

STATE OF OKLAHOMA

EMERGENCY DROUGHT ASSISTANCE PROGRAM GUIDELINES

Program Duration: November 12, 2024 – July 31, 2025

Application Period: November 12, 2024 – January 31, 2025

Approved by the Emergency Drought Committee on October 28, 2024.
Administered by the Oklahoma Conservation Commission in cooperation with
Oklahoma's 84 Conservation Districts.

PURPOSE

The Emergency Drought Assistance Program (EDAP) provides financial assistance to Oklahoma's farmers and producers during persistent and emergency drought conditions in Oklahoma. The Emergency Drought Committee (Committee) establishes state level rules and policies governing the EDAP.

The Committee is made up of five members consisting of the Commissioner of Agriculture, Executive Director of the Oklahoma Conservation Commission, Executive Director of the Oklahoma Water Resources Board, one member who resides west of I-35, appointed by the Speaker of the House of Representatives, and one member who resides east of I-35, appointed by the President Pro Tempore of the State Senate.

The Committee selected the Oklahoma Conservation Commission (Commission) to administer the EDAP cooperatively with Oklahoma's 84 conservation districts.

The Committee established August 1, 2024, as the start of the current flash drought. Any exceptions from these established EDAP rules, policies, and guidelines shall be approved by the Committee.

COUNTY ELIGIBILITY

A county becomes eligible when the total area in drought (D1 - D4) reaches 25% as reported on the National Drought Monitor. The drought monitor map for Oklahoma published October 29, 2024, will be used to determine county eligibility as of November 12, 2024. A list of eligible counties will be distributed by email to conservation districts by the Commission each Thursday at 9:00 a.m.

ALLOCATION OF FUNDS

The Committee allocates \$27,566,869 from the Emergency Drought Relief Fund to the Commission for purposes of providing financial assistance to eligible farmers and producers for implementing approved drought practices.

Each of the 77 counties has been allocated \$358,000. Allocations for conservation districts not on county boundaries will be based on the percentage of county acres that fall within the district's boundary. The amount of funds allocated to each district can be found on page 9.

EDAP Duration

The Program begins on November 12, 2024, and ends on July 31, 2025.

Who is Eligible to Apply?

Principal operators of farms as defined here are eligible to apply. Only one application per farm will be accepted.

- All property within the conservation district owned by the applicant is one farm.

- All property within the conservation district leased by the applicant from the same landowner is one farm.
- A farm is any place from which \$500 or more of agricultural products were produced and sold, or normally would have been sold, during the year. This definition includes nurseries, greenhouses, and certain non-profit organizations that operate farms.
- The principal operator is the person (landowner or lessee) primarily responsible for the day-to-day operations of the farm.
- Livestock includes beef cattle, dairy cattle, swine, poultry, goats, mules, bison, sheep, horses, deer, emu and llamas.
- Farms must be located in whole or partially in a county designated eligible for emergency drought assistance funds.

Conservation district directors and employees are eligible to apply, with the following limitations:

- Directors that received emergency drought assistance funds in 2022, 2023, or 2024 cannot apply.
- Only two directors from the same district are allowed to apply during each month of the application period.
- When more than two directors from the same district want to apply, applications must be submitted and approved so that a quorum can be maintained to take action to approve applications.

Who is NOT eligible to apply?

- Emergency Drought Committee members and their spouses.
- The following Commission staff with EDAP decision making responsibilities and their spouses:
 - Trey Lam, Executive Director
 - Lisa Knauf Owen, Assistant Director
 - Janet Stewart, General Counsel
 - Tammy Sawatzky, Conservation Programs Division Director
- Conservation district directors that received emergency drought assistance funds in 2022, 2023, or 2024.

Available Practices

Each conservation district must offer all drought practices. Applicants can apply for more than one practice.

- Heavy Use Protection Area
- Pipeline
- Pumping Plant
- Water Well (1 per application)
- Pasture Tap (1 per application)
- Pond Cleanout (1 per pasture)
- Watering Facility

Pond Cleanout Application Process

The Emergency Drought Committee approved the following pond cleanout application process at their November 8, 2024 meeting. Pond cleanout remains an eligible practice.

1. An on-site pre-check is mandatory for all pond cleanout applications.
2. If the pond has water, the applicant will be notified that the practice is cannot be completed at this time, but their application will be retained in the order it was received.
3. Pond cleanout applications that cannot be completed due to the pond having water, will be moved to a separate list and the next application received will be considered for funding.
4. Those pond cleanout applications moved to a separate list will have funding priority if severe drought conditions return and additional funding becomes available.

Drought practices do not need to be implemented according to applicable NRCS standards and specifications. Conservation districts can provide the applicant a copy of the NRCS standard and specification as a guide for implementation.

Maximum Payment

Approved applicants can receive 80% of their actual eligible costs that are supported by acceptable receipts not to exceed \$7,500. The maximum payment per Social Security number or Employer Identification Number cannot exceed \$7,500. There is no guarantee of funding.

Application Period

The application period begins on November 12, 2024 at 8:30 a.m., and ends January 31, 2025 at 4:00 p.m. Each applicant must complete an EDAP Application Form and an IRS Form W-9. An application will be considered incomplete if both pieces are not included. All applications are due in the conservation district office by January 31, 2025, at 4:00 p.m. Only one application per farm will be accepted.

There are three options for submitting applications to the conservation district office:

- In person, before January 31, 2025, at 4:00 p.m.
- By email, must be received by January 31, 2025, at 4:00 p.m.
- By mail, must be postmarked by January 31, 2025, and received by February 7, 2025.

The Committee, Commission, and the conservation districts are not responsible for any technical or logistical problems resulting in the district not receiving an application on time. It is the responsibility of the applicant to ensure that the submission is received by the district before the deadline.

Application Review

Prior to approving applications conservation districts are required to visually confirm an applicant's need for drought assistance for at least 10% of the applications up for approval each month. Applications to be reviewed should be randomly chosen by a district employee. Applications that will be reviewed but do not count as part of the required 10% are those submitted from:

- A district director or district employee.
- An applicant that started or completed implementation of any eligible drought practice during August 1 - November 11, 2024.

If the results of the review show the applicant does not have a need for drought assistance the conservation district will report to the Commission by submitting all relevant documentation related to this applicant. The Commission will then present the documentation to the Emergency Drought Committee for action.

Application Approval

Applications will be considered on a first-come, first-served basis by the conservation district board. Assign an applicant number using the Commission approved format:

03-ED3-001 03 - conservation district number
 ED3 – program identifier
 001 – applicant number assigned by the district

Applications should be approved as they are received and reviewed each month. Applications received before the November board meeting should be approved in the November board meeting. Applications received after the November board meeting but before the December meeting should be approved in the December meeting. Conservation districts should follow this same process in January and February.

Inspection of Completed Work

Prior to approving requests for payment on completed drought practice(s) conservation districts are required to visually confirm practice(s) were installed on the applicant's property and in the location indicated on the application for at least 10% of the requests for payment up for approval each month. Requests for payment to be reviewed should be randomly chosen by a district employee. Requests for payment that will be reviewed but do not count as part of the required 10% are those submitted from:

- A district director or district employee.
- An applicant that started or completed implementation of any eligible drought practice during August 1 - November 11, 2024.

If results of the inspection show the drought practice was not installed as approved the conservation district will report to the Commission by submitting all relevant documentation related to this applicant. The Commission will then present the documentation to the Emergency Drought Committee for action.

Eligible Costs

The following list is not expected to be all inclusive.

- Costs incurred after August 1, 2024, solely to implement a drought practice.
- Materials, supplies, and parts
- Hired labor
- Equipment rental
- In-kind labor performed by the applicant solely to implement a drought practice is eligible only when submitted on the In-Kind Contributions Form. If someone other than the applicant performs the labor a receipt must be submitted.
- Allowable in-kind hourly rate is limited to:
 - \$175 / hour when the applicant uses their equipment to perform the work
 - \$100 / hour when the applicant rents equipment and performs the work themselves

What Costs are Never Eligible?

The following list is not expected to be all inclusive.

- Construction or improvements outside of the State of Oklahoma.
- Meals/food for human consumption.
- Donated or volunteer services and unpaid labor.
- Fine, penalties, and other settlement expenses resulting from failure of the applicant to comply with Federal, State, local, or Indian Tribal laws and regulations.
- Parking or traffic violations.
- Bad debts, late payment fees, finance charges, legal costs, or contingency funds.
- Indirect costs (expenses of doing business that are not readily identified with the project).
- Taxes, except sales tax on goods and services.

Documentation of Costs

Supporting documentation is required for all eligible costs. Below are acceptable forms of documentation.

- Itemized receipt showing:
 - merchant's name
 - payer's name
 - transaction date
 - amount paid
 - description of purchased items
 - description of additional charges (taxes, services, delivery, etc.)
 - if paid in part or full
- Invoice showing:
 - merchant's name
 - buyer's name

- invoice date
- amount paid
- description of purchased items
- description of additional charges (taxes, services, delivery, etc.)
- if paid in part or full.
- In-Kind Contributions Form

Making Payment

The applicant must submit to the conservation district the following:

- Completed Self-Certification Form
- Receipts, invoices and/or In-Kind Contributions Form for eligible expenses
- Photographic proof of completion

The conservation district will review all documentation and prepare an OSF-3 Form to be approved for payment at a district board meeting. After board approval the district will submit the following documents to the Commission for processing:

- OSF-3 Form signed by the board chair and notarized
- Self-Certification Form
- Calculation Sheet (optional)
- Receipts, invoices and/or In-Kind Contributions Form for eligible expense

The applicant should be informed that the conservation district will issue payment by paper check and to allow up to 45 days for processing.

Problems with an Application

If an application is missing information or there are errors the conservation district will notify the applicant, allowing seven business days to fix the problem(s). If the corrections are not made, the application will not be considered.

Applicants who are denied may appeal the decision to the conservation district. The district will report the appeal to the Commission by submitting all relevant documentation related to the applicant. The Commission will then present the documentation to the Committee for action.

Completion Dates

- January 31, 2025 – last day applications will be accepted by the conservation district
- July 31, 2025 - all work must be completed and required payment documentation submitted to the conservation district
- September 15, 2025 – last day the Commission will accept drought assistance claims, accept means the claim must be in the Commission office (emailed copies are not acceptable)

District Reporting and Accounting

Conservation districts shall conduct the following reporting and accounting procedures:

1. Maintain an EDAP Allocation Report in electronic format. The report should include data for all district board approved applications. The report should include the following:
 - district name
 - applicant's name
 - application number
 - date approved
 - obligated amount
2. Submit the EDAP Allocation Report to the Commission for review by the 5th of each month, with the first report due December 5, 2024.
3. Assemble case files for each approved applicant.

Public Requests for EDAP Records

- Requests must be in writing to the conservation district.
- Provide only what is requested. For example: if they just want to see the ranking sheet(s) then share only the ranking sheet(s). In EDAP the ranking sheet would be a list of applicants in the order your office received them.
- Conservation districts are not required to create a new record to respond to a request.
- Do not include Social Security Numbers or Employer Identification Numbers.
- You can include name, address, phone number, email address.

**EDAP Conservation District Allocations
November 12, 2024**

Adair	358,000
Alfalfa	358,000
Arbuckle	358,000
Atoka	358,000
Beaver	358,000
* Blaine	240,200
Bryan	358,000
Caney Valley	358,000
* Central North Canadian River	234,100
* Checotah	151,800
Cherokee	358,000
Cimarron	358,000
Cleveland	358,000
Coal	358,000
Comanche	358,000
Cotton	358,000
Craig	358,000
Creek	358,000
* Custer	238,400
* Deer Creek	166,400
Delaware	358,000
Dewey	358,000
* East Canadian	206,500
Ellis	358,000
Garfield	358,000
Garvin	358,000
Grady	358,000
Grant	358,000
Greer	358,000
Harmon	358,000
Harper	358,000
Haskell	358,000
Hughes	358,000
Jackson	358,000
Jefferson	358,000
Johnston	358,000
Kay	358,000
Kiamichi	358,000
* Kingfisher	340,200
Kiowa	358,000
* Konawa	258,400
* Latimer	324,000

* LeFlore	255,700
Lincoln	358,000
Little River	358,000
Logan	358,000
Love	358,000
Major	358,000
Marshall	358,000
Mayes	358,000
McClain	358,000
* McIntosh	206,300
Murray	358,000
Muskogee	358,000
Noble	358,000
* North Caddo	112,400
North Fork Red River	358,000
Nowata	358,000
Okfuskee	358,000
Oklahoma	358,000
Okmulgee	358,000
Osage	358,000
Ottawa	358,000
Pawnee	358,000
Payne	358,000
Pittsburg	358,000
Pontotoc	358,000
* Pushmataha	290,900
Rogers	358,000
* Seminole	224,400
Sequoyah	358,000
* Shawnee	233,400
* South Caddo	154,600
Stephens	358,000
* Talihina	203,600
Texas	358,000
Tillman	358,000
Tulsa	358,000
Upper Washita	358,000
Wagoner	358,000
* Washita	311,300
* West Caddo	144,300
Woods	358,000
Woodward	358,000

* Allocations for conservation districts not on county boundaries was based on the percentage of county acres that fall within the conservation district boundary. Data used is available upon request.