

FY 18 Buffer Implementation Flat Rate Cost Share Policy.

Program Requirements:

Becker County landowners and land occupiers are eligible to receive \$300.00 per acre in Cost-Share Assistance for qualifying efforts to achieve compliance with Minnesota Statutes §103F.48, commonly known as Minnesota's Buffer Law.

To qualify for cost share assistance buffers on public waters must be a continuous buffer of perennially rooted vegetation measuring a 50-foot average width, 30 foot minimum width measuring from from the top or crown of the bank, as required by Minnesota Statutes §103F.48, Subd. 3(c). Where there is no definable bank, measurement must be from the edge of the normal water level; or buffers must meet the design criteria set forth in USDA-NRCS Conservation Practice Standard 393 (Filter Strip). For public drainage systems established under chapter 103E, a 16.5-foot minimum width continuous buffer as provided in section 103E.021, subdivision 1. The buffer vegetation shall not impede future maintenance of the ditch.

A Cropping history is required, which is defined as agricultural crop production for at least two of the last five years.

Allowable Activities after establishment include haying, seed propagation, bio energy production, and prescribed burning, outside of the nesting season of May 15 to August 1. Alternative dates can be approved by the SWCD on a case by case basis for weed control, tree and shrub management or emergency repairs. Grazing after successful establishment is allowed with an approved grazing management plan (Prescribed Grazing, practice standard 528).

The land occupier is responsible for full establishment, operation, and maintenance of all practices and upland treatment criteria applied under this program to ensure that the conservation objective of the practice is met and the effective life, a minimum of 10 years, is achieved.

Should the land occupier fail to maintain the practice during its effective life, the land occupier is liable to the State of Minnesota for the amount up to 150% of the amount of financial assistance received to install and establish the practice unless the failure was caused by reasons beyond the land occupier's control, or if conservation practices are applied at the land occupier's expense that provide equivalent protection of the soil and water resources.

If title to this land is transferred to another party before expiration of the aforementioned life, it shall be the responsibility of the land occupier who signed this contract to advise the new owner that this contract is in force and to notify other parties to the contract of the transfer.