



Eau Claire County Conservation Cost Share Program

EAU CLAIRE COUNTY
LAND CONSERVATION



1. Objectives: The Primary Objectives of this program are:

- A. To provide for the wise use of appropriated public funds for conservation of our natural resources.
- B. To provide financial incentives to install needed conservation practices.
- C. To reduce soil erosion and improve water quality in Eau Claire County.

2. Policies:

A. Administrative:

The program oversight will be provided by the Eau Claire County Land Conservation Commission (LCC) and supervised by the Land Conservation Division (LCD) staff.

B. Technical Assistance:

LCD staff will provide technical assistance for the survey, design, construction supervision, and certification of installed practices. All practices installed must meet Natural Resources Conservation Service (NRCS) Standards and Specifications as described in the Technical Guide.

C. Applicant Eligibility:

- i. All landowners and projects within Eau Claire County are potentially eligible for this program.
- ii. Any eligible applicant will have the opportunity to request cost sharing regardless of race, sex, creed, color, age, national origin, or handicap.

D. Eligible Projects & Priority:

- i. The following practices are eligible for cost-sharing and ranked as "High" or "Low" priority based on significance of reducing erosion or pollution, or bringing a site into compliance with the Agricultural Performance Standards and Prohibitions contained within Chapter 17.04. (Other practices described in the NRCS Technical Guide must be approved by the LCC to be eligible):

<u>Practice</u>	<u>Priority</u>
Grassed Waterways, Diversions & Crossings *	High
Erosion Control Structures (rock chutes, dams, grade stabilization, etc.) *	High
Stream Bank Protection (rip rap, fencing, crossings, sloping & seeding)	High
Contour Strip Cropping	High
Well Abandonments	High
Fuel Storage Containments	High
Barnyard Run-off (filter walls, filter strips, roof run off management, land shaping, concrete) #	High
Cattle Waterers	High
Managed Grazing Systems	High
Manure Storage Facilities	High
Manure Storage Abandonments	High
Nutrient Management (590) Plans	High
Critical Area Treatment	Low
Tree Planting & Windbreaks	Low
Woodland Fencing	Low

* 50% of the uplands must be treated (cropland to "T", woodlands protected from grazing) to prevent filling in of these practices
 # Must have significant runoff, as determined using the "Barny" runoff model.

- ii. Cost sharing is NOT authorized for: portable irrigation pumps and equipment, building or modifications to buildings, wildlife ponds, spreading animal waste, no-till planting, black dirt/top soil mining in waterways, practices installed for the operator's convenience, or for installation of practices that have started prior to Land Conservation commission (LCC) approval.
- iii. Emergency repairs, contour strips and well abandonments up to \$1,000 may be approved by the LCD manager prior to LCC approval. *(update May 2020: Additional approval authorization was granted. See Resolution, page 5.)*
- iv. A Nutrient Management (590) Plan is required for barnyard systems approved under this program and/or barnyard and livestock facilities. The Nutrient Management Plan must be signed by a certified plan preparer and implemented by the cost share recipient, effective July 1, 1995.

E. Cost Share Rates & Limits:

- i. Cost share rates and limits are as follows:
 - 1. All projects: 75% maximum cost share rate on the total project cost, excluding those listed as follows:
 - a. Strip cropping, tree planting, Nutrient Management (590) Plans, and fencing can be based on a unit rate, such as acres or rods and are consistent with Wisconsin Department of Agriculture, Trade, and Consumer Protection (WI DATCP) rates.
 - b. Fuel storage: 50% cost share rate, up to a \$500 maximum payment.
 - c. Well abandonment materials and labor: 50% cost share rate, up to a \$400 maximum payment.
- ii. Cost sharing may be authorized for projects signed up under Federal or State Cost-Share Programs. Maximum cost share will not exceed rates and limits listed above.
- iii. Eau Claire County LCC cost containment procedures will be followed.

F. Variances

The LCC may authorize a variance from these policies when, upon showing by the applicant, unnecessary hardship would result from being denied cost share funds. The granting of a variance for unnecessary hardship must be based on findings by the LCC that:

- i. The plight of the applicant is due to unique circumstances and not to the general conditions of the area, and;
- ii. The conditions authorized by the variance will not have significant off-site impacts.

G. Practice Lifespan, Maintenance, Restoration & Payback

- i. Practice lifespan is a minimum of ten years.
- ii. The practice will be maintained by the property owner for its lifespan. Random spot checks will be made by the LCD staff to determine if the practice is being operated and maintained for the purpose intended.
- iii. Restoration of the practice may be authorized by the LCC for cost sharing where the practice was installed with cost sharing from this program and failed for reasons beyond the control of the landowner.
- iv. Cost share payback will be required if the practice is not maintained for the designated lifespan. The payback amount will be determined by the LCC based on the extent to which

- the practice is deemed non-functional. If ownership, land use, or management changes during the practice lifespan, payback of the amount cost-shared will be required, unless:
- a. The new owner, in writing, will assume operations and maintenance of the practices.
 - b. It is demonstrated that the change in land use or management will not increase soil erosion or deteriorate water quality.

3. PROCEDURES

A. Servicing

- i. The LCD will screen application for eligibility and feasibility.
- ii. Within one month of application, the LCC will review applications and staff recommendations. The LCC may approve, deny, or request additional information at that time. Cost estimates will be included with applications.
- iii. Applicants will be notified in writing of the LCC's decision regarding their request.

B. Construction Supervision & Compliance Check

- i. All cost share projects must be supervised during construction by LCD staff. All construction must follow the design standards and specifications.
- ii. LCD staff will conduct a construction check when the project is completed to verify compliance with the design.

C. Certification & Payment

- i. LCD staff will certify that the project is complete and has met standards and specifications. Any exceptions must be approved by the LCC.
- ii. The applicant must submit all bills and/or receipts to the LCD Manager for payment. County procedures will be followed to process payment.
- iii. Partial payment may be made provided the landowner has signed an agreement to complete the practice in the next program year.

D. Extensions

- i. Applicants may request an extension, in writing, if they were unable to install their approved project during the calendar year they signed up in. Extensions will be granted for one year.
- ii. The Manager will cancel projects for which extensions have not been filed or approved. The Manager may also cancel projects at the landowner's request.

E. Annual Report

The LCD will submit to the LCC and the Eau Claire County Board an annual report containing the following:

- i. Number and types of practices installed.
- ii. Total cost share amount for each project.

F. Records & Documents

All records, documents, field notes, design, and certification information for each project will be kept on file in the LCD Office.

G. Other

The LCC may review and amend these policies and procedures as deemed necessary. Current NRCS or WI DATCP policies may be used as guidelines in reviewing policies and procedures.

RESOLUTION

Authorizing the Eau Claire County Land Conservation Commission (LCC) Chair, or LCC Vice-Chair, with the Land Conservation Division (LCD) Manager to act on behalf of LCC to approve Cost-Share applications for the installation of Best Management Practices.

WHEREAS, Eau Claire County LCC has adopted Soil and Water Conservation Requirements and Agricultural Performance Standards for the protection and improvement of the soil and water resources of Eau Claire County; and

WHEREAS, installation of Conservation Best Management Practices (BMPs) often utilize federal, state, and county funds available through cost-share programs which require approval of the Eau Claire LCC; and

NOW THEREFORE BE IT RESOLVED that the Eau Claire County LCC authorizes the LCC Chair or LCC Vice-chair, in addition to the Land Conservation Manager, to act on behalf of the Eau Claire County LCC to:

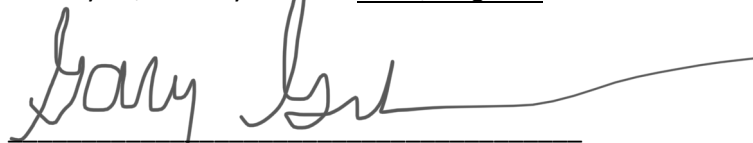
- Approve and enter into cost-share agreements, including those which may contain economic hardship provisions, utilizing federal, state, or county funds within the cost-share program guidelines and granting authority;
- Approve and enter into cost-share agreement amendments which require LCC approval;
- Authorize cost-share payment to landowner/operator after payment is requested, evidence of contractor payment by landowner/operator has been received, and grantee has verified proper BMP installation;
- Sign and submit reimbursement claims along with necessary supporting documentation;
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that the Land Conservation Manager will report all actions taken under this authorization to the LCC at their next meeting, and

BE IT FURTHER RESOLVED that Eau Claire County LCC shall comply with all state and federal laws, regulations and permit requirement pertaining to the installation of BMPs and to fulfillment of any grant document provisions.

ADOPTED:

I certify that the foregoing correctly represents the action taken by the undersigned commission on May 18, 2020 by a vote of 8 for, 0 against.



Gary Gibson, Chair
Land Conservation Commission