agreement
- calculation sheet that indicates how the cost-share payment was calculated
- Consent form, if applicable

The numbers below correspond to numbers appearing on the completed cost-share payment claim example.

1. CLAIM OF: Enter the district name.

2. ARTICLE: Enter the agreement number.

3. AMOUNT CLAIMED: Enter the amount claimed for each agreement listed.

4. TOTAL AMOUNT APPROVED: Enter the total amount approved for all agreements listed.

5. TOTAL AMOUNT CLAIMED: Enter the total amount claimed for all agreements listed.

6. CLAIMANT: District board chair's signature. Stamped signatures are not acceptable.

7. NOTARY: Notary signature, information and stamp.

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
RELEASE OF WARRANT

Conservation District	
Agreement Number	

For and in consideration of this warrant, receipt of which is hereby acknowledged, I do hereby remise, release, and discharge the Conservation District from any and all actions, which I ever had, now have, or may have, on account of or in any way arising from the Conservation Cost-Share Program.

☐ Warrant was delivered in person.

☐ Warrant was delivered by mail.

Participant Signature

Date

I have witnessed the acceptance of the warrant and execution of the release by the above-named participant.

Witness Signature

Date

EXAMPLE

OCC (10/2014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
RELEASE OF WARRANT

Conservation District	**#1 Greater Tuna**
Agreement Number	**#2 00 - 016 - 001**

For and in consideration of this warrant, receipt of which is hereby acknowledged, I do hereby remise, release, and discharge the Conservation District from any and all actions, which I ever had, now have, or may have, on account of or in any way arising from the Conservation Cost-Share Program.

#3 ☑ Warrant was delivered in person.

☐ Warrant was delivered by mail.

#4 Petey Fisk
Participant Signature

#5 7 - 14 - 15
Date

I have witnessed the acceptance of the warrant and execution of the release by the above-named participant.

#6 Bertha Bumiller
Witness Signature

#7 7 - 14 - 15
Date

RELEASE OF WARRANT
INSTRUCTION SHEET

The Release of Warrant will ensure that the participant received the warrant.

The participant can chose to pick the warrant up in person or have the district mail it to them.

<u>If the participant chooses to have the conservation district mail the warrant</u> the form can be signed by the participant at the time they submit a claim for cost-share payment. The conservation district will sign the form when the warrant is mailed to the participant.

<u>If the participant chooses to pick the warrant up in person</u> both parties should complete the form when the warrant is released to the participant. A copy of the completed form must be filed in the participant's case file. The form does not have to be signed by the Authorized District Representative. It does have to be signed by that person responsible for distribution of cost-share payments for the conservation district.

The numbers below correspond to numbers appearing on the completed example Release of Warrant.

1. Enter the conservation district name.
2. Enter the participant's Performance Agreement number.
3. How was the warrant delivered to the participant? Check one: in person or by mail.
4. Participant's signature. Stamped signatures are not acceptable
5. Enter the date signed by the participant.
6. Conservation district witness' signature. Stamped signatures are not acceptable.
7. Enter the date signed by the conservation district witness.

NOTE: If the warrant is delivered in person then the dates for both signatures must match.

Program Year
Report Month
District

OCC (10/2014)

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
MONTHLY REPORT

Allocation Received from OCC $0.00

NOTE: The report should reflect amounts at the close of the last business day of each month. The report is due in the Commission office on the 5th of each month.

Please summarize monthly, the district support hours for the Locally Led Cost-Share Program including time spent in the field, office, and meetings for all district employees and directors.

District Employees Hours District Directors Hours

Check #	Check Date	Participant Name & Agreement Number (SIGNED AGREEMENTS)	Effective Date of the Agreement	Obligated Amount	Cost-Share Payment

Total Obligated Amount $0.00

Total Cost Share Payments Made $0.00

Amount Available to Obligated to Participants $0.00

OCC (10/2014)

Program Year #1 016

Report Month #2 January 2015

District #3 Greater Tuna

EXAMPLE

STATE OF OKLAHOMA
CONSERVATION COST-SHARE PROGRAM
MONTHLY REPORT

Allocation Received from OCC #4 $10,000

NOTE: The report should reflect amounts at the close of the last business day of each month. The report is due in the Commission office on the 5th of each month.

Please summarize monthly, the district support hours for the Locally Led Cost-Share Program including time spent in the field, office, and meetings for all district employees and directors.

#5 6 District Employees Hours

#6 2 District Directors Hours

Check #	Check Date	Participant Name & Agreement Number (SIGNED AGREEMENTS)	Effective Date of the Agreement	Obligated Amount	Cost-Share Payment
#7 101	#8 8/1/15	#9 Petey Fisk 00-016-001	#10 2/10/15	#11 0	#12 $1580.40
		Albert Bell 00-016-002	2/4/15	1,500	0

Total Obligated Amount	$1,500	
Total Cost Share Payments Made		$1,580.40
Amount Available to Obligated to Participants	$6,919.60	

NOTE: The report should reflect amounts at the close of the last business day of each month. The report is due in the Commission office on the 5th day of each month.

9595 ☐ VOID ☐ CORRECTED

EXAMPLE

PAYER'S name, street address, city or town, state or province, country, ZIP or foreign postal code, and telephone no. #1 Greater Tuna Conservation District 111 S Main Sooner OK 71111		1 Rents $	OMB No. 1545-0115 2014 Form 1099-MISC	Miscellaneous Income
		2 Royalties $		
		3 Other income $	4 Federal income tax withheld $	Copy A For Internal Revenue Service Center File with Form 1096.
PAYER'S federal identification number 73-0011000 #2	RECIPIENT'S identification number 100-10-1010 #3	5 Fishing boat proceeds $	6 Medical and health care payments $	
RECIPIENT'S name Petey Fisk #4		7 Nonemployee compensation #5 $ 1,580.40	8 Substitute payments in lieu of dividends or interest $	For Privacy Act and Paperwork Reduction Act Notice, see the 2014 General Instructions for Certain Information Returns.
Street address (including apt. no.) Rt 1 Box 1		9 Payer made direct sales of $5,000 or more of consumer products to a buyer (recipient) for resale ► ☐	10 Crop insurance proceeds $	
City or town, state or province, country, and ZIP or foreign postal code Sooner OK 71111		11	12	
Account number (see instructions)	2nd TIN not. ☐	13 Excess golden parachute payments $	14 Gross proceeds paid to an attorney $	
15a Section 409A deferrals $	15b Section 409A income $	16 State tax withheld $ $	17 State/Payer's state no.	18 State income $ $

Form 1099-MISC Cat. No. 14425J www.irs.gov/form1099misc Department of the Treasury - Internal Revenue Service

Do Not Cut or Separate Forms on This Page — Do Not Cut or Separate Forms on This Page

FORM 1099-MISC
INSTRUCTION SHEET

A Form 1099-MISC must be completed for each participant's that received cost share funds during the calendar year. The information needed to complete the 1099-MISC can be found on the participant's Form W-9.

The numbers below correspond to numbers appearing on the completed example Form 1099-MISC.

1. Enter the district's mailing address.
2. Enter the district's federal identification number.
3. Enter the participant's social security number.
4. Enter the participant's complete mailing address.
5. Enter the amount paid to the participant during the calendar year.

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Form **1096**

Department of the Treasury
Internal Revenue Service

Annual Summary and Transmittal of U.S. Information Returns

OMB No. 1545-0108

2014

FILER'S name

Street address (including room or suite number)

City or town, state or province, country, and ZIP or foreign postal code

For Official Use Only

Name of person to contact	Telephone number
Email address	Fax number

1 Employer identification number	2 Social security number	3 Total number of forms	4 Federal income tax withheld	5 Total amount reported with this Form 1096
			$	$

6 Enter an "X" in only one box below to indicate the type of form being filed.

7 If this is your **final return**, enter an "X" here . . . . . ▶ ☐

W-2G 32	1097-BTC 50	1098 81	1098-C 78	1098-E 84	1098-T 83	1099-A 80	1099-B 79	1099-C 85	1099-CAP 73	1099-DIV 91	1099-G 86	1099-H 71	1099-INT 92	1099-K 10	1099-LTC 93	1099-MISC 95	1099-OID 96
☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

1099-PATR 97	1099-Q 31	1099-R 98	1099-S 75	1099-SA 94	3921 25	3922 26	5498 28	5498-ESA 72	5498-SA 27
☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Return this entire page to the Internal Revenue Service. Photocopies are not acceptable.

Under penalties of perjury, I declare that I have examined this return and accompanying documents, and, to the best of my knowledge and belief, they are true, correct, and complete.

Signature ▶ **Title ▶** **Date ▶**

Instructions

Future developments. For the latest information about developments related to Form 1096, such as legislation enacted after it was published, go to *www.irs.gov/form1096.*

Reminder. The only acceptable method of filing information returns with Internal Revenue Service/Information Returns Branch is electronically through the FIRE system. See Pub. 1220, Specifications for Electronic Filing of Forms 1097, 1098, 1099, 3921, 3922, 5498, 8935, and W-2G.

Purpose of form. Use this form to transmit paper Forms 1097, 1098, 1099, 3921, 3922, 5498, and W-2G to the Internal Revenue Service. Do not use Form 1096 to transmit electronically. For electronic submissions, see Pub. 1220.

Caution. If you are required to file 250 or more information returns of any one type, you must file electronically. If you are required to file electronically but fail to do so, and you do not have an approved waiver, you may be subject to a penalty. For more information, see part F in the 2014 General Instructions for Certain Information Returns.

Who must file. The name, address, and TIN of the filer on this form must be the same as those you enter in the upper left area of Forms 1097, 1098, 1099, 3921, 3922, 5498, or W-2G. A filer is any person or entity who files any of the forms shown in line 6 above.

Enter the filer's name, address (including room, suite, or other unit number), and TIN in the spaces provided on the form.

When to file. File Form 1096 as follows.

- With Forms 1097, 1098, 1099, 3921, 3922, or W-2G, file by March 2, 2015.
- With Forms 5498, file by June 1, 2015.

Where To File

Send all information returns filed on paper with Form 1096 to the following:

If your principal business, office or agency, or legal residence in the case of an individual, is located in	Use the following three-line address
Alabama, Arizona, Arkansas, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Texas, Vermont, Virginia, West Virginia	Department of the Treasury Internal Revenue Service Center Austin, TX 73301

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Form **1096**

Department of the Treasury
Internal Revenue Service

Annual Summary and Transmittal of U.S. Information Returns

OMB No. 1545-0108

2014

FILER'S name

#1 Greater Tuna Conservation District

Street address (including room or suite number)

111 S Main

City or town, state or province, country, and ZIP or foreign postal code

Sooner OK 71111

For Official Use Only

Name of person to contact	Telephone number
#2 Bertha Bumiller	111-333-5555 #3
Email address	Fax number
greatertunacd@conservation.ok.gov #4	

1 Employer identification number	2 Social security number	3 Total number of forms	4 Federal income tax withheld	5 Total amount reported with this Form 1096
#5 73-0011000		1 #6	$	$ 1,580.40 #7

6 Enter an "X" in only one box below to indicate the type of form being filed.

7 If this is your **final return**, enter an "X" here . . . . . ▶ ☐

W-2G 32	1097-BTC 50	1098 81	1098-C 78	1098-E 84	1098-T 83	1099-A 80	1099-B 79	1099-C 85	1099-CAP 73	1099-DIV 91	1099-G 86	1099-H 71	1099-INT 92	1099-K 10	1099-LTC 93	1099-MISC 95	1099-OID 96
☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	X	☐

1099-PATR 97	1099-Q 31	1099-R 98	1099-S 75	1099-SA 94	3921 25	3922 26	5498 28	5498-ESA 72	5498-SA 27
☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

#8

Return this entire page to the Internal Revenue Service. Photocopies are not acceptable.

Under penalties of perjury, I declare that I have examined this return and accompanying documents, and, to the best of my knowledge and belief, they are true, correct, and complete.

Signature ▶ *Bertha Bumiller* #9 **Title** ▶ #10 Secretary **Date** ▶ #11 1/29/16

Instructions

Future developments. For the latest information about developments related to Form 1096, such as legislation enacted after it was published, go to *www.irs.gov/form1096.*

Reminder. The only acceptable method of filing information returns with Internal Revenue Service/Information Returns Branch is electronically through the FIRE system. See Pub. 1220, Specifications for Electronic Filing of Forms 1097, 1098, 1099, 3921, 3922, 5498, 8935, and W-2G.

Purpose of form. Use this form to transmit paper Forms 1097, 1098, 1099, 3921, 3922, 5498, and W-2G to the Internal Revenue Service. Do not use Form 1096 to transmit electronically. For electronic submissions, see Pub. 1220.

Caution. If you are required to file 250 or more information returns of any one type, you must file electronically. If you are required to file electronically but fail to do so, and you do not have an approved waiver, you may be subject to a penalty. For more information, see part F in the 2014 General Instructions for Certain Information Returns.

Who must file. The name, address, and TIN of the filer on this form must be the same as those you enter in the upper left area of Forms 1097, 1098, 1099, 3921, 3922, 5498, or W-2G. A filer is any person or entity who files any of the forms shown in line 6 above.

Enter the filer's name, address (including room, suite, or other unit number), and TIN in the spaces provided on the form.

When to file. File Form 1096 as follows.

- With Forms 1097, 1098, 1099, 3921, 3922, or W-2G, file by March 2, 2015.
- With Forms 5498, file by June 1, 2015.

Where To File

Send all information returns filed on paper with Form 1096 to the following:

If your principal business, office or agency, or legal residence in the case of an individual, is located in	Use the following three-line address
Alabama, Arizona, Arkansas, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Texas, Vermont, Virginia, West Virginia	Department of the Treasury Internal Revenue Service Center Austin, TX 73301

FORM 1096
INSTRUCTION SHEET

The district is required to complete one Form 1096 each calendar year reporting all Form 1099's submitted.

The numbers below correspond to numbers appearing on the completed example Form 1096.

1. Enter the district's mailing address.
2. Enter the name of the district's contact person.
3. Enter the district's telephone number.
4. Enter the district's email address.
5. Enter the district's employer identification number.
6. Enter the total number of forms you are reporting.
7. Enter the total amount you are reporting.
8. Check the appropriate box for the form you are reporting.
9. Signature of the person completing the form.
10. Title of the person completing the form.
11. Date the form was completed.

Example Correspondence

DRAFT NEWS RELEASE

Add local information in the blank areas, edit as necessary for local accuracy, and retype on **district stationery** before submitting to local news media.

FOR IMMEDIATE RELEASE
Date: ______________________

For more information contact: ________________________
_______________________________ Conservation District
Telephone No. ____________________________________

______________________ Conservation District Announces Cost-Share Assistance Available to Benefit Soil and Water

The _______________ Conservation District has announced that funds are available for cost-share assistance on selected conservation practices benefiting soil and water conservation. The State of Oklahoma has provided limited funds to our conservation district to help landowners implement measures that protect soil and water resources.

"The great advantage of the Conservation Cost-Share Program for Oklahoma is that it is a locally-led program," said____________, chairman of the _________________ Conservation District. "Our conservation district, with input from local residents and agricultural producers, selects which of the available conservation practices to provide assistance on."

Conservation practices available for cost-share assistance through the ________________ Conservation District include the following: ____
____.

The percentage of cost-share varies according to the conservation practice to be constructed. The district will be accepting applications from ______________ through _______________. For more information contact the _______________ Conservation District, (   )_________. The district office is located at ____________________________ and office hours are ____________.

DRAFT PROGRAM ANNOUNCEMENT FLYER

Add local information in the blank areas and edit as necessary for local accuracy.

COST-SHARE ASSISTANCE AVAILABLE TO PROTECT SOIL AND WATER

Funds are available for cost-share assistance on ____ conservation practices.

If eligible, a participant may receive up to $________________

Applications are being accepted ___________________ through ______________ at the _____________________________ Conservation District office.

For more information, contact the

_____________________ Conservation District
____
____
Telephone No. __________________________
Office Hours ___________________________

DRAFT LETTER TO UNSUCCESSFUL APPLICANTS

Add local information to the following letter and retype on **district stationery**. You must give a specific reason for your rejection of the application. This letter would be used when the applicant did not meet the eligibility/selection criteria requirements of the Program.

Enter the date.

Enter the unsuccessful applicant's name and address.

Dear ___________________________:

Thank you for your application for conservation cost-share assistance. Based on_______________ ____, we are unable to approve your application.

You do have the right to appeal our board=s decision. The appeal must be written and set forth the basis for the appeal. It must be received in our office within __________ days from the date of this letter.

Please feel free to call the district office if you have any questions. We appreciate your interest in the Conservation Cost-Share Program and hope that you will utilize the other services of our conservation district and Natural Resources Conservation Service.

Sincerely,

Board Chairman

DRAFT LETTER TO SUCCESSFUL APPLICANTS

Add local information to the following letter and retype on **district stationery**.

Enter the Date

Enter the address of the successful applicant.

Dear ________________________:

Thank you for your application for conservation cost-share assistance. We have reviewed and approved your application.

Prior to beginning construction of your approved conservation practice you must sign a Performance Agreement with the district which outlines items to be completed by you, the applicant. Please contact this office by ___________________ to make an appointment to sign your Performance Agreement and schedule the district's technical representative to design and layout the approved conservation practice. Construction of your approved conservation practice cannot begin until a properly executed Performance Agreement is in place.

Please feel free to call the district office if you have any questions. We appreciate your interest in the Conservation Cost-Share Program.

Sincerely,

Board Chairman

DRAFT LETTER TO SUCCESSFUL APPLICANT
Approved as Alternate

Add local information to the following letter and retype on **district stationery**. This letter would be used when the applicant met the eligibility/selection criteria requirements of the Program but because of lack of funds was approved as an alternate.

Enter the date.

Enter the alternate name and address.

Dear ___________________________:

Thank you for your application for conservation cost-share assistance. We have reviewed your application. Based on the number of applications and limited available funds for the Program, we have approved your application as an alternate. If additional funds become available during this program year for cost-share assistance, you will be notified.

Prior to beginning construction of your approved conservation practice you must sign a Performance Agreement with the district which outlines items to be completed by you, the applicant. Please contact this office by ____________________ to make an appointment to sign your Performance Agreement. Construction of your approved conservation practice cannot begin until a properly executed Performance Agreement is in place and you are notified by this office that your agreement has been fully funded.

The State of Oklahoma has provided limited funds to our conservation district for cost-sharing with our cooperators. We recognize there is a great need for financial assistance to landowners to put conservation practices on the ground. Unfortunately, the need far exceeds the amount of funds available for cost-share. We will be working with the Governor and Legislature in an effort to continue the funding for conservation practices and provide more opportunities for conservation assistance. If you would like to see additional funding for this program, please contact your local legislator.

Please feel free to call the district office if you have any questions. We appreciate your interest in the Conservation Cost-Share Program and hope that you will utilize the other services of our conservation district and Natural Resources Conservation Service.

Sincerely,

Board Chairman

DRAFT LETTER TO
RECIPIENT OF COST-SHARE PAYMENT

Add local information to the following letter and retype on **district stationery**.

Enter the date.

Enter the unsuccessful applicant's name and address.

Dear ___________________________:

The ___________________________ Conservation District is pleased to transmit your Cost-Share Program check to you. Your participation in our conservation district's Cost-Share Program is appreciated.

The State of Oklahoma has provided limited funds to our conservation district for cost-sharing with our cooperators. The Conservation Cost-Share Program allows our conservation district to share the expense of conservation practice construction. In order for this Program to continue, additional funding must be approved by the Legislature and Governor during the next legislative session. Please let our board know if you would like to see the Conservation Cost-Share Program continued. As we continue to manage the Program, we would also appreciate your input on how it worked and what can be done to improve the Program. We look forward to hearing from you.

Thanks again for participating in our cost-share program. It is our hope you will continue to utilize the services of our conservation district and Natural Resources Conservation Service.

Sincerely,

Board Chairman

enclosure

Checklists

CHECKLIST OF BOARD ACTION REQUIRED

<u>After</u> current program year guidelines are approved and distributed by OCC and <u>prior</u> to advertising the current program year locally your district board <u>must</u> discuss and vote on items 1-10 listed below. The action taken <u>must</u> be recorded in the board meeting minutes and on this form.

	BOARD ACTION ITEM	DATE	ACTION TAKEN
1	Is your district participating in the current program year? You do not need to send a letter to OCC, simply take action in your board meeting.		
2	Are local board members allowed to make application in the local program? Complete the Director Participation form and return it to OCC. Any board member making application <u>must</u> <u>immediately</u> remove themselves from discussions and votes on program items at this time.		
3	Designate the authorized district representative. <u>Must</u> be a district board member. Any board member making application in the local program is <u>not</u> eligible to serve as the district representative.		
4	Designate the technical representative. <u>Must</u> meet the requirements stated in the Rules.		
5	Review the conservation practices listed in the Program Year Guidelines and approve practices your district will offer locally.		
6	Review and approve the average costs listed in the Program Year Guidelines for the practices your district will offer locally		
7	Establish your district's local cost-share rate (percentage) and maximum cost-share payment amount. Your cost-share rate can't exceed <u>75%</u> and the maximum cost-share payment amount can't exceed <u>$5,000</u> per participant.		
8	Establish specific local eligibility and selection criteria/priority system that will be used to select successful applicants.		
9	Establish your district's application period and how the program will be advertised locally.		
	STOP STOP After the application period has closed your district can proceed to item 10. STOP STOP		
10	Review, rank and approve applications using the eligibility and selection criteria/priority system approved under item 8 above. Board meeting minutes <u>must</u> include the following for <u>each</u> approved participant: agreement number, participant name, practice(s), completion date, cost-share rate, and maximum amount.		

Agreement No.: _____ _____ - _____ _____ _____ - _____ _____ OCC (10/2014)

COST-SHARE
CLAIM CHECKLIST

Multiple completed agreements can be listed on one claim form. For <u>each</u> agreement listed on the claim form the following back-up documents <u>must</u> be attached:

- ☐ Copy of all relevant invoices and/or in-kind statements
- ☐ Copy of Performance Agreement
- ☐ Certification of Completion and Acceptance
- ☐ Payment Calculation Sheet
- ☐ Consent Form (if applicable)
- ☐ All documentation is legible
- ☐ Claim has been signed by the board chair
- ☐ Claim has been notarized

Agreement No.: _____ _____ - _____ _____ _____ - _____ _____ OCC (11/03)

CASE FILE CHECKLIST

☐ 1. Approved application

☐ 2. Copy of estimated cost sheet

☐ 3. A reference to the approved conservation plan, which should include:

- ☐ conservation plan map
- ☐ record of decisions
- ☐ construction permits
- ☐ district cooperator agreement

☐ 4. Performance Agreement (signed and dated by both parties)

☐ 5. Amendments to Performance Agreement

☐ 6. Maintenance Agreement

☐ 7. Amendments to Maintenance Agreement

☐ 8. Certifications of conservation practice quantities and cost

☐ 9. Copies of vouchers, bill, or receipts

☐ 10. Copies of any approved cost-share payment claims and back-up documentation

☐ 11. Any receipts of payment

☐ 12. Consent Form (if applicable)

☐ 13. Release of Warrant Form

☐ 14. Any correspondence to and from the participant (successful applicant, time extensions granted, cancellations, etc)

☐ 15. Any notes of relevant conversations with the participant