

# 2020 CONSERVATION PRACTICE FINANCIAL ASSISTANCE PROGRAM POLICY MANUAL



## **OVERVIEW**

The Scott Soil and Water Conservation District (District) operates a financial assistance program to assist land occupiers – including landowners, renters, businesses, citizen groups, or local units of government – to implement conservation practices that protect and preserve soil, water, and related natural resources in Scott County.

Funding for the Conservation Practice Financial Assistance Program (CPFAP) is provided through partnerships with local water management agencies, including the Scott Watershed Management Organization (SWMO), Prior Lake spring Lake Watershed District (PLSLWD), Vermillion River Watershed Joint Powers Organization (VRWJPO), and Lower Minnesota River Watershed District, depending on location. Funding from these partner agencies is provided for both technical assistance (staff times, primarily) and project implementation. The District also contributes funding through various state grants it receives. The CPFAP is referred to more commonly as our Technical Assistance and Cost Share, or TACS, program.

Requests for financial assistance are made via an application process, and are subject to approval by the approving authority. In most instances, the approving authority is the District Board of Supervisors; however, it can also be the local water management agency board or administrator depending on a variety of different factors including for example a project's total cost and/or environmental benefit. Generally, consideration to approve or deny an application is based on the proposed project's feasibility, cost effectiveness, and overall public value.

This Policy and Procedures Manual, hereafter referred to as the "Docket", describes the policies and procedures associated with the program's application and approval process. It also lists the specific conservation practices eligible for financial assistance, along with maximum funding limits, conditions and criteria associated with each specific practice.

This Docket consists of three sections: Program Provisions, General Conservation Practice Provisions, and Specific Conservation Practice Provisions. The Program and General Conservation Practice Provisions list the requirements that are applicable to all or multiple practices. The Specific Provisions section lists the payment type, rates, amounts, eligibility criteria, and other requirements for each specific conservation practice.

In certain instances, policies and procedures differ between the District and local water management agencies, as well as between local water management agencies themselves. These differences, where they exist, are described in Appendix A. Where policies and procedures conflict, the stricter is always observed.

## **PROGRAM PROVISIONS**

The following provisions are requirements for cost share funding under this program.

### **ELIGIBILITY:**

1. Financial assistance may only be authorized for practices listed in this Docket. Other practices required for the effective implementation of a Docket practice shall be considered components to it. Reimbursement for component costs will be included with the Docket practice payment.
2. Financial assistance may only be authorized for conservation practices that:
  - a. Are designed and constructed following the contents of appropriate and most current technical standards, including but not limited to: the NRCS Field Office Technical Guide, MPCA Stormwater Manual, NPDES General Stormwater Permit for Construction Activity, Minnesota Urban Small Sites BMP Manual, or other recognized local, state, or federal standards consistent with this Docket.
  - b. Meet the general and specific conservation practice provisions for each practice included in the Docket.
  - c. Except as otherwise noted, provide documentable environmental benefits, including but not limited to nutrient, sediment, and runoff volume reductions.
  - d. Do not address erosion resulting from the direct impacts of development, unless the development occurred prior to applicable standards, such as NPDES permitting or local municipal or water management agency rules.
  - e. Unless prohibited by another funding agency's policy, payment for work not performed or constructed according to applicable technical standards may be authorized subject to approval by the approving authority, based on a determination by the Technical Representative or a professional engineer that the practice's effective life and intended environmental benefits will not be compromised.
3. Financial assistance may be authorized for repairs to existing practices if:
  - a. Financial assistance was not previously provided for the project; or
  - b. The project is beyond the contract term and the risk of failure poses significant threat to water quality or infrastructure; or
  - c. The project is within the contract term but the damage was not the result of negligence by the landowner or land occupier or failure to adhere to the Operation and Maintenance Plan.
4. A contract may be amended to cover costs associated with re-grading, re-seeding and re-mulching a project that has experienced erosion prior to final certification, as determined reasonable and necessary by the Technical Representative. The cost share rate shall not exceed the rate set in the approved contract. Such costs may be covered through an amendment to the cost share agreement. For practices where vegetation establishment is required, partial payment may be made at the discretion of the Technical Representative, and final payment can be made after stabilization of the project is determined to be fully achieved.
5. Cost share may be authorized for expenses associated with installation of more protective erosion control measures, including but not limited to substituting crimped mulch with erosion control blanket, as determined reasonable and cost effective by the Technical Representative.
6. Payment may not be authorized for any practice or portion thereof that has commenced prior to official approval of an application.

7. The approving authority may require an applicant to implement additional practices as a condition of financial assistance when deemed necessary for ensuring the integrity and/or effectiveness of the original practice.
8. Financial assistance for practices that have a maximum payment amount, including but not limited to cover crops and nutrient management, shall be limited to a single application per family or common farm operation or enterprise, whether formally or informally organized.
9. Contracts may be amended to increase the approved cost share amount based on any of the following, subject to prior approval the Technical Representative:
  - a. Changes to the final design prior to or during construction result in increased costs;
  - b. Unforeseen or unanticipated circumstances result in higher-than-expected construction costs;
  - c. A minimum of 2 bids were received and the lowest reasonable bid exceeds the original cost estimate;  
or
  - d. The original cost estimate is determined to be too low based on recent changes in market prices for similar materials or services and/or limited contractor availability.

#### PAYMENT METHODS:

10. Two forms of financial assistance methods are authorized under. They include flat rate (formerly incentives) and percent based, or cost share.
  - a. FLAT RATE: Flat Rate payments fall into one of two categories, as follows:
    - i. One-time: Payment amount is based on a set dollar amount per unit installed. Payment is made in full upon certification of practice implementation.
    - ii. Annual: Payment amount is based on a set dollar amount per unit installed/maintained over a set number of years, as identified in the PRACTICE section. Payments are made in installments over the course of two or more years, subject to certification of installation, establishment, and continued maintenance.

Maintenance is required for the effective life of a practice regardless of payment type except in cases where the purpose of financial assistance is to help land occupiers mitigate risk to install or adopt land management practices that improve or protect water quality. In these instances, one-time and annual payments are referred to as incentives and are noted accordingly in the PRACTICE section.
  - b. PERCENT BASED: Percent-based financial assistance (i.e. cost share) is a partial reimbursement to a cooperator to help offset the construction and/or establishment costs associated with implementing a practice. The maximum cost share rate is listed for each practice and shall be considered the maximum rate of actual construction costs or the estimated cost, whichever is less, of implementing the practice.
    - i. The maximum cost share rate for municipalities cannot exceed 50%.
    - ii. An individual having appropriate Job Approval Authority (JAA) must be involved in the preparation of designs, cost estimates, and certification, either as preparer or reviewer.

For certain ecological practices, the economic impact associated with restricting otherwise reasonable agricultural use of land to a conservation purpose is an eligible expense. This is referred to as dedicated land value. The value of land dedication is the countywide rental rate, as set by the District Board, multiplied by the contract term. As of Jan 1, 2020, the countywide rental rate is \$200.
11. If a property is sold prior to final payment being issued, any outstanding payments shall by default be issued to the new landowner(s) subject to them signing, and the Board approving, a new cost share contract that extends through the remaining years of the original contract term. If a new contract cannot be secured, then any outstanding amount shall be returned to the funding provider or, if possible, unencumbered and made available for use towards a different project.

12. The percent-based cost share and flat rates listed in this manual are maximums. The approving authority has discretion to reduce the maximum rate depending on public benefit. The total financial assistance paid to an applicant shall not exceed the maximum cost share or flat rate allowed by the funding source's governing policies. The maximum local financial assistance paid to an applicant shall not exceed the maximum cost share or flat rate listed in this Docket. An applicant may request less than the maximum authorized amount to avoid triggering IRS income reporting. Other program rules regarding maximum payment rates and other limitations shall be observed.
13. Federal, state and other non-local sources of funding shall be used to the maximum extent practicable. Likewise, local funds shall be used to piggy-back other funding sources to the maximum extent practicable. Non-local funds may be deemed not practical upon the District's determination that compliance with this provision would delay project construction resulting in a significant increase in risk to public health, safety or the environment; or administrative overhead to secure such funds, including but not limited to time, paperwork, and other restrictions, would place an unreasonable burden on the applicant and/or District.
14. The amount of cost share provided for a project shall be based on the minimum amount required for the practice to be installed according to design standards and specifications. Costs associated with additional or alternative work or materials shall be the responsibility of the owner. Maximum rates for in-kind labor costs shall be consistent with the most current Iowa Custom Rate Survey. Higher rates may be allowed in special circumstances, as determined necessary and reasonable by the District.
15. Funding for seeding or planting will be limited to those costs associated with implementing the seed or planting plan.

#### APPROVAL PROCESS:

16. An individual or entity may request financial assistance for the installation of a conservation practice by submitting a completed application form provided by the District. If the applicant is not the landowner, then the landowner must also sign the application. Completed applications shall be presented to the appropriate approving authority for formal consideration at the earliest reasonable opportunity. Action to approve, approve with modification, or deny shall be documented in the meeting minutes. Approved applications become binding contracts automatically upon execution by the approving authority. The applicant shall be the party to whom payment will be issued, whether that is the landowner or land occupier, and upon approval of their application is henceforth referred to as Participant.
17. Approvals of applications for financial assistance are subject to the availability of funding.
18. Changes to an executed contract are considered an amendment to the contract and subject to review and approval by the approving authority. Amendments are limited to extensions of completion dates, increases or decreases to estimated project cost, changes to practice type(s), or to identify a different land occupier. Amendments will be considered only when circumstances such as weather, unforeseen cost or soil conditions, or other uncontrollable events occur. The procedure to amend a contract is as follows:
  - a. The participant provides information justifying the need for an amendment and completes the amendment form. The form may be completed by or in consultation with the Technical Representative.
  - b. The Technical Representative reviews the proposed amendment and certifies on the form that the change is necessary.
  - c. The District Board reviews the amendment request and either approves or denies the request.

- i. If approved, the date of approval is recorded at the top of the original contract and the amendment form is signed and dated by the organization. A copy of the approved amendment is sent to the Participant and landowner, if different.
    - ii. If denied, the Participant should be notified in writing of the reason for denial of the application.
  - d. Contract amendments must be filed in advance of and approved prior to final payment request from the Participant.
  - e. If an amendment request is received that involves dates outside the executed State grant agreement date, outside the contract practice install date, or grant program policies BWSR staff must be consulted and a grant agreement amendment may be required.
19. The District shall send a letter notifying applicants of action taken by the approving authority on their application or any amendment to an existing contract. The letter shall, at a minimum, include a copy of the signed and dated contract or amendment, as applicable, and explanation of next steps. Letters shall also be sent when action by the appropriate approving authority is taken to cancel a contract.
20. Contracts exceeding \$20,000 in total financial assistance shall be recorded on the property title at the County Recorder's office. Recording of the contract notifies subsequent buyers of the existence of the practice or practices on the property and their obligation to maintain these practice(s) during the effective life. Procedures for recording shall follow guidance developed by the Board of Soil and Water Resources for the recording conservation practices. A variance to this provision may be granted at the discretion of the Board for structural practices in cases where funding from any single agency is less than \$20,000 and the likelihood of the project being removed or not maintained is determined to be minimal.

EARNEST ACCOUNT:

21. Landowners requesting cost share funds for lakeshore stabilization projects shall provide earnest money of \$250.00 per application. Earnest funds shall be collected prior to preparation of any preliminary design or application, and will be returned upon certification of the completed practice. Projects cancelled by the applicant will forfeit the earnest money.

PAYMENT PROCESS:

22. The following documentation shall be required as a condition for payment
- a. Approved Certification Form or equivalent for incentive payments.
  - b. Approved Voucher Form for cost share payments.
  - c. For cost share, copies of receipts and/or paid invoices for all out of pocket and in-kind expenses. Applicants requesting reimbursement for in-kind services shall submit a signed statement indicating the services provides, rate, and quantities.

REPAYMENT OF FUNDS:

23. Should the applicant remove or fail to maintain the practice during its effective life, the applicant is liable to the District or other financial assistance source agency for one hundred fifty percent (150%) of financial assistance received to install and establish the practice. The applicant is not liable for cost-share assistance received if the failure was caused by reasons beyond the applicant's control.

GRANT PROVISIONS:

24. For projects funded using federal, state or other non-local grant sources, the cost share rates, eligible practices, and other related provisions set forth in the approved grant agreement, if different, shall prevail. Examples of these instances include but are not limited to: 1) if the grant requires use of native species and this policy allows for non-native species, then native species will be required; 2) if the grant requires

that a project be paid in full prior to the grant expiring, then the payout schedule shall be modified to ensure payment is made in full prior to grant expiration; and 3) if the grant program allows funding for projects that fall below the minimum size thresholds specified in this policy (e.g. for native prairie and lakeshore restoration practices), then the minimum project size thresholds of the grant may prevail.

**STAFF CREDENTIALS**

25. The District will ensure staff has the necessary skill, training and experience to plan, design and construct projects according to applicable standards and specifications. Building credentials and maintaining or seeking certifications to retain knowledgeable staff is a high priority of the District, and funding for training purposes is incorporated into the District’s approved annual budget.

As of January 1, 2020, technical expertise of the District includes:

- 2 certified professionals in erosion and sediment control; 1 certified wetland delineator; and
- 8 staff with USDA–NRCS Job Approval Authority for ecological and engineering sciences.

When professional engineering is required by law, or the size or complexity of a specific conservation practice requires expertise above District technical capacity, the District will hire or contract with a professional engineer licensed to practice in the State of Minnesota, or an appropriately-licensed engineer employed with the Minnesota Board of Water and Soil Resources or the USDA-NRCS.

**DELEGATION OF AUTHORITY**

26. By adoption of this Conservation Practice Financial Assistance Program Policy, the Scott SWCD Board delegates the following authorities to the District Director for projects within the District:

- a. Sign financial assistance applications that have been approved by the Board;
- b. Approve partial and final payments; and
- c. Approve amendments involving date extensions.

Action taken by the District Director pursuant to b. and c. shall be certified by the Board at their next regular meeting.

**SUPPLY COSTS**

27. The District may provide supplies to the applicant at cost for approved cost share projects (Board motion 5.f, April, 2019.)

**COMPLIANCE**

28. The District shall seek to resolve any known contract violation in accordance with the flow chart provided in Appendix B.

**GENERAL CONSERVATION PRACTICE PROVISIONS**

The following provisions apply to the design and construction of conservation practices:

29. Soil Testing: A soil test shall be performed for any practice requiring seeding of cool season, non-native grasses if the cooperators or contractor applies fertilizer in excess of the following rate per acre: Nitrogen (N) 80 lbs, Phosphoric Acid (P2O5) 80 lbs and Potash (K2O) 80 lbs. All soil tests shall be from a soil testing laboratory shown on the Minnesota Department of Agriculture’s list of approved Soil Testing Laboratories. Application rates of lime, commercial fertilizer, and manure shall be based on University of Minnesota recommendations, or from North Dakota’s or South Dakota’s Land Grant University. Soil testing requirements may be waived if acceptable soil tests from the site were taken within the previous three years.

30. Upland Treatment: As a requirement of eligibility, participants are required to perform upland treatment actions, through a conservation plan which shall adequately address potential adverse impacts to conservation practices. Adverse impacts to conservation practices include, but are not limited to, increased siltation by water and/or wind borne soils, excessive runoff, degradation of vegetation practice components by pesticides transported in runoff and sediment, and degradation of wildlife habitat. Upland treatment shall, at a minimum, include controlling sheet and rill erosion to “T” and controlling all ephemeral gully erosion within the drainage area of the practice. For community and non-residential raingardens, a device that captures larger sand particles and trash shall be used as pre-treatment in lieu of upland treatment.
31. Materials: New materials must be utilized in the construction of practices, unless approved by a Technical Representative with appropriate Job Approval Authority or licensed Engineer prior to installation.
32. Land Rights: Participants proposing to construct a practice that will impact land they do not own are responsible for obtaining easements, permits, right-of-way, water rights or other permission necessary to perform and maintain the practices. Expenses incurred due to these items are not eligible for cost share. The permission from the authority must be in writing and a copy must be provided to the Scott SWCD office prior to installation being made on the practice. Participants proposing to construct a practice on land they do not own shall have the landowner sign the contract.
33. Permits: The participant is responsible for obtaining all permits required in conjunction with the installation and establishment of the practice prior to starting construction of the project. Expenses incurred for permits are not an eligible expense for cost-share.
34. Operation and Maintenance: The applicant is responsible for the operation and maintenance of the conservation practice for the minimum contract term listed in the specific provisions of this document.
35. Compliance with state regulations, local ordinances, and existing contracts: Cost share may not be provided to a landowner or occupier that is determined to be in violation of any of the following:
  - a. MN Rule 7020 (governing feedlots);
  - b. MN Rule 8420 (governing wetlands);
  - c. MN Statute 103F.48 (governing buffers);
  - d. Scott County Ordinance Chapter 70-8-11 (governing Shoreland zone);
  - e. Scott County Ordinance No. 4 Chapter 1(governing septic systems, as evidenced based on visual observation of surface discharge or formal notification by the county);
  - f. MN Rule 8400 (governing Excessive soil Loss Control); or
  - g. An existing financial assistance contract

Regulatory compliance shall only apply to the following:

- a. The parcel of land on which the practice is being implemented; and
- b. Any parcel owned (or co-owned) by the applicant that is contiguous to the parcel on which the practice is being implemented (parcels separated only by road right-of-way or water feature, or which touch at a property corner, shall be deemed contiguous); and
- c. The applicant’s primary residence and/or farmstead, if applicable.



Compliance with the buffer requirements under MN Statute 103F.48 shall be required as a condition of cost-share, regardless of applicability dates provided in the law. Compliance with the Excessive Soil Loss Control rule shall apply only if there is an outstanding formal complaint received by the County or District.

Notwithstanding the above, an applicant may be eligible for cost-share regardless of non-compliance, provided they sign and agree to implement a conservation plan that details specific actions and timelines for coming into compliance, and/or their cost share application is for a project intended to resolve the non-compliance issue.

An applicant may apply for a waiver from this section using a form provided by the District. The District Board may approve a waiver request upon determination that allowing the non-compliant situation to continue serves the greater public good than not installing the conservation practice for which cost share is being requested. Approved waiver requests shall be reported to the WPC.

36. Seed Plans: When preparing a seed plan the following standards will be used based on the funding source(s) involved:
- a. Vegetation Requirements for BWSR Funded Projects (BWSR 2019, as amended)
  - b. Practice Standard 327 Conservation Cover (USDA – NRCS eFOTG, as amended)
  - c. Agronomy Tech Note #31 (USDA – NRCS 2018, as amended)

## **SPECIFIC CONSERVATION PRACTICE PROVISIONS**

### **COST SHARE TIERS**

The following tiers are referenced in the Cost Share column in the table under each practice:

#### **Tier 1**

- Max Rate: 80% of actual construction costs, not to exceed 80% of cost estimate
- Minimum Requirements:
  - If upland treatment is required, the Participant must sign and follow a conservation plan agreement that achieves upland treatment on any cropland that a) drains to the practice and b) they either own or occupy (i.e. rent).
  - Achieve a minimum of 30% residue cover, after planting, on any field that intersects the contributing drainage area for the proposed project. The minimum residue cover shall be achieved over the entire crop rotation. Residue cover may be from last-year's crop, cover crops, and/or permanent vegetation; and
  - Complete a Conservation Assessment on all cropland on the parcel where the project will be installed plus any contiguous parcels owned by the Participant.

#### **Tier 2**

- Max Rate: 60% of actual construction costs, not to exceed 70% of cost estimate
- Minimum Requirements:
  - If upland treatment is required, the Participant must sign and follow a conservation plan agreement that achieves upland treatment on any cropland that a) drains to the practice and b) they either own or occupy (i.e. rent).
  - Complete a Conservation Assessment on all cropland on the parcel on which the project will be installed plus any contiguous parcels owned by the Participant.

#### **Tier 3**

- Max Rate: 50% of actual construction costs, not to exceed 50% of cost estimate
- Minimum Requirements:
  - If upland treatment is required, the Participant must sign and follow a conservation plan agreement that achieves upland treatment on any cropland that a) drains to the practice and b) they either own or occupy.

The maximum cost share rates shown shall be inclusive of all sources.

Notwithstanding the above, the maximum cost share rate shall be seventy percent (70%) for the following:

- Non-agricultural practices, except wetland restoration; and
- Practices that are otherwise treating erosion for which the primary cause is not agricultural land use immediately above the site; and
- As pertaining to Tier 1, above, the field in which the project is located, or is immediately downstream of, is not in a cash crop or grain/forage rotation, or the cause of the resource concern is not directly attributable to agricultural land use.

Farms and parcels separated only by a road, driveway, easement, or water feature, or which share a common corner, shall be deemed contiguous.

Conservation Assessments shall, at a minimum, address the following resource concerns: sheet, rill, inter-rill and gully erosion; buffers; manure management practices; open tile intakes; feedlot runoff, and sedimentation on neighboring property due to excessive soil loss.

Upland treatment shall include preventing ephemeral or classic gully erosion and controlling soil sheet and rill erosion to tolerable soil loss rate.

**PRACTICES**

Practices eligible for financial assistance are listed below along with notes detailing specific conditions that apply to each.

**BIORETENTION BASINS**

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount	Maximum Rate	
Bioretention Basins (Redevelopment/Community)	570			50%	10 years
Residential Raingardens identified in a local water plan				50%	10 years
Residential Raingardens	N/A	One-time	\$250 - \$750		10 years

1. Pre-treatment is required for cost shared projects. See General Conservation Practice Provision #30.
2. Materials eligible for cost share include plants, biologs, erosion control blankets, site preparation materials, edging, mulch, stakes and other items critical to the proper function of the rain garden. Materials not eligible for cost share include those items that do not benefit practice function, such as ornamental rock or other decorative items.
3. To qualify for flat rate funding, a residential raingarden project must be constructed and certified in accordance with SWCD guidelines. To qualify for cost share funding, a residential rain garden must be identified as a project in an approved local water plan.
4. Flat rates funding shall be limited to the following maximum amounts: \$250 for raingardens between 150 and 299 sq. ft.; \$500 for raingardens between 300 and 449 sq. ft.; and \$750 for raingardens greater than 450 sq. ft.

**CONSERVATION COVER**

	NRCS Code	Flat Rates		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Conversion of eligible ag land to native prairie – ≥2.0 acres and ≤5.0 acres.	327			50% for establishment and 100% for land dedication	10 years
Conversion of eligible ag land to native prairie – ≥5.0 acres and <20.0 acres.	327			50% for establishment and 75% for land dedication	10 years
Conversion of eligible ag land to native prairie – ≥20 acres.	327			50% for establishment and land dedication	10 years
Any native prairie restoration project ≥0.5 acres and <2.0 and any native prairie project ≥0.5 acres on non-ag land.	327	One-time	\$500/acre	N/A	10 years
Conversion of eligible agricultural land to introduced perennial grasses and legumes	327	Annual	\$100/acre	N/A	10 years
Pre-Construction Cover	TN 31	One-time	\$200/acre, Not to exceed \$1,000	N/A	

Post-establishment maintenance		One-time	\$85/acre		
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1. Eligible agricultural land includes any areas where annually seeded crops (e.g.: corn, soybeans, small grains, vegetables, etc.) have been grown and harvested in each of the last 3 years, and in at least 8 of the last 10 years. Cropland in a forage rotation (e.g. hay/alfalfa) is eligible provided forage has not constituted more than 50% of the rotation in the previous 10 years. Eligible pasture land includes any land that has been actively pastured by livestock for the last 3 years, and for at least 8 of the last 10 years. Eligible hay land must consist of at least 25% alfalfa plants and have been harvested at least once in each of the last 3 years, and in at least 8 of the last 10 years.
2. Notwithstanding the above, maximum percent- based rate shall be 50% for establishment and land dedication for any project on a parcel that: a) is less than 10 acres in size; or b) was platted after 1/1/2015 and has a non-agricultural zoning classification.
3. Funding assistance shall be limited to a maximum amount such that the overall total cost benefit for volume reduction does not exceed \$2000 per acre foot of runoff.
4. Payments shall be made according to the following table:

Total Approved Incentive Amount	1 <sup>st</sup> and 2 <sup>nd</sup> Year Payment Amount	Remaining payments
\$0-\$5,000	50%	N/A
>\$5,000 to \$10,000	30%	Annual installments equal to the total incentive amount divided by the contract term, until total incentive amount is paid out.
>\$10,000 to \$25,000	20%	
>\$25,000	15%	

Examples:

Total Approved Incentive	Year									
	1	2	3	4	5	6	7	8	9	10
\$4,500	\$2,250 (50%)	\$2,250 (50%)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$8,700	\$2,610 (30%)	\$2,610 (30%)	\$870 (10%)	\$870 (10%)	\$870 (10%)	\$870 (10%)	\$0	\$0	\$0	\$0
\$22,500	\$4,500 (20%)	\$4,500 (20%)	\$2,250 (10%)	\$2,250 (10%)	\$2,250 (10%)	\$2,250 (10%)	\$2,250 (10%)	\$2,250 (10%)	\$0	\$0
\$36,900	\$5,535 (15%)	\$5,535 (15%)	\$3,690 (10%)	\$3,690 (10%)	\$3,690 (10%)	\$3,690 (10%)	\$3,690 (10%)	\$3,690 (10%)	\$3,690 (10%)	\$0

5. First year payments shall be subject to the District certifying the seeding was completed in accordance with the approved seed plan. Second year payments shall be subject to the District certifying the seeding is well established (typically after one full growing season) and is being adequately maintained through timely mowing. Subsequent payments shall be subject to the District certifying the seeding is being maintained in accordance with the signed O & M Plan, and noxious weeds are under control. A single payment may be authorized for a project if the site is already well established, meets minimum stand density and diversity requirements, and noxious weeds are under control.
6. Eligible establishment costs include site prep, seed, seeding, and maintenance clipping in the first year of seeding (i.e. establishment period).
7. Upland treatment is required
8. The minimum project size for any funding assistance is one half acre.
9. All payment amounts shall be pro-rated based on actual project size.
10. Projects involving the conversion of eligible agricultural land to introduced perennial grasses/legumes shall be maintained by regular harvesting and/or grazing in accordance with a plan approved by the District. If grazing is proposed, the District shall evaluate proposed stocking densities, paddock layout, grass species, and other relevant factors to determine whether or not grazing is a suitable maintenance option. Applications will not be accepted where proposed grazing is determined not suitable to ensure proper maintenance. Funding is not eligible for conservation of pasture or hay land to introduced perennial grasses.

11. Land where the maintenance of permanent natural vegetation is required under Chapter 70-8-11, Scott County Zoning Ordinance and/or MN Statute 103F.48, may only be eligible for the One-time payment of \$500/acre.
12. Application through CRP or related program is prerequisite for projects over 20 acres, if the site meets CRP program eligibility requirements and the CRP program is currently accepting applications or USDA has announced it will be begin accepting applications in the current calendar year.
13. By default, Practice Standard 327 will be used. Practice Standards 643 and 645 may be used if preferred by the applicant, required by a grant, and deemed technically feasible by the Technical Representative; maximum costs shall, however, shall be based on meeting 327. Planting of trees within the conservation cover may be allowed if approved by the SWCD and included the Conservation Plan. Areas planted to trees may not be eligible for cost share under this practice; however, they are eligible for cost share under the Tree/Shrub Establishment practice (Practice Standard 612) subject to meeting applicable requirements therein.
14. An applicant may apply for Advance Construction Cover (ACC) payment for land seeded to temporary grasses or small grains for the purpose of accommodating construction of conservation practices when cash grain crops would otherwise be growing. The intent of this payment is to offset lost revenues in order to encourage mid- to late-summer construction when successful stabilization and contractor availability can be maximized. Species selection and seeding rates and methods must be consistent with Technical Note 31, as revised, and must be completed in the fall or spring prior to planned construction. Payments shall be subject to construction of the proposed project being completed between July 1st and September 10th. ACC shall be included as an eligible component of the primary practice, not as a separate, stand-alone practice.
15. Maintenance under this practice may include mowing, disking or other method approved by the District. Applications for maintenance must be made separate from applications for initial establishment and flat rate or cost share payments. The intent is to provide funding assistance for maintenance in years 4 or 5 after establishment. Cost share for maintenance may not be provided more than One-time per applicant, per ten years. Cost share for prescribed burn shall follow requirements under that practice standard (below).
16. Grazing is a permitted maintenance option. It must, however, be performed in accordance with an approved grazing plan and is not eligible for cost share, except for commercial goat grazing services.
17. A Participant may apply for funding for up to 10 additional years upon expiration of their original contract. The approving authority may, at its discretion, approve, approve with modification, or deny any such application, based on its determination of public benefit. Consideration of benefit shall be based on cost compared to any or all of the following: potential threat to water quality should the land return to agricultural use (in whole or part), minimum acreage necessary to maintain comparable the water quality benefits as achieved with the original project, level of impairment of the receiving water body, and available funds.
18. Areas having the greatest environmental benefit within a field(s) targeted for this practice shall be prioritized for financial assistance.

### CONTOUR BUFFER STRIPS

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Contour Buffer Strips	332	Annual	\$275/acre	50%	10 years

1. CRP funding shall be used when available.
2. Buffer strips must be harvested at least every other year, unless harvesting is prohibited by one or more funding sources (e.g. CRP).
3. Eligible costs include site prep, seed, and seeding.

### CONTOUR FARMING

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Contour Farming	330	1-time	\$200/acre	N/A	10 years

1. Eligibility for funding is limited to projects where contouring is implemented in conjunction with buffer strips or terraces, and dominant slopes in the field are 6% or greater.
2. This incentive is only available where current cropping practices would not meet the 340 practice standard.

## COVER CROPS

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Cover Crops – Multi-year	340	Annual	\$40/acre*	N/A	3 Year
Cover Crops – Annual	340	1-time	\$30/acre*	N/A	1 Year

\*These are incentives.

1. Maximum payment for the annual incentive is \$12,000 per applicant (100 acres x \$40/acre x 3yrs).
2. Maximum payment under the One-time incentive is \$2,000.
3. To qualify for the multi-year incentive, cover crops must be planted on the same number of acres and on the same fields for a minimum of 3 consecutive years.
3. Payment shall be issued each year after the Technical Representative has certified seeding.
4. An applicant may, after an initial contract for multi-year incentives has been completed in accordance with applicable terms and conditions, be eligible to apply for additional multi-year incentives, up to a maximum of \$12,000, provided the applicant continues to plant cover crops all acreage covered under previous contract(s), and all land covered under the new contract is additional to any previous contract.
5. Seeding rates and dates may vary from NRCS practices standard guidelines subject to prior approval of a District Technical Representative with applicable knowledge and expertise. Payment for projects for which seeding rates, mixes, and/or dates deviate from NRCS guidelines shall be delayed until such time that successful establishment – based on density and health of the cover crop - can be evaluated and verified at the appropriate time based on species.
6. For multi-year contracts: If an applicant loses control of land for which they have already received payment, they may request to transfer equal acreage to another field(s) via a contract amendment, provided the new acreage falls within the same watershed jurisdiction. If approved, the applicant shall be eligible to receive payment for remaining funds according to existing terms and conditions of their contract. If transferring acreage violates the terms of any grant agreement, the applicant may not amend their contract and shall only be ineligible for payment on land they continue to control.

## CRITICAL AREA PLANTING

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Critical Area Planting	342			Tier 1, 2 or 3	10 years

1. Upland treatment is required. See General Conservation Practice Provision #30.
2. Critical Area Planting (342) must be completed following an approved establishment and management plan.

## DIVERSION

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Diversion	362			Tier 1, 2 or 3	10 years

1. Upland treatment is required. See General Conservation Practice Provision #30.
2. The use of tile or other underground pipe to drain hillside seeps, low or wet spots in fields is not an eligible single component of this practice.
3. Diversion (362) is allowed as a stand-alone practice for feedlots when used as a clean water diversion.
4. If a Diversion (362) is a component of Wastewater and Feedlot Runoff Control (784), cost sharing is **NOT** authorized for the Diversion (362) as a stand-alone practice. The cost will be included in the cost of Wastewater and Feedlot Runoff Control (784).

## FILTER STRIP

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Eligible Cost Share Rate	
Filter Strip - New	393	Annual	\$300/ac for the NRCS minimum; \$150/ac for the area beyond the minimum, up to a maximum of 75'	50% of establishment costs	10-15 years
Filter Strip - Re-enroll of expired harvestable	393	Annual	\$200/ac for the NRCS minimum; \$100/ac for the area beyond the minimum, up to a maximum of 75'		10-15 years
Sensitive Field Border (Harvestable)	393	Annual	\$150/ac		10 years

1. Eligible establishment costs include site prep, seed, and seeding when using native species only.
2. The rates listed are maximums amounts from all public sources combined.
3. Sensitive field borders include the edges of fields that are not included in Standard 393, such as road ditches, drainage ditches without seasonal perennial stream characteristics, or other areas deemed sensitive. Minimum width is 33'.
4. Filter Strips located in areas where the maintenance of permanent natural vegetation is used to meet the requirements under Chapter 70-8-11, Scott County Zoning Ordinance and/or the Buffer Law under MN Statute 103F.48, are eligible for a one-time payment of \$200/acre for establishment of cool season grasses and \$500/per acre for establishment of native grasses or prairie. Land enrolled in CRP or other program that pays for establishment costs is not eligible for this payment.
5. Filter strips must be harvested at least every other year, unless harvesting is prohibited by one or more funding sources (e.g. CRP).
6. Eligibility for re-enrollment of expired filter strips shall be determined on a case by case basis. The approving authority may, at its discretion, approve, approve with modification, or deny any such application, based on factors including but not limited to: potential threat to water quality should the land return to agricultural use (in whole or part), minimum acreage necessary to maintain comparable the water quality benefits as achieved with the original project, level of impairment of the receiving water body, and available funds. Re-enrolled filter strips are eligible for funding up to the minimum width as set forth in the 393 standard, or 50', whichever is greater.
7. New filter strips must have crop history 4 of the past 6 years unless there are extenuating circumstances approved by the Watershed Planning Commission or County Board.
8. Filter strip payments shall be split over two to four years. The first year payment shall be subject to the District certifying that seeding was completed in accordance with the approved filter strip design. Subsequent payments shall be subject to the District certifying that the filter strip has become well established (typically after one full growing season) and is being adequately maintained through timely mowing and weed control. Incentives for renewal filter strips where vegetation is already established and consistent with applicable standards and specifications are eligible for full payment in the first year.
9. Sites where upland runoff does not flow through the filter strip due to the presence of a levee (e.g. spoil piles) or negative slope shall not be eligible under this practice. They may, however, be eligible under the Riparian Buffer Practice.
10. The NRCS minimum shall be based on removal of sediment and sediment associated material removal, as set forth in Table 1 of Filter Strip Standard 393, except in cases where the local water plan identified soluble material and pathogen removal as a priority, in which case the minimum may be as specified under the soluble materials and pathogens section of Table 1 of the Standard.
11. Livestock grazing may be used for maintenance, provided it is performed in accordance with an approved grazing plan.

**GRADE STABILIZATION STRUCTURE**

	NRCS Code	Flat Rate		Cost Share	Contract
		Type	Amount \$	Maximum Rate	

					Term
Grade Stabilization	410			Tier 1, 2 or 3	10 years

1. Upland treatment is required. See General Conservation Practice Provision #30.
2. Eligible costs include materials, earthwork and any seed and seeding expenses.

### GRASSED AND LINED WATERWAY

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Grassed Waterway	412 or 468			Tier 1, 2 or 3	10 years

1. Upland treatment is required. See General Conservation Practice Provision #30.
2. Cost is for earthwork, materials, and any seed and seeding expenses.

### NUTRIENT MANAGEMENT

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Manure Testing	NA			100% of Actual Cost	1 year
Variable Rate Application (VRA)	NA	1-time	\$15/ac*		1 year

\*This is an incentive.

1. Manure testing kits are available through Scott SWCD.
2. Eligibility for VRA is limited to a maximum of \$2,000 per applicant, in either a single contract or contracts over multiple years. Payment may not be made more than One-time on any given acre or field.
3. Funds for VRA shall be prioritized for producers that do not already use VRA as the primary means of fertilizer application for their operation.
4. Sheet and rill erosion shall be controlled to tolerable soil loss rates, and ephemeral gully erosion shall be controlled on all cropland covered under the VRA application, as determined by a conservation assessment. If current practices do not meet T or control ephemeral erosion, then the applicant may become eligible for VRA incentives by agreeing to follow a Conservation Plan.
5. Manure shall be credited and all fertilizer application rates shall be consistent with U of M recommendations.
6. Copies of paid invoices from the applicator (if not the applicant) and maps showing grid sampling results, organic matter, and prescription rates shall be submitted as a condition of payment. The applicator shall attest that application was completed in accordance with the prescription map, by signing a form prepared by the District.
7. The Technical Representative has discretion to withhold payment for acreage where sampling results and or application rates do not appear reasonable or accurate.

### OTHER PRACTICES

	Flat Rate		Cost Share	Contract Term
	Type	Amount \$	Maximum Rate	
Innovative Practices (Redevelopment/Community)			50%	10 years
Innovative Practices (New Development)			50%	10 years
Non-Conventional Stormwater Runoff and Pollution Control			50% - 70% as determined by approving authority	10 years
Conservation Drainage			70%	10 years
Chloride Reduction Practices			50% - 70% as determined by approving authority	1 - 10 years



1. Interest in financial assistance for projects under this category shall be discussed with appropriate funding authority staff prior to the District accepting an application.
2. Projects having tentative support of the funding authority shall be taken by the District and forwarded to the appropriate funding authority for consideration.
3. Innovative practices include cutting edge techniques and technologies that will, as determined by the funding authority, have a high likelihood of success but which have either never been used before or have not been used or applied other than experimentally.
4. Approved applications are assigned to Scott SWCD for technical assistance.
5. Eligible non-conventional stormwater runoff and pollution control practices may include regenerative dustless street sweepers, porous pavers, porous pavement, green roofs, sediment basins, and other practices determined on a case by case basis.
6. Conservation drainage practices include, but are not limited to: denitrifying bioreactors, water quality surface inlet protection and vegetative subsurface drain outlets.
7. Chloride reduction practices including but not limited to equipment
8. For Non-Conventional Stormwater Projects: The maximum financial assistance for a private residential project is \$5000, and the applicant shall allow for public education as a component of the project.

### STREAMBANK AND SHORELINE PROTECTION

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Natural Shoreline Restoration	N/A			50%	10 years
Shoreline Stabilization	580			70%	10 years
Streambank Stabilization	580			70%	10 years

1. Natural Shoreline Restoration project designs shall meet the intent of restoring the shoreline to predominantly natural conditions, including but not limited to the use of natural and native vegetative buffers, limiting turf grass, and using bioengineering methods. Minimum specifications include a 10 feet wide seeded native vegetation buffer along no less than 50 linear feet or 50%, whichever is less, of the total width of the lot, less the footage or shoreline having existing natural and desirable vegetation. Where agriculture is the adjoining land use an area of unmaintained vegetation or conservation plan must be in place in accordance with County Shoreland Rules.
2. Funding for hard armor practices (e.g. rock riprap) are not eligible for funding unless bio-engineering methods are determined to be an insufficient means of needed stabilization.
3. Upland treatment is required. See General Conservation Practice Provision #30.
4. To be eligible for funding for shoreline restoration or stabilization, the projects must be on or adjacent to a DNR-protected water body. Shoreline projects on or adjacent to stormwater infrastructure or a private water body are not eligible for funding.

### PRESCRIBED BURNING

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Prescribed Burning	338			50%	N/A

1. A detailed burn plan describing the practice objective, species to control and species to be benefited, timing, weather conditions and management guidelines will be developed.
2. Technical assistance will be provided by a technically qualified and adequately insured individual.
3. All laws and regulations pertaining to burning will be followed.
4. **The conservation plan must document that the Participant has been notified in writing that they are subject to all liability due to damages caused by fire.**
5. It is the Participant's responsibility to obtain all permits and to notify surrounding landowners that may be affected.

6. Cost share is eligible once every 5 years for projects that were established without cost share assistance, or are not within the term of a cost share contract.
7. Costs associated with notifying neighbors and for obtaining any required approvals from the local unit of government and/or the fire marshal are the Participant's responsibility.
8. Cost share may not be provided more than once for projects that are within the term of a cost share contract.

### RIPARIAN BUFFER

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Forested Stream Buffer Improvement >1 ac parcel	391			100% up to \$1,000/acre for plants, seeds, labor and materials	15 years
Herbaceous or Forested Buffer Establishment (Native Vegetation)	390 or 391	Annual	\$150/ac up to 50' width	70% of actual seed, stock and establishment costs, not to exceed 70% of cost estimate	10-15 years
Herbaceous or Forested Buffer Establishment	390 or 391	Annual	\$150/ac up to 50' width		10-15 years

1. Eligible establishment costs include site prep, seed, planting stock, and seeding and planting.
2. Projects can be either new establishment or renovation.
3. Plan required from the District.
4. Minnesota Conservation Corps may be used for labor counting as part of the cost share

### TERRACE

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Terrace	600			Tier 1, 2 or 3	10 years

1. Upland treatment is required. See General Conservation Practice Provision #30.
2. Eligible costs include materials, earthwork and any seed and seeding expenses
3. The use of Subsurface Drain (606) or Underground Outlet (620) to drain hillside seeps, low or wet spots in fields is not an eligible single component of this practice. The land occupier shall identify, in writing the purpose of the larger tile and indicate the area that it will serve. The difference in the cost of installing tile larger than that specified by the technician will be borne by the producer.
4. Cost sharing for Underground Outlet (620) is limited to the diameter and length needed to convey water from surface intakes to a safe outlet as determined by the designer.
5. Cost sharing for Subsurface Drain (606) is limited to drains needed in the impounded area of the terrace as determined by the designer.

### TREE/SHRUB ESTABLISHMENT

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Conversion of eligible land – ≥2.0 acres and <5.0 acres.	612			50% for establishment and 100% for land dedication	10 years
Conversion of eligible land – ≥5.0 acres and <10.0 acres.	612			50% for establishment and 75% for land dedication	10 years
Conversion of eligible land – ≥10.0 acres.	612			50% for establishment and land dedication	10 years

1. Eligible land includes any cropland where grain, vegetable, and/or forage crops have been grown and harvested in each of the last 3 years, and in at least 8 of the last 10 years.
2. The maximum cost share rate shall be 50% for both establishment and dedicated land for any project on a parcel that: a) is less than 10 acres in size; or b) was platted after 1/1/2015 and is not zoned agricultural.
3. Notwithstanding 2., above, payment shall be limited to a maximum amount such that the overall total cost benefit for volume reduction does not exceed \$2000 per acre foot of runoff.
4. Payment shall be made following the same schedule as specified for Conservation Cover.
5. Eligible establishment costs may include: site preparation, seeding (to establish cover between rows or groupings), tree/shrub stock, mats, shelters, installation (by hand or mechanical depending on planting size), and first-year maintenance (mowing and/or chemical treatment). The maximum cost for tree/shrub stock shall be based on the lowest reasonable market value of bare root seedlings up to 18". Only those species listed in Appendix C are eligible for cost share. The maximum cost for tree shelters shall be based on mesh-style tubes unless solid tubes are deemed necessary by the SWCD.
6. Upland treatment is required
7. The minimum project size shall be 2 acres.
8. Land where the maintenance of permanent natural vegetation is required under Chapter 70-8-11, Scott County Zoning Ordinance and/or MN Statute 103F.48, may only be eligible for the One-time payment of \$500/acre.
9. Establishment of trees/shrubs within a Conservation Cover project may be eligible for funding provided: a) it is approved by the SWCD and included a signed Conservation Plan; and b) installation of both practices complies with their respective practice standards (327 and 612).
10. Non-native species may be used subject to approval by the District and not exceeding 10% of the planting; non-native species are ineligible for cost share.
11. Species diversity shall be considered a priority objective of the tree planting plan.
12. The tree planting plan shall not consist of more than 15% conifers.
13. Existing stands, regardless of whether or not financial assistance was previously provided, shall not be eligible for funding.
14. Areas having the greatest environmental benefit within a field(s) targeted for this practice shall be prioritized for financial assistance.

#### UNDERGROUND OUTLET

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Underground Outlet	620			Tier 1, 2 or 3	10 years

1. Cost share eligibility is limited to replacing existing surface tile inlets.

#### VEGETATED TREATMENT AREA

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Level 2 to 4 Vegetated Treatment Area – lot size of 1 acre or less	313			Tier 1, 2 or 3	10 years
Level 2 to 4 Vegetated Treatment Area – lot size of 1.1 acre to 2 acres	313			Tier 1, 2 or 3	10 years
Level 2 to 4 Vegetated Treatment Area – lot size 2.1 to 5 acres	313			Tier 1, 2 or 3	10 years
Level 2 to 4 Vegetated Treatment Area – lot size greater than 5 acres	313			Tier 1, 2 or 3	10 years

Level 5 Control – vegetated buffer	313			Tier 1, 2 or 3	10 years
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1. Payment is limited to where the implementation of this practice will correct an existing pollution problem. As outlined by the EQIP manual, any EQIP contract that includes an animal waste storage or treatment facility will provide for the development of a CNMP prior to implementation of the storage or treatment. MPCA’s definition is used to define a pollution problem.
2. Consult EQIP General Provision 12 for Comprehensive Nutrient Management Plan (CNMP) requirements.
3. Consult EQIP General Provision 13 for requirements related to manure application land base and/or manure applications on land not owned or controlled by the EQIP contract holder.
4. Payment for Vegetated Treatment Area on operations with pollution problems less than 5 years old is not authorized.
  - a. Examples:
    - i. Producer A has had a dairy farm operation for 20 years. Producer B purchases the dairy and continues milking cows. This pollution problem is greater than 5 years old and producer B meets this eligibility requirement for Payment assistance.
    - ii. A producer has a dairy operation on farm A. He purchases farm B and moves the dairy operation to farm B where there was no previous pollution problem. Farm B would be considered a new facility and would not be eligible for Payment assistance.
5. Payment is not authorized for Vegetated Treatment Area on operations where the system establishment is required as a result of judicial or court action. MPCA Stipulation Agreement and Schedule of Compliance (SOC) are not considered a judicial or court action, and practice implementation is still considered voluntary for EQIP eligibility purposes, even if fines have been levied by the MPCA.
6. Application through the USDA-NRCS EQIP program during a scoring and ranking period is prerequisite.

## WASTE STORAGE FACILITY

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Concrete or Metal Tank	313			Tier 1, 2 or 3	10 years
Stacking Slab	313			Tier 1, 2 or 3	10 years
Pond – composite liner	313			Tier 1, 2 or 3	10 years
Pond – membrane liner	313			Tier 1, 2 or 3	10 years
Pond – no liner	313			Tier 1, 2 or 3	10 years
Pond – soil liner	313			Tier 1, 2 or 3	10 years
Concrete slab	313			Tier 1, 2 or 3	10 years
Non liquid tight deep pack – concrete wall	313			Tier 1, 2 or 3	10 years
Certification				70% up to a maximum of \$1000	

1. The eligible volume of storage is the total storage volume, including the design storage volume plus freeboard as required in the standard. As outlined in Waste Storage Facility (313), the maximum design storage period is 14 months.
2. The maximum allowable storage volume is based on the current capacity of the existing facility plus up to 25% expansion.
3. Payment is limited to where the implementation of this practice will correct an existing pollution problem. As outlined by the EQIP manual, any EQIP contract that includes an animal waste storage or treatment facility will provide for the development of a CNMP prior to the implementation of the 313. MPCA’s definition is used to define a pollution problem.
4. Consult EQIP General Provision 13 for Comprehensive Nutrient Management Plan (CNMP) requirements.
5. Consult EQIP General Provision 14 for requirements related to manure application land base and/or manure applications on land not owned or controlled by the EQIP contract holder.
6. For purposes of this practice, “waste” refers to raw manure and urine; runoff water contaminated through contact with manure and urine; milking center wastewater; and silage leachate as appropriate.
7. Silage storage facilities are not eligible components. Payment for components addressing silage leachate concerns under Waste Storage Facility start at the edge of the silage storage facility.

8. For livestock operations that are not or will not be permitted under the NPDES system, silage leachate systems can be funded as stand-alone practices if these systems are the only livestock related practices being requested. The development of a CNMP IS required with a silage leachate system but the CNMP does NOT have to be implemented.
9. Payment is authorized for tanks that serve as foundations for buildings, however eligible costs are those associated with the storage function only. Payment is not authorized for production oriented building components.
10. Payment for Concrete Slab is authorized for concrete agitation and pump out pads, pond lining, ramps and chutes within the pond.
11. Payment is authorized for feedlot relocation, with the following provisions:
  - a. The payment for relocation shall be based on the most practical and feasible waste management facility at the existing site.
  - b. Payment at the new site is only authorized for components applicable to the transfer, storage, or treatment of wastes.
  - c. Existing location is to be abandoned in an environmentally safe manner as outlined in MPCA guidelines.
  - d. Operator must agree to permanently remove all livestock from the existing location along with any other designated pollution sources. The following statement shall be included in the EQIP contract: "As a condition of EQIP Payment on feedlot relocation, the producer agrees to permanently eliminate all animals and designated pollution sources at this facility. Failure to comply with this provision may result in a recovery of federal Payment funds."
  - e. In the event of a change in ownership, the abandoned lots will permanently not be eligible for future USDA Payment on waste management practices.
12. Payment for Waste Storage Facility (313) on operations with pollution problems less than 5 years old is not authorized.
  - a. Examples:
    - i. Producer A has had a dairy farm operation for 20 years. Producer B purchases the dairy and continues milking cows. This pollution problem is greater than 5 years old and producer B meets this eligibility requirement for payment assistance.
    - ii. A producer has a dairy operation on farm A. He purchases farm B and moves the dairy operation to farm B where there was no previous pollution problem. Farm B would be considered a new facility and would not be eligible for payment assistance.
13. Payment is not authorized for Waste Storage Facility (313) on operations where the system establishment is required as a result of judicial or court action. MPCA Stipulation Agreement and Schedule of Compliance (SOC) are not considered a judicial or court action, and practice implementation is still considered voluntary for EQIP eligibility purposes, even if fines have been levied by the MPCA.
14. State NRCS Conservationist approval is required for systems involving agricultural waste generated off-site.
15. Payment for Waste Storage Facility is capped at \$250,000. This cap applies to the total facility being installed under 313. Other components such as manure transfer, safety fence, etc. are allowed in the contract in addition to the capped \$250,000 for the 313 practice.
16. Non Liquid Tight Deep Pack – Concrete Wall is authorized only for stacking slabs where enough bedding or organic matter is added to the manure to eliminate liquid runoff or leaching and therefore a concrete floor is not required. The manure and organic pack resulting from the operation of a "Compost Barn" as defined by the University of Minnesota meets this definition.
17. Certification must be by an appropriately licensed professional engineer.
18. Application through the USDA-NRCS EQIP program during a scoring and ranking period is prerequisite.

## WASTEWATER TREATMENT

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Flocculation Treatment	629			Tier 1, 2 or 3	10 years
Vegetated Dosing Area	629			Tier 1, 2 or 3	10 years
Bark Bed	629			Tier 1, 2 or 3	10 years
Aerobic Treatment	629			Tier 1, 2 or 3	10 years

1. Payment is limited to where the implementation of this practice will correct an existing pollution problem. As outlined by the EQIP manual, any EQIP contract that includes an animal waste storage or treatment facility will

provide for the development of a CNMP prior to implementation of the storage or treatment. MPCA’s definition is used to define a pollution problem.

2. Consult EQIP General Provision 13 for Comprehensive Nutrient Management Plan (CNMP) requirements.
3. Consult EQIP General Provision 14 for requirements related to manure application land base and/or manure applications on land not owned or controlled by the EQIP contract holder.
4. Payment for Wastewater Treatment on operations with pollution problems less than 5 years old is not authorized.
  - a. Examples:
    - i. Producer A has had a dairy farm operation for 20 years. Producer B purchases the dairy and continues milking cows. This pollution problem is greater than 5 years old and producer B meets this eligibility requirement for payment assistance.
    - ii. A producer has a dairy operation on farm A. He purchases farm B and moves the dairy operation to farm B where there was no previous pollution problem. Farm B would be considered a new facility and would not be eligible for payment assistance.
5. Payment is not authorized for Wastewater Treatment on operations where the system establishment is required as a result of judicial or court action. MPCA Stipulation Agreement and Schedule of Compliance (SOC) are not considered a judicial or court action, and practice implementation is still considered voluntary for EQIP eligibility purposes, even if fines have been levied by the MPCA.
6. Payment rate includes components needed for the actual waste treatment. Components needed for temporary storage and transfer of wastes are covered under separate practices.
7. Application through the USDA-NRCS EQIP program during a scoring and ranking period is prerequisite.

**WATER AND SEDIMENT CONTROL BASIN**

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Water & Sediment Control Basin	638			Tier 1, 2 or 3	10 years

1. The use of Subsurface Drain (606) or Underground Outlet (620) to drain hillside seeps, low or wet spots in fields is not an eligible single component of this practice. The landuser shall identify, in writing the purpose of the larger tile and indicate the area that it will serve. The difference in cost of installing tile larger than that specified by the technician will be borne by the producer.
2. Upland treatment is required. See General Conservation Practice Provision #30.
3. Eligible costs include materials, earthwork and any seed and seeding expenses
4. Cost sharing for Subsurface Drain (606) is limited to drains needed in the impounded area of the basin as determined by the designer.
5. Farmable WASCORB is eligible only if it is the most practical alternative, as determined by the District. If a farmable WASCORB is not determined to be the most practical alternative by the District then the applicant shall be responsible for the difference in cost between a narrow based/grassed backed WASCORB and a farmable WASCORB. In addition, a farmable WASCORB berm must be constructed at least 1’ higher than the required design. May be used and designed for purposes of detention, and sediment, volume and peak flow reduction.

**WELL DECOMMISSIONING (Unused Well Sealing)**

	NRCS Code	Flat Rate		Cost Share	Contract Term
		Type	Amount \$	Maximum Rate	
Well Decommissioning	351			70%	10 years

1. Maximum cost share amount from all sources shall be \$1,000, except for wells that are being abandoned as part of a public water supply expansion project, in which case the maximum cost share amount shall be \$400.
2. Maximum cost share for state cost share funds is 50%.

**WETLAND RESTORATION**

	NRCS Code	Flat Rate		Cost Share	Contract
		Type	Amount \$	Maximum Rate	

					<b>Term</b>
Wetland Restoration	657			90% for construction costs and 135% for land dedication	15 years
		One-time	Approved Bid	90%	Perpetual

1. Financial assistance shall be limited to projects that fully restore wetlands that have been partially or completely impacted by a subsurface tile and/or drainage ditch system, or by sedimentation. Projects that partially restore wetlands may be eligible for lower incentive and cost share rates, subject to review and approval by the funding authority.
2. Eligible costs include materials, earthwork and any seed and seeding expenses.
3. The applicant is responsible for obtaining easements, right of ways, local, state and federal permits and other permission necessary to perform and maintain the practice. Expenses incurred due these items are not cost shared. Incentive payments will not be made until proof of necessary permits has been provided.
4. The restored area shall not be used for irrigation or livestock watering purposes, to produce agricultural commodities, or for grazing livestock.
5. Upland Treatment is required.
6. Wetlands restored as part of a required mitigation plan or for wetland banking are not eligible for funding under this section.
7. A 30 foot minimum native buffer is required. Upland buffer can be completed as a filter strip or native grass planting practice using respective cost and incentive rates.
8. An approved application through the Conservation Reserve Enhancement Program (CREP) or Reinvest In Minnesota (RIM) for the proposed perpetual restoration is required in order to be eligible for funding under this section.
9. Bids shall be submitted to the District office using a form provided by District, or local water management agency, if applicable.
10. The District shall, with concurrence of the local water management agency when applicable, set a time period during which bids must be submitted.
11. The approving authority reserves the right to refuse any and all bids.
12. The owner(s) of a neighboring property that may be affected by a proposed wetland restoration (e.g. increased flooding and/or saturation of soil near the surface) are eligible for the incentive, provided they sign a separate cost share contract and agrees maintain the affected area in permanent vegetative cover and avoid tillage and applying chemical and fertilizers.

**PRACTICE STANDARD – WHOLE FARM PLANNING**

	NRCS Code	Flat Rate		Cost Sharing	Contract Term
		Type	Amount \$	Maximum Eligible Cost Share Rate	
Whole Farm Planning		One-time	\$5/acre		10 years

1. Maximum financial assistance amount shall be \$1,000 per farm plan.
2. For promotion of the MN Agricultural Water Quality Certification Program (MAWQCP) and other local certification programs. For MAWQCP, the Participant must submit a completed application and complete an assessment following MAWQCP protocol. For a local certification program, the Participant must meet certification requirements and sign a completed conservation plan prepared by the District.

## APPENDIX A

### I. SCOTT WATERSHED MANAGEMENT ORGANIZATION (WMO) SPECIAL PROVISIONS

The following provisions shall apply for projects utilizing Scott WMO funding, and shall supersede any conflicting policies and procedures of the Countywide Conservation Financial Assistance Program, above:

- A. The approval authority for financial assistance applications proposing to use WMO funds shall be determined in accordance with Figure 1, WMO Application Approval Decision Flow Chart, copied below.
- B. The District Board shall review and provide an action recommendation to the WMO on applications for which they are determined to be the approval authority under A, above.
- C. Applications for funding are considered by the WMO when completed applications are received. The review and approval process, however, may vary according to the type of practice and the benefits and/or cost effectiveness of the proposed project. In general, those practices and applications which are less cost effective, or for which pollutant removal cannot be readily calculated, may require a higher level of review and/or approval. Pursuant to existing policy of Scott County, approval can be given administratively or by the Scott County Board acting as the Scott WMO. Administrative approval are authorized for applications requesting \$50,000 or less, and that conform to all the specifications in this Policy Manual. Requests exceeding \$50,000 or that include deviations from this Policy Manual require Scott WMO Board approval.
- D. Amendments to financial assistance contracts may be approved by the District Board unless it causes the project to exceed \$100 of WMO funds per ton of sediment, or \$50,000 in total WMO funds, in which case the amendment must be approved by the WMO.
- E. The WMO may, at its discretion set a cap on the total financial assistance available for a given practice and/or for individual application amounts. It may also establish sign-up periods during which applications are received, reviewed and ranked based on factors including but not limited to application request amount, environmental benefit, and cost effectiveness. Highest ranking application will be advanced through appropriate channels for approval. Rejected application may be submitted in a subsequent sign up period.
- F. Applications for streambank and shoreline stabilization projects shall be approved by reviewed by the Screening Committee and approved by the WMO, with the cost share amount being discretionary depending on project benefits.
- G. Applicants who have failed to comply with corrective actions on an expired contract may, at the WMO's discretion, be deemed ineligible for financial assistance.

### II. PRIOR LAKE SPRING LAKE WATERSHED DISTRICT (PLSLWD) SPECIAL PROVISIONS

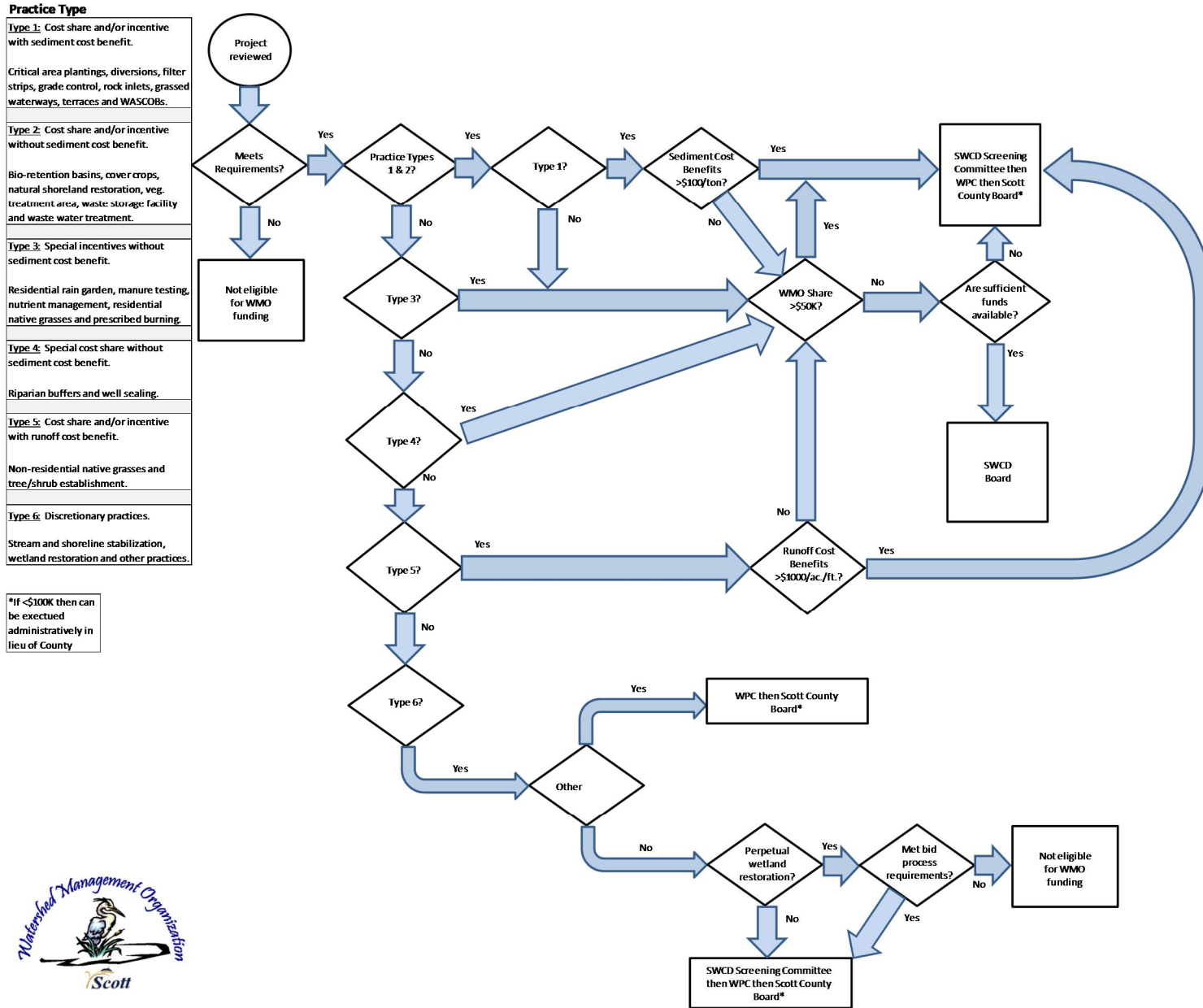
The following provisions shall apply for projects utilizing PLSLWD funding, and shall supersede any conflicting policies and procedures of the Countywide Conservation Financial Assistance Program, above:

- A. The approval authority for financial assistance applications proposing to use PLSLWD funds shall be determined in accordance with Figure 2, PLSLWD Application Approval Decision Flow Chart, copied below.
- B. The District Board shall review and provide an action recommendation to the PLSLWD on applications for which it is determined they are the approval authority under A, above.
- C. Amendments of greater than 10% of the original cost share amount shall be approved by the PLSLWD if the amendment causes the project to exceed \$100 of PLSLWD funds per pound of Phosphorus and/or to exceed \$7,500 in total PLSLWD cost share. Amendments of 10% or less than the original cost share amount may be approved by the District.
- D. Innovative/Other practices shall be approved by the PLSLWD Board.



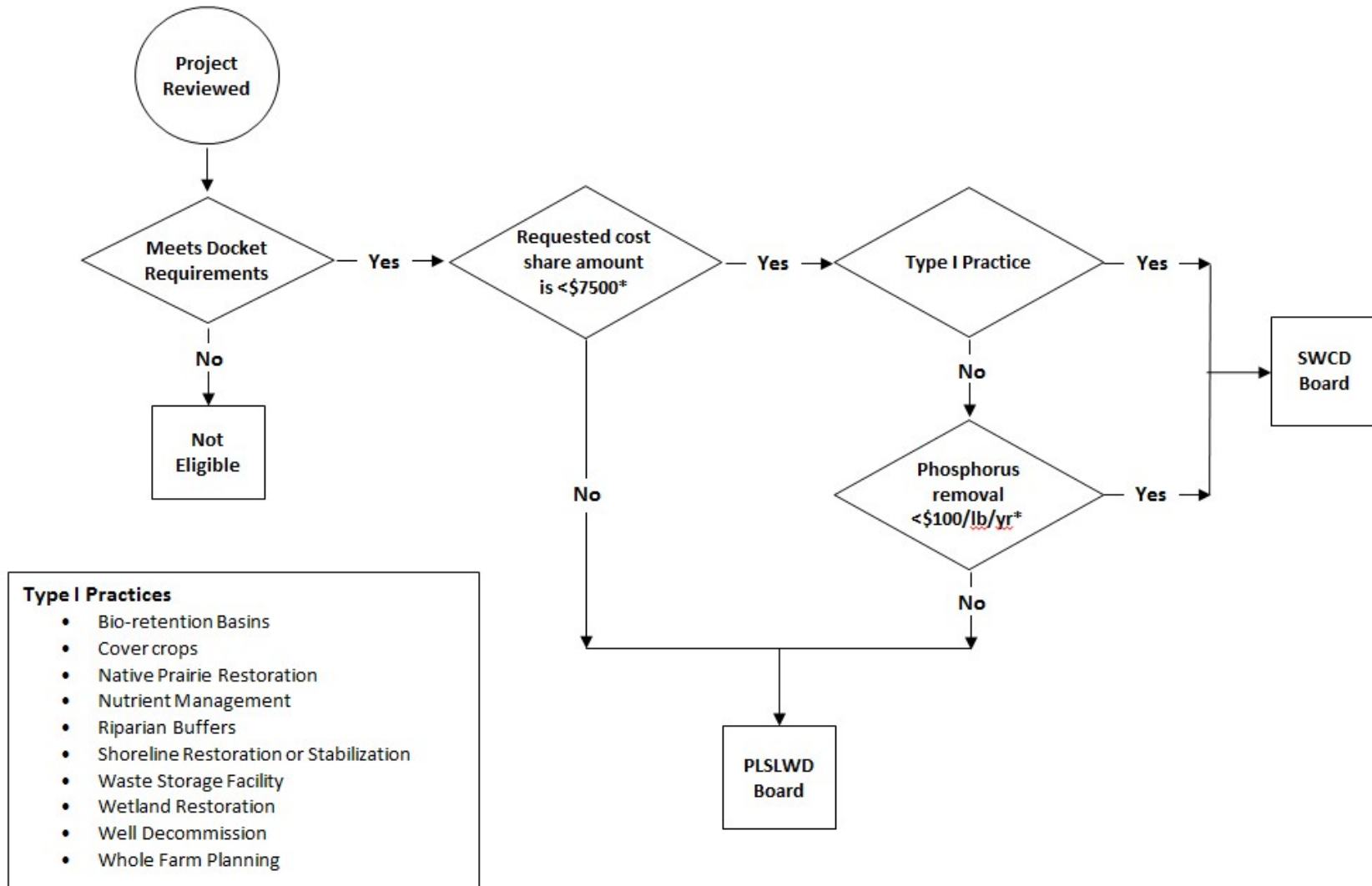
# APPENDIX A (cont.)

Figure 1 - Scott WMO Application Approval Decision Flow Chart



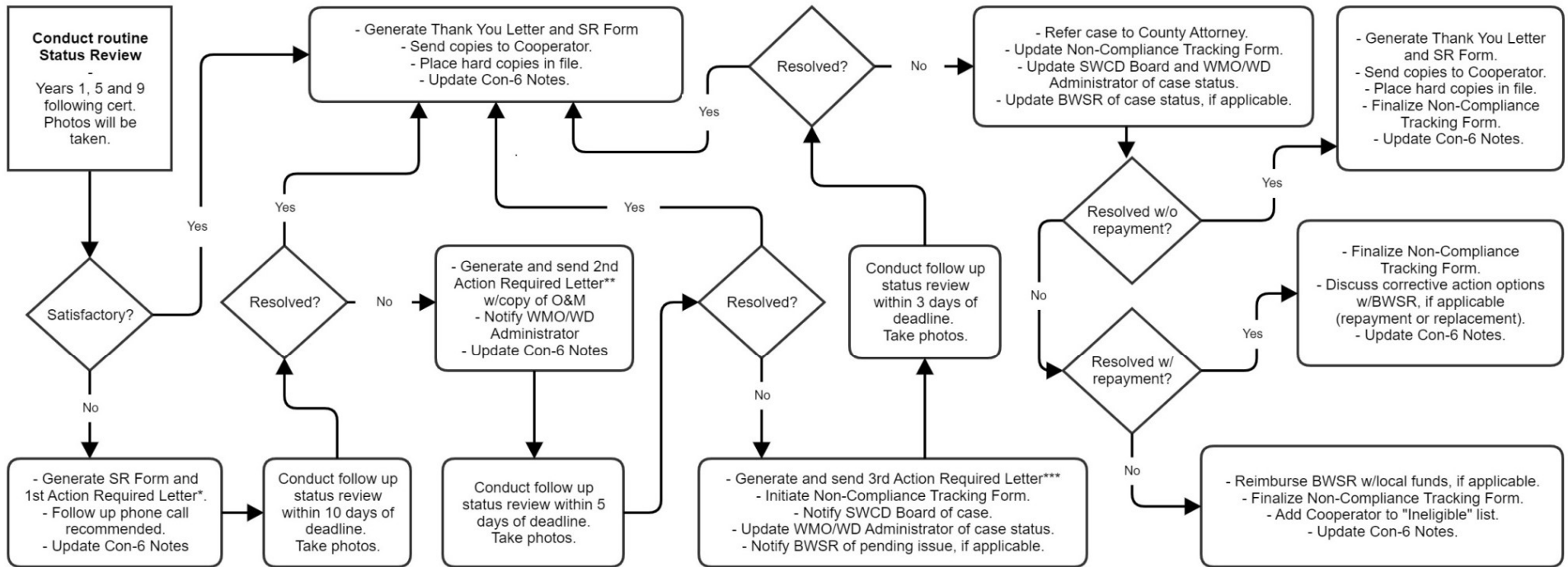
## APPENDIX A (cont.)

Figure 2 - PLSLWD Application Approval Decision Flow Chart



## APPENDIX B

### Compliance Procedures Flow Chart



\* 1st Action Required Letter to include a deadline for action to be taken. Also include a request they call when completed.

\*\* 2nd Action Required Letter to include a revised deadline and references to applicable terms and conditions in contract. Also include a request they call when completed.

\*\*\* 3rd Action Required Letter will include new deadline, options for compliance, and potential consequences for inaction. This letter is signed by the Board Chair and sent via certified mail. Options include correcting non-compliant items or voluntary repayment of funds. Consequences are referral to County Attorney for prosecution and enforcement of up to 150% of funds received.

Note: Notification of the WMO or WD Administrator is required if they provided funding towards the project; otherwise it is optional.

## APPENDIX C

The following species are eligible for reimbursement for Tree/Shrub Establishment Projects:

### Large Trees

<u>Common</u>	<u>Scientific</u>
American basswood	<i>Tilia americana</i>
Big-toothed aspen	<i>Populus grandidentata</i>
Bitternut hickory	<i>Carya cordiformis</i>
Black cherry	<i>Prunus serotina</i>
Black walnut	<i>Juglans nigra</i>
Bur oak	<i>Quercus macrocarpa</i>
Cottonwood	<i>Populus deltoides</i>
Hackberry	<i>Celtis occidentalis</i>
Kentucky coffeetree	<i>Gymnocladus dioica</i>
Northern pin oak	<i>Quercus ellipsoidalis</i>
Northern red oak	<i>Quercus rubra</i>
Paper birch	<i>Betula papyrifera</i>
Pin cherry	<i>Prunus pensylvanica</i>
Quaking aspen	<i>Populus tremuloides</i>
Red maple	<i>Acer rubrum</i>
Silver maple	<i>Acer saccharinum</i>
Sugar maple	<i>Acer saccharinum</i>
Swamp white oak	<i>Quercus bicolor</i>
White oak	<i>Quercus alba</i>
Willows-native	<i>Salix spp</i>

### Shrubs

<u>Common</u>	<u>Scientific</u>
American Hazelnut	<i>Corylus americana</i>
Arrowwood	<i>Viburnum dentatum</i>
Black Chokeberry	<i>Aronia melanocarpa</i>
Buttonbush	<i>Cephalanthus occidentalis</i>
Common Elderberry	<i>Sambucus canadensis</i>
Common Ninebark	<i>Physocarpus opulifolius</i>
False indigo	<i>Amorpha fruticosa</i>
Hawthorn	<i>Crataegus species</i>
Highbush Cranberry	<i>Viburnum trilobum</i>
Highbush Cranberry	<i>Viburnum trilobum</i>
Nannyberry	<i>Viburnum lentago</i>
Ninebark	<i>Physocarpus opulifolius</i>
Pagoda Dogwood	<i>Cornus alternifolia</i>
Red Osier Dogwood	<i>Cornus stolonifera</i>
Red-berried Elder	<i>Sambuca canadensis</i>
Silky Dogwood	<i>Cornus amomum</i>
Smooth Sumac	<i>Rhus glabra</i>
Staghorn Sumac	<i>Rhus typhina</i>
Witchhazel	<i>Hamamelis virginiana</i>

### Small Trees

<u>Common</u>	<u>Scientific</u>
American Plum	<i>Prunus americana</i>
Chokecherry	<i>Prunus virginiana</i>
Mountain Ash	<i>Sorbus americana</i>
Red mulberry	<i>Morus rubra</i>
Serviceberry	<i>Amelanchier alnifolia</i>

### Conifers

<u>Common</u>	<u>Scientific</u>
Eastern red cedar	<i>Juniperus virginiana</i>
Eastern white pine	<i>Pinus strobus</i>
Red pine	<i>Pinus resinosa</i>
White spruce	<i>Picea glauca</i>
Black Hills Spruce	<i>Picea glauca var. densata</i>
Northern White Cedar	<i>Thuja occidentalis</i>