

NCDA&CS DSWC	NORTH CAROLINA AGRICULTURE COST SHARE PROGRAMS APPLICATION FOR ASSISTANCE	NC-ACSP-1 06/06/2018 60-2018-001
-----------------	--	--

Name: -, _	Applicant	no
Business: Mecklenburg County	Land Owner	no
Address: 600 E 4th Street, Charlotte, NC , 28202-2816	Third Party	yes
Phone: 980-314-2900 Mobile:	District Supervisor	no
Name: -, _	Applicant	yes
Business: Barger Farms, LLC	Land Owner	no
Address: 1305 Concord Rd, Davidson, NC , 28036-9059	Third Party	no
Phone: 704-728-1862 Mobile:	District Supervisor	no

If applicant is not the landowner, complete landowner information and have all parties sign all forms, or provide a copy of 10 year lease in lieu of landowner signatures.

County	Application Number	Latitude	Longitude	Receiving Waters	Hydrologic Unit	Associated Programs Or Project
MECKLENBURG	60-2018-001	35.486667	-80.820556	W. Branch Rocky R. Trib.	030401050102	NONE

Program	Program Name	Contract Value	Animal Type	Qty
CS	COST SHARE	\$29,964	BEEF	50

Program Information	
Operation / Property Type	Pasture
Directions to proposed site from the office (list major interstates, intersections, and road crossings).	From I-77 take exit 30 - travel east on Griffith st. Turn rt on Main st. Take immediate left on to Concord Rd. Farm is approximately 1.7 miles ahead on left.
Is this applicant eligible for ninety (90) percent cost share assistance?	No
If the answer is “yes”, please identify the criteria that applies. For Limited Resource Farmers and New Farmers, form NC-ACSP-1E must be signed.	

☐ Limited Resource Farmer
☐ New Farmer
☐ Enhanced Voluntary Agriculture District (EVAD)

NORTH CAROLINA AGRICULTURE COST SHARE PROGRAMS
APPLICATION FOR ASSISTANCE

05/25/2018

60-2018-001

Please answer the following questions for ACSP only.

Describe the water quality problem.

Livestock (cattle) have access to the main stream, two tributaries, one online pond and a natural spring.

Describe the proposed treatment and which BMP is needed to address the quality problem.

Exclude livestock from streams, pond and spring and provide alternate water source post restoration (non-cost shared) of main stream .

Describe how the proposed project and/or BMP will improve water quality.

Exclusion of livestock from surface water will decrease bank erosion, sedimentation and fecal contamination.

Has the operation existed for more than three (3) years?

Y

Has the operation expanded in the last three (3) years?

N

If the answer is "yes", please describe the expansion (i.e., land purchase, increase # of animals).

I hereby apply for cost sharing assistance under the North Carolina Agriculture Cost Share Programs. This application does not guarantee cost share approval or obligate the applicant to enter into a cost share agreement. For the purposes of developing and implementing my NCACSP application, I authorize the release of records that are in custody of USDA. I acknowledge that producer, landowner and farm information provided on this NCACSP application and/or accompanying documents, including information and documents received from the USDA, are subject to the North Carolina Public Records Law and may be disclosed to third parties.

* Applicant: Hugh J Barger Jr

Date: 26 May 2018

Approved: _____

District Chair: _____

Date: _____

Approved: _____

N.C. Division of Soil and Water Conservation: _____

Date: _____

Approved: _____

NORTH CAROLINA AGRICULTURE COST SHARE PROGRAMS CLIENT IDENTIFICATION INFORMATION

Statement of Purpose for collecting personal identification information:

The Department of Agriculture and Consumer Services is required to issue a 1099-form to the Internal Revenue Service (IRS) for any individual to whom it issues a check. Because the IRS uses the social security number or Federal Tax ID number as a unique identifier, the Department must collect that information from any individual to whom it issues a check.

The Department does not use the Social Security number or Federal Tax ID number for any purpose other than that stated above.

Complete a separate NC-ACSPs-1P form for each party who will receive payments under the contract.

Please enter a Social Security number or Federal ID number, but do not use both. If it is an individual, use the SSN. If it is a business, use the Federal ID number.

ACSP Contract Number: 60-2018-001

Name: -, _

Business: Mecklenburg County

SSN / FED Tax ID:

Address: 600 E 4th Street

City: Charlotte

State: NC

ZIP: 28202-2816

Signature: _____

SIGN HERE

Date: _____

**NORTH CAROLINA AGRICULTURE COST SHARE PROGRAM
COST SHARE AGREEMENT**

This agreement is entered into on this **25** day of **May, 2018**, by and between the North Carolina Division of Soil and Water Conservation, the **MECKLENBURG** Soil and Water Conservation District and

Barger Farms, LLC (Applicant) of **1305 Concord Rd, Davidson, NC , 28036-9059**

(Landowner) of

hereinafter called "the cooperator(s)". This agreement includes all items contained in the Conservation Plan of Operation (CPO) as referred to in 15A NCAC 6E .0102 (g) for Contract No. **60-2018-001** and covers the period of practice installation up to, but not beyond, the dates indicated on form NC-ACSP-11 (CPO).

THE COOPERATOR(S) AGREES:

- (1) Except as provided in (1)(a) below, I will not begin installation until approval is given by the NC Division of Soil and Water Conservation.
- a. Provided conditions i-iv are met, the cooperator may choose to exercise the option of proceeding with installation of best management practice(s) prior to receiving final approval from the Division of Soil and Water Conservation.
 - i. The total amount of the contract does not exceed thirty-five hundred dollars (\$3500); and
 - ii. The best management practices described in the CPO are solely vegetative in nature; and
 - iii. The cooperator(s) is not a district supervisor; and
 - iv. The cooperator (s) has not used this exception prior to this instance during the program year of the CPO.

Cooperators choosing to exercise this option must initial to acknowledge understanding of each condition below.

HJB I understand that this contract has not been approved by the Division of Soil and Water Conservation and that I am proceeding with project installation at the risk that the Division of Soil and Water Conservation may not approve this contract.

HJB I understand that I will not receive payment for installing practices under this contract until the NC Division of Soil and Water Conservation has approved the contract and the request for payment.

HJB I understand that I may not hold the NC Division of Soil and Water, NC Department of Agriculture and Consumer Services, or the District liable for non-reimbursement of the items below or for the improper installation of the BMP.

**NORTH CAROLINA AGRICULTURE COST SHARE PROGRAM
COST SHARE AGREEMENT**

- (2) To implement the best management practice(s) to the best of his/her ability in compliance with the rules governing this cost share program and according to the attached Conservation Plan of Operation (CPO), which is incorporated herein by reference.
- (3) To complete one-third (1/3) of the installation of the Best Management Practice(s) as described in the attached CPO, as determined by the **MECKLENBURG** Soil and Water Conservation District within the first twelve (12) months following approval of the CPO by the NC Division of Soil and Water Conservation. Failure to comply with this item will result in the immediate termination of this Cost Share Contract. Cooperator(s) may request the **MECKLENBURG** Soil and Water Conservation District to approve a six (6) month extension of this provision to avoid termination of the contract.
- (4) To maintain and continue the cost shared best management practices in the attached CPO for the minimum life set forth by the Soil and Water Conservation Commission. If the cooperator(s) fails to properly maintain or continue the cost shared practices for their intended use for the life of the practice, the cooperator(s) shall repair or reimplement the practice within 30 days (up to one calendar year for vegetative practices) or repay the State of North Carolina a percentage of the cost share payment as set forth in 15A NCAC 6E.
- (5) To soil test at least every two years on benefited acres for the duration of the contract maintenance period. Samples shall be submitted to the NCDACS Agronomic Division (or other acceptable testing facility) and the fertilizer application recommendations followed as closely as reasonably and practically possible.
- (6) As a condition for receiving cost share assistance for waste management systems, to have the waste material analyzed once every year to determine its nutrient content and, if the waste is land applied, to annually submit a soil test sample for analysis of the area of waste application; and to apply the waste as close as reasonably and practically possible to recommended fertilizer rates. If the cooperator(s) fails to have waste and soil analyzed within a prescribed amount of time as specified by the District, the cooperator(s) will repay to the State of North Carolina a percentage of the cost share payment as set forth in 15A NCAC 6E.
- (7) To permit access by Soil and Water Conservation District, Division and Commission representatives at reasonable times to provide technical assistance and to inspect the practices during and after implementation for proper installation, maintenance and continuation.
- (8) To require any person(s) to whom the benefited acres are transferred by sale, lease or other means to sign a statement to maintain and continue the cost shared BMPs for the remaining life of the practice as a condition of the transfer of ownership or control. The cooperator shall give a copy of the agreement to the District. If the cooperator(s) fail to secure such an agreement, the cooperator(s) will repay the State a percentage of the cost share payment as set forth in 15A NCAC 6E.
- (9) To repay the State a percentage of the cost share payment as set forth in 15A NCAC 6E if equipment purchased under this agreement is sold or leased within the maintenance period.
- (10) To not use cost shared equipment as collateral.

**NORTH CAROLINA AGRICULTURE COST SHARE PROGRAM
COST SHARE AGREEMENT**

- (11) For the purposes of developing and implementing my NCACSP contract, I authorize the release of records that are in custody of USDA. I acknowledge that producer, landowner and farm information provided on this NCACSP contract and/or accompanying documents, including information and documents received from the USDA, are subject to the North Carolina Public Records Law, and may be disclosed to third parties.

THE DISTRICT AGREES TO:

- (1) Provide technical assistance for the planning, design, implementation, maintenance, and certification for all best management practices (cost shared and non cost shared) contained in the attached Conservation Plan of Operation (CPO).
- (2) Following District certification that best management practices were properly installed and implemented, provide to the designated cooperators(s) through the North Carolina Division of Soil and Water Conservation the cost share or incentive indicated on form NC-ACSP-11 which is attached as part of this contract and incorporated herein by reference. (Prior to issuance of payment, the Division of Soil and Water Conservation must approve the CPO, any Revisions or Supplements, and Requests for Payment.)

The parties to this contract agree and understand that the payment of the sum specified in this contract is dependent and contingent upon and subject to the appropriation, allocation and availability of funds for this purpose to the NC Department of Agriculture and Consumer Services.

* Hugh J Banger Jr (Applicant) Date 26 May 2018
(Signature)

____ (Applicant) Date _____
(Signature)

____ (Landowner) Date _____
(Signature)

____ (Landowner) Date _____
(Signature)

____ (District Chair) Date _____
(Signature)

**NORTH CAROLINA AGRICULTURE COST SHARE PROGRAM
ADDENDUM TO COST SHARE AGREEMENT**

This addendum agreement is entered into on this **25** day of **May, 2018**, by and between the North Carolina Division of Soil and Water Conservation, the **MECKLENBURG** Soil and Water Conservation District and

Barger Farms, LLC (Applicant) of **1305 Concord Rd, Davidson, NC , 28036-9059**

(Landowner) of

Mecklenburg County (Third Party) of **600 E. 4th St. Charlotte, NC 28202**

hereinafter called "the cooperator(s)" and "third party". This addendum agreement includes all items contained in the Conservation Plan of Operation (CPO) as referred to in 15A NCAC 6E .0102 (g) for Contract No. **60-2018-001** and covers the period of practice installation up to, but not beyond, the dates indicated on form NC-ACSP-11 (CPO).

This addendum establishes the above Third Party applicant as a party to the original NC Agriculture Cost Share Program agreement, as signed by the Cooperator(s), strictly for the purpose of allowing third party receipt of allocated funds normally dispersed directly to the original Cooperator(s). The Cooperator(s) and Third Party, by signing below, acknowledge that no burden of maintenance is removed to the Third Party and the Cooperator(s) will continue to accept full responsibility to execute the entirety of the original agreement and its provisions.

The parties to this addendum agree and understand that the payment of the sum specified in the contract is dependent and contingent upon and subject to the appropriation, allocation and availability of funds for this purpose to the NC Department of Agriculture and Consumer Services.

* *Hyth J Barger Jr* (Applicant) Date *26 May 2018*
(Signature)

____ (Landowner) Date _____
(Signature)

____ (Third Party) Date _____
(Signature)

____ (District Chair) Date _____
(Signature)

SIGN HERE

NCDA&CS
DSWC

NC-ACSP-11
6/6/2018
60-2018-001

**NORTH CAROLINA AGRICULTURE COST SHARE PROGRAM
CONSERVATION PLAN OF OPERATION (CPO)**

Name: -, _					Application Number: 60-2018-001				
Business: Barger Farms, LLC					County: MECKLENBURG				
Address: 1305 Concord Rd, Davidson, NC , 28036-9059					Approved Contract Amount \$ \$29,964				
Phone: 704-728-1862 Mobile:									

Tract	Field	BMP Category	BMP Type	Components	Qty	Unit Type	Unit Cost	CS%	Total Cost	Fund Source	Install Deadline	Maint. (Yrs)
10063	33	STREAM PROTECTION	Heavy Use Area Protection	FILTER CLOTH-Geotextile fabric	60.00	SqYd	\$2.25	75.00	\$101	CS	05/30/2019	10
10063	33	STREAM PROTECTION	Heavy Use Area Protection	GRADING-Minimum, <=1/4 acre	1.00	JOB	\$1000.00	75.00	\$750	CS	05/30/2019	10
10063	33	STREAM PROTECTION	Heavy Use Area Protection	STONE-gravel (Areas 1 & 2)	48.00	TONS	\$31.00	75.00	\$1,116	CS	05/30/2019	10
BMP Total									\$1,967			
10063	33	STREAM PROTECTION	Livestock Exclusion Fencing	FENCE-4+-strand perm, electric, incl. Gates Area 2 and 3	6,820.00	LinFT	\$2.40	75.00	\$12,276	CS	05/30/2019	10
BMP Total									\$12,276			
10063	33	STREAM PROTECTION	Stream Crossing	FILTER CLOTH-Geotextile fabric	131.00	SqYd	\$2.25	75.00	\$221	CS	05/30/2019	10
10063	33	STREAM PROTECTION	Stream Crossing	FILTER CLOTH-Pins, metal anchor	40.00	EACH	\$2.00	75.00	\$60	CS	05/30/2019	10
10063	33	STREAM PROTECTION	Stream Crossing	GRADING-Minimum, <=1/4 acre	1.00	JOB	\$1000.00	75.00	\$750	CS	05/30/2019	10
10063	33	STREAM PROTECTION	Stream Crossing	STONE-gravel (Areas 1 & 2)	97.50	TONS	\$31.00	75.00	\$2,267	CS	05/30/2019	10
10063	33	STREAM PROTECTION	Stream Crossing	STREAM CROSS-Ford, ex>120 CuFt	1.00	JOB	\$1320.00	75.00	\$990	CS	05/30/2019	10
BMP Total									\$4,288			
10063	33	STREAM PROTECTION	Stream Protection Well	PIPE-Polyvinyl Chloride 1 1/2in or less	3,500.00	LinFT	\$2.07	75.00	\$5,434	CS	05/30/2019	10
10063	33	STREAM PROTECTION	Stream Protection Well	PUMP-water supply	1.00	EACH	\$2667.00	75.00	\$2,000	CS	05/30/2019	10
BMP Total									\$7,434			
10063	33	STREAM PROTECTION	Watering Tanks (Troughs)	TANK-Watering (fixed)/Pressurized Waterer	4.00	EACH	\$1333.00	75.00	\$3,999	CS	05/30/2019	10
BMP Total									\$3,999			
Contract Total									\$29,964			

* The deadline dates for final practice installation do not exempt the cooperator from the requirement to complete at least one-third (1/3) of the contracted work within 12 months of contract approval date or seek an extension as required by Condition (3) of the NC-ACSP-2 contract document.

Technical Representative _____

Date _____

Name:	- , -		
Business:	Mecklenburg County		
Address:	600 E 4th Street, Charlotte, NC , 28202-2816		
Phone:	980-314-2900	Mobile:	

Application Number:	60-2018-001
County:	MECKLENBURG
Approved Contract Amount \$	\$29,964

Name:	- , -		
Business:	Barger Farms, LLC		
Address:	1305 Concord Rd, Davidson, NC , 28036-9059		
Phone:	704-728-1862	Mobile:	

Total Acres Affected	Total Soil Loss Reduction	Total Nutrient Reduction (N)	Total Waste Managed (P)	Program	Program Name	Contract Value
ACRE	TONS	POUNDS	POUNDS	CS	COST SHARE	\$29,964
75.00					Animal Type	Qty
				BEEF		50.00

Highest level of design approval: FIELD OFFICE [] AREA OFFICE [] STATE OFFICE [] OTHER []

The Cooperator(s) has reviewed the Cost Share Agreement and CPO and agrees to apply the planned treatment according to the standards and specifications as approved by the Division of Soil and Water Conservation. Failure to carry out the un-numbered contract items (UN) does not constitute non-compliance with the contract. The Cooperator(s) agrees to maintain the installed practices according to the practice specific maintenance period(s) shown on form NC-ACSPs-11 (CPO). The Cooperator(s) also agrees to fully implement and comply with all practice specific requirements including, but not limited to, certifications related to the Waste Management Plan (WMP), the Nutrient Management Plan, the Operation and Maintenance Plan, etc. **CPO and payment are contingent on approval by NPS Section, Division of Soil and Water Conservation, NCDA&CS. The parties to this contract agree and understand that the payment of the sum specified in this CPO is dependent and contingent upon and subject to the appropriation, allocation, and availability of funds for this purpose to the NC Department of Agriculture and Consumer Services and upon final annual allocation of State funds to the District. Installation may not begin prior to receiving approval from the Division, with the exception of vegetative-only CPOs not exceeding \$3,500, as provided by the NC-ACSPs-2 contract form, if chosen by the cooperator(s).**

*Applicant: <u>High J Barger Jr</u>	Date: _____	
Landowner (if applicable): _____	Date: _____	
Technical Representative: _____	Date: _____	

Job Approval Authority: _____ Date: _____
(Heavy Use Area Protection)

Job Approval Authority: _____ Date: _____
(Livestock Exclusion Fencing)

Job Approval Authority: _____ Date: _____
(Stream Crossing)

Job Approval Authority: _____ Date: _____
(Stream Protection Well)

Job Approval Authority: _____ Date: _____
(Watering Tanks (Troughs))

(Can be submitted separately from 11A)

District Chair: _____ Date: _____