

Kansas Corrective Action Plan

State: **KANSAS**

Date: **1-24-2012**

Finding Number 1: Restoration planning and implementation not completed on Easements according to policy. (Restoration activities are not commenced within one year of easement acquisition and/or not completed within three years.)

Kansas Assessment: Review of the Kansas Restoration Spreadsheet and NEST data show that not all restorations are being completed within the three years as described in policy.

Corrective Action Number 1-1	Responsible Official(s)	Start Date	Finish Date	Cumulative Percent of Progress
<p>NEST data will be reviewed to determine easements with restoration activities not started within one year and not completed within three years of closing. These easements will be given priority to complete restoration. ASTCs-FO will be contacted by the EPT to follow-up with field staff to complete or modify work scheduled in LTC's. The EPT will follow-up on restoration to be completed via federal contract. Kansas has added a designated engineer full time to the EPT for planning and design in order to meet restoration policy requirements. Kansas NRCS will continue to monitor progress in completing new designs and awarding contracts and approving CPCs to begin work in one year and complete the work in three years. Easement programs will be included in the annual QAR process. If deficiencies are found the ASTC-WR will notify the EPT, SAO, and SCE in writing with an agreed-to completion date to address the deficiency with follow-up provided by the ASTC-WR.</p>	<p>ASTC-WR SCE ASTC-FO WRP Easement Program Specialist</p>	<p>1/1/11</p>	<p>6/1/12</p>	<p>50%</p>

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Corrective Action Number 1-2	Responsible Official(s)	Start Date	Finish Date	Cumulative Percent of Progress
<p>Kansas NRCS has developed a spreadsheet to keep track of WRP restoration, engineering design, and construction status. This spreadsheet is posted on the Kansas SharePoint site. WR staff, Engineering staff, and Contracting staff will update their assigned portions of the spreadsheet on a no less than quarterly basis. This spreadsheet will be used by the field, area, and state staff to track the status of easement restoration. Easement programs will be included in the annual QAR process. If deficiencies are found the ASTC-WR will notify the EPT, SAO, and SCE in writing with an agreed-to completion date to address the deficiency with follow-up provided by the ASTC-WR.</p>	<p>ASTC-WR SCE SAO</p>	<p>3/1/11</p>	<p>8/15/12</p>	<p>75%</p>
<p>Corrective Action Number 1-3</p>				
<p>Kansas NRCS shall develop state policy outlining that the goal for easement restoration is to have a restoration plan developed within three months of easement recording date (or prior to closing) and the ASTC-WR, the SCE, and the SAO will ensure that contracts are developed for restoration activities so that restoration can be commenced within one year. Easement programs will be included in the annual QAR process. If deficiencies are found the ASTC-WR will notify the EPT in writing with an agreed-to completion date to address the deficiency with follow-up provided by the ASTC-WR.</p>	<p>ASTC-WR SCE SAO WRP easement program coordinator</p>	<p>1/1/11</p>	<p>6/1/12</p>	<p>0%</p>

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Finding Number 2: Annual reviews are not completed on both Easements and Environmental

Improvements. (Annual monitoring has not occurred on easements each year. On-site inspection has not been conducted on easements within the last three years. Environmental Improvement contracts are not on-schedule. Annual contract reviews are not documented in the case file or ProTracts.)

Kansas Assessment: Quality Assurance Reports and Annual Status Review Reports indicate that on-site inspections are being conducted on easements annually and annual contract reviews are being conducted. Reports do show that some Environmental Improvement contracts are not on schedule.

Corrective Action Number 2-1	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
<p>NEST data and easement files are reviewed to determine annual easement monitoring needs. The Kansas easement monitoring coordinator will send out a list of easements that are to have on-site inspections completed each year in accordance to policy. Easements not receiving on-site inspections are monitored remotely by the EPT to insure no violations have occurred. O&E review recently completed in Kansas did not identify any issues relating to easement monitoring process in Kansas. They reviewed 10 of the approximate 274 easement contracts. Easement programs will be included in the annual QAR process. If deficiencies are found the ASTC-WR will notify the EPT in writing with an agreed-to completion date to address the deficiency with follow-up provided by the ASTC-WR.</p>	<p>ASTC-WR GRP Program Coordinator</p>	<p>10/1/10</p>	<p>9/30/11</p>	<p>100%</p>

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Corrective Action Number 2-2	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
Annual contract reviews will be completed in ProTracts on all active environmental improvement contracts. Contracts behind-schedule will have their contract reviews completed by March 31 each year. Contracts on-schedule will have their contract reviews completed by June 30 each year. State office Programs Staff will track by running reports from ProTracts and by reviews completed during annual QARs. If deficiencies are found the ASTC-P will notify the ASTC-FO in writing with an agreed-to completion date to address the deficiency with follow-up provided by the ASTC-FO	ASTC-Programs ASTC-FO DC or SDC	1/1/11	9/30/11	100% (FY11)
		1/1/12	6/30/12	0% (FY12)
Corrective Action Number 2-3				
Provide Circular 21 training to all appropriate field and area office staff on the new policy for easement monitoring and recording	ASTC-WR ASTC-FO WRP & GRP Program Coordinators	2/1/12	4/30/12	0%
Corrective Action Number 2-4				
Review of easement monitoring activities will be included in the State Quality Assurance Plan and evaluated during field reviews.	ASTC-WR ASTC-P ASTC-FO WRP & GRP Program Coordinators	10/1/11	9/30/12	0%

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Finding Number 3: Conservation assistance notes minimal or non-existent on Environmental

Improvements. (Conservation assistance notes do not document significant contract activities and participant decisions as documented through quality assurance reviews and spot checks.)

Kansas Assessment: QARs and spot checks indicate that notes do not always document all significant contract activities.

Corrective Action Number 3-1	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
Training on effective conservation assistance notes will be given at an area specialists' meeting and annual program rollout training. Examples of effective documentation will be placed on Programs SharePoint.	ASTC-P and SRC	8/1/11	3/30/12	75%
Corrective Action Number 3-2				
ASTC-FO will annually review the need for effective conservation assistance notes and their importance at an area meeting.	ASTC-FO	8/1/11	9/30/12	25%
Corrective Action Number 3-3				
Thorough review of conservation assistance notes will be completed as a part of all pre-contract peer reviews. Any deficiencies noted will be documented in the Peer Review follow-up register with completion date and will be followed up on by AO staff to ensure completion. Obligation will not occur until all deficiencies have been corrected and documented on the register. Review of assistance notes is included in the annual QAR process. Those deficiencies found during the quality reviews will be documented in writing with agreed-to items with follow-up by the ASC-FO to ensure corrected items are completed.	ASTC-FO	8/1/11	9/30/12	0%

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Corrective Action Number 3-4				
SDC or DC will annually ensure FO staffs understand the importance and need for conservation assistance notes and that FO staff are documenting all actions taken on contracts and discussions with participants. Discussion will be documented in staff meeting minutes.	SDC or DC	8/1/11	9/30/12	22%
Corrective Action Number 3-5				
All conservation planners will have a statement added to their performance work plan on requirements for documentation on contract activities and actions.	ASTC-P and ASTC-FO	8/1/11	9/30/12	100%

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Finding Number 4: Minimal or non-existent supporting documentation for payments on both Easements and Environmental Improvements.

Kansas Assessment: Quality Assurance reports, Peer Reviews, and Spot Checks have identified that in some cases complete supporting documentation for payments is minimal.

Corrective Action Number 4-1	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
Easement payments are not made without supporting documentation. Landowner contracts require bills and receipts to be submitted with all payment requests. Federal contract payments are made only after proper payment requests and invoices are submitted. All payments are double checked prior to making the payments to landowners and federal contractors. O&E review did not identify any issues relating to this item in Kansas.	SAO and ASTC-WR	10/1/10	8/15/11	100%
Corrective Action Number 4-2				
AO staff will annual review at least five payments made in each FO to ensure supporting documentation is present and correct in the case file for both easements and environmental improvements during the annual QARs, Spot Checks, or other reviews. If deficiencies are found they will be documented in writing with agreed-to Items with completion dates and followed up by the ASTC-FO to ensure completion.	ASTC-FO	8/1/11	9/30/12	48%
Corrective Action Number 4-3				
Training on sufficient payment documentation will be included in FY 2012 program rollout training.	ASTC-P	8/1/11	3/30/12	100%

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Corrective Action Number 4-4	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
SO Programs Staff and budget officer will review at least five payments each month to verify proper supporting documentation is present. E-contracts will be utilized for this process. If deficiencies are found they will be documented in writing with agreed-to Items with completion dates and followed up by the ASTC-FO to ensure completion.	ASTC-P and SAO	8/1/11	9/30/12	25%

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Finding Number 5: Missing, incomplete or incorrectly signed contract documents on Environmental Improvements. (Correctly signed applications, contracts, appendix, application for payment, plan of operations & modifications, etc. are not in the Environmental Improvements contract file.)

Kansas Assessment: Quality Assurance Reports, Peer Reviews, and Spot Checks have identified that in some cases signatures are incorrect or incomplete on contract documents.

Corrective Action Number 5-1	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
Pre-contract peer reviews will be conducted on all approved applications and will specifically address contract document signature requirements. If deficiencies are found they will be documented in the Peer Review follow-up register with completion date and will be followed up on by AO staff to ensure completion. Obligation will not occur until all deficiencies have been corrected and documented on the register.	ASTC-FO	8/1/11	9/30/12	0%
Corrective Action Number 5-2				
Issue guidance on contract modification signature requirements. Guidance will include ensuring electronic signatures approvals are placed in case file and review what signatures are required on certain documents, etc.	ASTC-P	8/1/11	3/31/12	0%
Corrective Action Number 5-3				
AO staff will review at least five existing contracts (at least one per program) in each FO to ensure proper signatures are present in the case file for all contract documents during the annual QARs, Spot Check or other reviews. If deficiencies are found they will be documented in writing with Agree-to Items with completion dates and followed up by the ASTC-FO to ensure completion.	ASTC-FO	8/1/11	9/30/12	25%

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Corrective Action Number 5-4	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
Training on proper contract signatures will be included in annual program rollout training. A state supplement will be drafted in CPM, Part 512, providing additional clarification.	ASTC-P	8/1/11	3/30/12	100%

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Finding Number 6: Lack of documentation for signatory authority (includes both NRCS and participants) in Easements and Environmental Improvements. (Includes proof of ownership, delegated authority to sign documents, etc.)

Kansas Assessment: Quality Assurance reports, Peer Reviews, and Spot Checks have identified that in some cases signature authority is lacking documentation.

Corrective Action Number 6-1	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
<p>For easements, signatory authority is identified by the land deed for the easement offer area. When the owner is an entity, documents are required by the closing agent to insure that proper landowner signatory is documented. NRCS has written delegation of authority for NRCS signatures. Commendable items from O&E review in Kansas for delegated signature authority. Easement programs will be included in the annual QAR process. Deficiencies will be noted in writing with agreed-to items and follow up by the ASTC-FO to ensure corrective actions are taken.</p>	SRC and ASTC-WR	10/1/10	8/10/11	100%
Corrective Action Number 6-2				
<p>Pre-contract peer reviews will specifically address contract document signature authority requirements. If deficiencies are found they will be documented in the Peer Review follow-up register with completion date and will be followed up on by AO staff to ensure completion. Obligation will not occur until all deficiencies have been corrected and documented on the register. A state supplement will be drafted to CPM, Part 512 providing additional clarification.</p>	ASTC-FO	8/1/11	9/30/12	25%

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Corrective Action Number 6-3	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
AO staff will review at least five existing contracts (at least one per Environmental Improvement program) in each FO to ensure proper signature authority is present in the case file for all contract documents. If deficiencies are found, they will be documented in writing with agreed-to items with completion dates and follow up by the ASTC-FO to ensure completion.	ASTC-FO	8/1/11	9/30/12	25%
Corrective Action Number 6-4				
The WRP and GRP program coordinators will take required actions to correct the acceptance page for prior year easements as established in current policy. These will be reviewed through the annual QAR process. If deficiencies are found they will be documented in writing with agreed-to items with completion dates and followed up by the ASTC-WR to ensure completion.	ASTC-WR WRP & GRP Program Coordinators	1/1/2012	3/1/12	0%
Corrective Action Number 6-5				
Review and update the ASTC-WR delegated signature authority letter for easements to match current policy.	STC ASTC-WR	1/1/2012	3/1/12	100%

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Finding Number 7: Inaccurate or Lack of Environmental Evaluation Worksheet documentation in both Easements and Environmental Improvements. (Impacts are not adequately documented and are not in compliance with NEPA. Included: (1) Use of state form, (2) No documentation of threatened and endangered species, (3) No CPA-52 in the file, (4) incomplete CPA- 52 lacking signatures, etc.).

Kansas Assessment: Quality Assurance Reports, Peer Reviews, and Spot Checks have identified that in some cases there is inadequate or a lack of worksheet documentation.

Corrective Action Number 7-1	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
Delegation of Authority. Proper delegation of authority to sign the CPA-52 will be determined and documented as necessary.	SRC and STC	10/01/11	2/28/12	20%
Corrective Action Number 7-2				
Training—the easement coordinator and EPT will be provided specific training related to Environmental Evaluations and documentation on the form CPA-52.	SRC	10/01/10	3/31/12	20%
Corrective Action Number 7-3				
CPA-52s for WRP restorations will be reviewed by the state biologist at the same time the final restoration plan information is being reviewed. If deficiencies are found they will be documented in writing with agreed-to items with completion dates and follow up by the ASTC-WR to ensure completion.	SRC and ASTC-WR	10/01/11	9/30/12	0%
Corrective Action Number 7-4				
CPA-52s for GRP will have 10 percent or a minimum of 5 new enrollments reviewed on a random basis. The state biologist will ask for a list of approved GRP easements and will randomly select the ones for review. If deficiencies are found they will be documented in writing with agree-to items with completion dates and follow up by the ASTC-WR to ensure completion.	SRC and ASTC-WR	10/01/11	9/30/12	0%

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Corrective Action Number 7-5	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
CPA-52s for Environmental Improvement contracts will be reviewed at the time of the annual contract review. All environmental compliance documentation for the remaining contract activities will be properly documented and the form signed properly. If deficiencies are found, they will be documented in writing with agreed-to items with completion dates and follow up by the ASTC-FO to ensure completion.	SDCs	10/01/11	9/30/12	5%
Corrective Action Number 7-6				
CPA-52s for new Environmental Improvement contracts will be reviewed during pre-contract peer reviews to insure proper documentation and completion.. If deficiencies are found they will be documented in the Peer Review follow-up register with completion date and will be followed up on by AO staff to ensure completion. Obligation will not occur until all deficiencies have been corrected and documented on the register	ASTC-FO	10/01/11	6/30/12	0%
Corrective Action Number 7-7				
Training on the proper completion and documentation of the CPA-52 will be completed at a statewide employee net meeting. Subsequent training will be provided at a DCs' meeting in each area.	SRC	10/01/11	9/30/12	50%
Corrective Action Number 7-8				
Five percent of obligated contracts will be selected to include the CPA-52 as part of the financial management second level review documentation submitted by FOs. These CPA-52s will be reviewed by the RC Staff for proper completion. If deficiencies are found they will be documented in writing with agreed-to items with completion dates and follow up by the ASTC-FO to ensure completion.	SRC	10/01/11	9/30/12	0%

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Finding Number 8: Kansas Item as per 2011 O&E Review—Inaccuracies Found in National Easement Staging Tool (NEST) Database as identified by the O& Review team.

Corrective Action Number 8-1	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
<p>The WRP, FRPP, and GRP program coordinators will review NEST data and the official easement files to ensure that all dates and information matches between the two. If errors are found, NEST will be updated accordingly. A 5 percent review will be completed annually to ensure data is correct. If deficiencies are found they will be documented in writing with agreed-to items with completion dates and follow up by the ASTC-WR to ensure completion.</p>	<p>WRP/FRPP/GRP Program Coordinators</p>	<p>10/01/11</p>	<p>6/1/12</p>	<p>20%</p>

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Finding Number 9: Kansas Item as per 2011 O&E Review—Improper maintenance of personally identifiable information. (Information is not properly filed and is not in compliance with PII. Included: (1) maintenance of Form NRCS-CPA-1199 in customer folder, (2) maintenance of applicant driver's license or state identification in customer folder, and (3) maintenance of cancelled checks or copies of cancelled checks in the customer folder) as identified in the 2011 O&E Review in Kansas.

Corrective Action Number 9-1	Responsible Official(s):	Start Date	Finish Date	Cumulative Percent of Progress
Re-issue guidance on filing of PII. Guidance will include ensuring PII is maintained in a secure location and only necessary documents will be filed in the customer folder.	ASTC-P	10/1/11	3/31/12	50%
Corrective Actions Number 9-2				
PII is to be removed from customer folders and easement folders according to policy. Files will be reviewed during the annual QAR and spot check process. If deficiencies are found they will be documented in writing with agreed-to items with completion dates and follow up by the ASTC-FO to ensure completion.	ASTC(WR), ASTC-P, ASTC-FO SDCs, DCs	10/1/11	3/31/12	95%

Legend

AO—Area Office
 ASTC-FO—Assistant State Conservationist for Field Operations
 ASTC-P—Assistant State Conservationist for Programs
 ASTC-WR— Assistant State Conservationist for Water Resources
 CPM—Conservation Programs Manual
 CPC—Conservation Program Contracting
 DC—District Conservationist
 eContracts—electronic Contracts
 EPT—State Office Easement Programs Team
 FO—Field Office
 FRPP—Farmland Protection Program
 GRP—Grassland Reserve Program

NRCS—Natural Resources Conservation Service
 O&E—Oversight and Evaluation
 PII—Personally Identifiable Information
 ProTracts—Program Contracts System
 QAR—Quality Assurance Review
 SAO—State Administrative Officer
 SCE—State Conservation Engineer
 SDC—Supervisory District Conservationist
 SO—State Office
 SRC—State Resource Conservationist
 WRP—Wetlands Reserve Program