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The State Cost-Share Program Manual was first published on-line in June 2004 by the Minnesota Board of Water and Soil Resources, 520 Lafayette Road North, St. Paul, MN 55155. Phone: (651) 296-3767; fax: (651) 297-5615. TTY: (800) 627-3529.

BWSR is an equal opportunity employer. Information in this manual is available in alternative format upon request.

BWSR web site: www.bwsr.state.mn.us
THE STATE COST-SHARE PROGRAM

The State Cost-Share Program was created to provide funds to Soil and Water Conservation Districts (SWCDs) for the implementation of conservation practices that protect and improve water quality by controlling soil erosion and reducing sedimentation.

The 1977, $3 million was appropriated for the biennium for this program by the legislature. In 1978, BWSR adopted the administrative rules.

Through the State Cost-Share Program, landowners can request financial and technical assistance from their local SWCD for the implementation of BWSR-approved conservation practices. This program provides up to 75 percent of the total eligible costs of a practice (see Part IV, Contract Implementation for more details).

Grant funds are generally available to SWCDs at the beginning of the state’s fiscal year. In order for SWCDs to receive funds, they must have on file an approved annual plan of work, annual report (including financial statements), and comprehensive plan or resolution to adopt the county’s comprehensive plan.

About this Manual:
BWSR updated the program rules and published a new State Cost-Share Program Manual in April 1996. The program has evolved over the years; BWSR felt the time had come to update SWCDs on the current program requirements, procedures, and policies. Although the manual may look different, the section format is consistent with the previous version.

Updates to the manual will be available on the BWSR web site (www.bwsr.state.mn.us) in the Grants section; click on the State Cost-Share Program link. You will also find program interactive forms in Microsoft Word and Excel formats. Program rules and statutes are available in pdf documents on this web site as well. Users are encouraged to check the Revisor of Statutes web site for updates to program rules and statutes (www.revisor.leg.state.mn.us/revisor.html).

BWSR WILL NOT BE PRINTING ANY VERSION OF THIS MANUAL.

We are requesting that districts print copies and maintain them within their offices. We hope you appreciate the updated manual. If you have any comments and/or questions, please contact your board conservationist.
Part II: Glossary

Allocation. “Allocation” means the amount of funds the BWSR grants a conservation district.

Annual Plan. “Annual plan” means a plan prepared by the conservation district pursuant to Minnesota Statutes, section 103C.331, subdivision 11F, and according to the most recent version of the Guidelines for Soil and Water Conservation District Comprehensive and Annual Plans published by the state board. That publication is not subject to frequent change, is available at the State Law Library, and is incorporated by reference.

Approved Practice. “Approved practice” means a conservation practice that qualifies for state cost-sharing and that has been approved by the state board.

Annual Report. “Annual report” means a report prepared by the conservation district each calendar year on the district’s previous year’s accomplishments. (See the Operational Handbook for specific report guidelines.)

Biennium. “Biennium” means a period of two years. The Minnesota legislature appropriates the major portion of the state’s budget in the odd-numbered year session and makes adjustments during the even-numbered years. Minnesota has a biennial (two-year) budget period.

Comprehensive Local Water Management Plan. “Comprehensive local water management plan” means a local water plan authorized under Minnesota Statutes, section 103B.311, or a watershed overall plan required under section 103D.401, or a watershed management plan required under section 103B.231, or a county groundwater plan authorized under section 103B.255.

Comprehensive Plan. “Comprehensive plan” means a long-range plan adopted by the conservation district pursuant to Minnesota Statutes, section 103C.331, subdivision 11 and according to the most recent version of the Guidelines for Soil and Water Conservation District Comprehensive and Annual Plans published by the state board. That publication is not subject to frequent change, is available in the State Law Library, and is incorporated by reference.

Conservation District. “Conservation district” means a Soil and Water Conservation District organized under Minnesota Statutes, chapter 103C.

Conservation District Board. “Conservation district board” means the board of supervisors of a Soil and Water Conservation District as organized under Minnesota Statutes, chapter 103C.

Conservation District Technical Representative. “Conservation district technical representative” means a district employee assigned by the conservation district board or other designee who has expertise in the design and application of conservation practices.

Conservation Practices. “Conservation practices” means practices applied to the land for the purpose of controlling or preventing soil erosion, sedimentation, nutrient runoff, or other water pollution to maintain the sustainable use of soil and water and other natural resources.
Conservation Practice Plans. “Conservation practice plan(s)” usually consist of drawings and specifications. The drawings are a graphical description and the associated specifications are a narrative description of the tasks involved to install the practice. Specification requirements are usually written in terms of an end result, not in terms of a method. The plan(s) provide descriptive information on the quantity and quality of the work to be completed. The work needs to be clearly described so the land occupier and constructor will understand the requirements and have a mutual understanding of what must be done for the requirements to be met.

Cultural Practices. “Cultural practices” refers to tillage and cultivation activities, or constructed features of terrain such as buildings, canals, boundary lines, i.e., people-made structures.

Effective Life. “Effective life” means the time span for which a conservation practice effectively fulfills its intended purpose.

Eligible Costs. “Eligible costs” means the necessary cost associated with installing an approved conservation practice according to the plans and specifications and costs that meet the cost-share policies of the state board.

eLINK. “eLINK” means the tool local governments use to apply for and receive grant funds.

Established. “Established” means that a conservation practice has been properly installed and has successfully developed to function properly.

Encumber. “Encumber” means to designate funds for a specific practice or purpose. This is accomplished via a motion at an official conservation district board meeting and documented in the approved minutes of the meeting and all applicable forms and ledgers.

Farm Service Agency. “Farm Service Agency” means the Farm Service Agency, an agency of the United States Department of Agriculture.

Field Office Technical Guide. “Field Office Technical Guide” means the document providing technical standards and specifications for conservation practices as provided by the Natural Resource Conservation Service and adopted by the conservation district board.

Fiscal Agent. “Fiscal agent” means the district designated to carry out the financial responsibilities associated with district pooling agreements.

Fiscal Year. “Fiscal year” means the 12-month period on which the state budget is based; it runs from July 1 to June 30. County and city fiscal years are the same as the calendar year. The federal fiscal year runs from Oct. 1 to Sept. 30.

Grant Agreement. “Grant agreement” means the contract between the state board and the conservation district stating the terms, conditions, and amount of funds allocated.

Grant Period. “Grant period” means the span of time a grant agreement is in effect.

Group Spokesperson. “Group spokesperson” means a principal land occupier, designated by individuals involved in a group project, who is authorized to speak for the entire group in negotiations with a conservation district for cost-share assistance.
High Priority Erosion Problems. “High priority erosion problems” means areas where erosion from wind or water is occurring equal to, or in excess of, 2 X T tons per acre per year or is occurring on any area that exhibits active gully erosion or is identified as high priority in the comprehensive local water management plan or the conservation district’s comprehensive plan.

High Priority Water Quality Problems. “High priority water quality problems” means areas where sediment, nutrients, chemicals, or other pollutants discharge to Department of Natural Resources designated protected waters or to any high priority waters as identified in a comprehensive local water management plan or the conservation district’s comprehensive plan, or discharge to a sinkhole or groundwater. The pollutant delivery rate to the water source is in amounts that will impair the quality or usefulness of the water resource.

Land Occupier. “Land occupier” means a person, corporation, or legal entity that holds title to or is in possession of land within a conservation district as an owner, lessee, tenant, or otherwise.

Landowner. “Landowner” means a person, corporation, or legal entity that hold title to or is in possession of land.


Operational Handbook. “Operational handbook” means the Conservation District Operation Handbook with information relevant to operating a Soil and Water Conservation District. The handbook is compiled by the Board of Water and Soil Resources.

Other Recognized Technical Practices. “Other recognized technical practices” means any conservation practice or compilation of such practices not on the approved list of conservation practices that have been approved by the state board for cost-share assistance on a case-by-case basis.

Plan. See conservation practice plans(s).

Practice Standards. “Practice standards” means the established minimum level of acceptable quality for planning, designing, installing, operating, and maintaining a conservation practice.

Practice Specifications. “Practice specifications” describe the technical details and work required to install the practice and the quality and extent of materials used in the practice. Also, see conservation practice plan.

Protected Waters. “Protected waters” means waters of the state identified as public waters or wetlands under Minnesota Statutes, section 103G.005, subdivision 15 and inventoried under Minnesota Statutes, section 103G.201, and identified on a protected waters inventory map available in a county auditor’s office.

Registered Professional Engineer. “Registered professional engineer” means a person who is duly registered to practice professional engineering in accordance with Minnesota Statutes, sections 326.02 to 326.15.
RFP, Request for Proposal. “RFP” or “Request for proposal” means that BWSR is accepting applications from local government units for a grant program. The term is typically associated with eLINK.

Rollover. “Rollover” means funds not encumbered at the end of the grant period or that become available after the grant period.

Sinkhole. “Sinkhole” means a depression or hold in the earth’s surface caused by dissolving of underlying limestone carbonate bedrock and subsequent settling or collapse or surficial soils.

Slippage. “Slippage” means the amount of encumbered funds remaining when the actual project cost is less than the estimated project cost. These funds then automatically become unencumbered.

Special Project. “Special project” means a conservation project or program, including but not limited to, those projects or programs that accelerate implementation of innovative soil and water conservation activities.

Specification. See “Practice specifications.”

Standard. See “Practice standard.”

State Board. “State board” means the state Board of Water and Soil Resources created in Minnesota Statutes, section 103B.101.

T. “T” means the soil loss tolerance that is the maximum average annual rate of soil loss from sheet and rill erosion or wind erosion, expressed in tons per acre per year, that can occur while the productive capacity of the soil to produce food and fiber over the long term is sustained.

2 x T. “2 x T” means soil erosion at the rate of two times T.

Technical Approval Authority. “Technical approval authority” means the authorization granted to a district technical representative to provide comprehensive technical assistance for individual conservation practices, including associated technical sign-off as the district technical representative of record. Please refer to the Operation Handbook for additional information on technical approval authority.
A. LOCAL RESOURCE PLANNING

Local resource planning is a combined effort of local units of government, natural resource agencies, private organizations, and concerned citizens all working together to:

- identify the resource program;
- target and prioritize resource problems; and
- identify strategies to address the priority problems.

The State Cost-Share Program is an implementation program. The program offers cost-share funds to land occupiers to establish conservation practices to treat high priority problems identified in local resource management plans.

A. 1: Comprehensive Plan

Each district applying for cost-sharing funds under 103C.501 must submit to the state board a comprehensive plan.

Refer to the Operation Handbook for instructions on how to develop a comprehensive plan pursuant to Minnesota Statutes, section 103C.331, subdivision 11.

An alternative to compiling and amending a conservation district comprehensive plan is to adopt the county’s local comprehensive water management plan as the conservation district’s official comprehensive plan. To accommodate the requirements of the State Cost-Share Program, the comprehensive local water management plan must contain detailed maps indicating the areas of the county with high priority erosion problems, and the areas with high priority water quality problems—including sedimentation. If the comprehensive local water management plan does not contain maps identifying these problem areas, they must be included in an addendum to the conservation district’s annual plan. This addendum should be titled “Annual Plan Addendum—Cost-Share Program.”

An example of a resolution adopting the county’s comprehensive local water management plan as the conservation district’s comprehensive plan can be found on Page 16.

A. 2: Comprehensive Local Water Management Plan

Counties, watershed districts, and watershed management organizations (WMOs) have authority to prepare and implement comprehensive local water management plans (pursuant to M.S. 103B.201, 103B.301). The purpose of these plans is for local government to plan for the management and protection of the water and related land resources of their area.

Through the water planning process, local governments are generally required to:

- collect data and information on flooding problems, water quality and quantity, wildlife, and water-based recreation;
- assess the condition of natural resources in the area;
- identify and prioritize local resource issues, problems, and opportunities;
- develop a set of goals, objectives, and actions; and
Identifying and prioritizing local resource problems in a local water management plan helps make programs such as the State Cost-Share Program more effective by allowing conservation districts to target priority watersheds or areas of the county. Local water management plans create a framework for stronger partnerships between the various local, state, and federal resource agencies. These partnerships are particularly effective to identify local priority problems and agree on a treatment strategy that the members can rally around with political, technical, and financial assistance. In many instances this scenario results in the most efficient use of limited cost-share resources and may even leverage additional state and federal resources.

A. 3: Annual Plan
The conservation district’s annual plan serves to guide the district’s actions during the year and to measure performance. Each year, each district applying for cost-sharing funds under section 103C.501 must submit to the state board an annual plan of work. The plan will:

- Set objectives for the year from the objectives identified in the comprehensive plan;
- Describe the actions planned for the coming year designed to achieve the annual objectives;
- Discuss the staff time needed to do the actions;
- Discuss the amount of state cost-share funds the conservation district needs for the upcoming year and justify the need for funds;
- Include a description of high priority erosion, sedimentation, and water quality problem areas as identified in the comprehensive plan or comprehensive local water management plan.

The annual plan must be prepared as required by the rules of the state board. In preparing the annual work plan, the conservation district will actively identify and seek out land occupiers with high priority problems who have not participated in cost-sharing contracts and encourage their participation in programs to control their high priority problems. Refer to the Operational Handbook for instructions on developing annual plans.

A. 4: Land occupier contacts
Minnesota statutes require that conservation districts document their efforts to identify and contact land occupiers with priority erosion problems. This requirement stems from legislative concerns in the early 1980s that conservation districts were not doing enough to promote conservation projects. Acting on those concerns, the state board entered into an agreement with several conservation districts to conduct a pilot project involving the identification of land occupiers with erosion problems, contacting them, and documenting the results of those efforts. The “door knocking” was successful in terms of sparking interest to address high priority problems, but unfortunately the program did not have the funds to meet the requests for dollars. The demand for dollars exceeding the funds supplied from the state for the program is a scenario that continues today. However, there is still a need to keep track of the types of program promotion that a conservation district uses.
The conservation district should include a discussion of the effectiveness of efforts to contact landowners in their annual plans. Discuss the methods used to contact land occupiers with high priority problems and what sort of response resulted. Include general efforts, such as distributing newsletters or sponsoring workshops, along with more focused efforts such as personally contacting land occupiers with high priority problems in a targeted watershed.

B. DISTRIBUTION OF FUNDS

B. 1: State Board Grants to Conservation Districts

Eligibility

To be eligible to receive cost-share funds, a conservation district must submit the following to the state board:

1. A state board approved district comprehensive management plan. The comprehensive plan must identify high priority erosion, sedimentation, and water quality problems within the conservation district. A resolution from the district adopting the up-to-date comprehensive local water management plan can be submitted in lieu of a comprehensive plan.

2. A state board approved annual plan addressing the high priority erosion, sedimentation, and water quality problems in the conservation district.

The Annual Plan is due to the board conservationist by March 15 each year. All state base grants (State Cost-Share, Easement Services, and General Services) for which funding is requested may be reduced by five percent if satisfactory plans are not received by March 15, with an additional five percent reduction for each month late. No base grant funds will be allocated until a satisfactory plan is received.

3. A state board approved annual report summarizing work accomplished in a format specified by the state board.

The comprehensive plan and the annual plan will serve as part of the conservation district’s request to the state board for cost-share funds. Please refer to the Operational Handbook for further instructions regarding the preparation of the comprehensive and annual plans.

Allocations to conservation districts

The state board annually allocates cost-share funds to conservation district boards that have fully complied with all program rules, guidelines, and policies. To receive the funds, the conservation district and the state board enter into a grant agreement for a period of two years.

The state board will review all conservation district requests for cost-share funds based on the following minimum criteria:

1. The extent of high priority erosion or water quality problems in the conservation district, as indicated in the conservation district comprehensive and annual plans.

2. The priorities for the control of soil erosion or water quality problems as established by the state board and identified in the Program Overview part of these guidelines.

3. The historical success of the conservation district in applying soil and water conservation practices.

4. The ability of the conservation district to expend the funds in a timely manner.
Additional or special purpose criteria may be established by the state board and distributed to conservation districts.

Regular statewide cost-share allocations
The Legislature requires at least 70 percent of each year’s statewide legislative cost-share appropriation be expended to establish conservation practices that address a high priority erosion or water quality problem. Not more than 20 percent of the legislative appropriation may be granted to conservation districts to cover the technical and administrative expenses associated with implementing the program, or to establish practices to address problems that do not meet the high priority erosion or water quality definition. These allocations will be determined according to state board policy and distributed to conservation districts.

Special projects
After the regular statewide cost-share allocations are granted, the state board may allocate any remaining funds to conservation districts for competitive cost-share projects. These funds will be allocated according to criteria established by the state board.

Other program allocations
The state board may allocate other appropriations or grants through the state cost-share program. These grants may have special criteria and target specific areas or conservation issues.

B. 2: Conservation District Administration of Grants
The conservation district board of supervisors is responsible for the administration and decisions concerning the local use of these state cost-share program funds in accordance with:

1) Minnesota Statutes, chapter 103C.501;
2) Minnesota Administrative Rules, chapter 8400;
3) these administrative guidelines;
4) the terms of the grant agreement;
5) state/district board policy; and
6) all other applicable laws.

High priority problems
The grant agreement will specify the minimum percent of the allocation that must be expended by the district to cover the eligible costs associated with establishing a practice to address high priority erosion or high priority water quality problems (e.g., 80 percent).

Technical and administrative costs and lower priority problems
The conservation district board may use a portion of the regular statewide allocation to cover the technical and administrative costs associated with cost-share program activity, or to apply practices to solve problems not meeting the high-priority erosion or water quality problem definitions. The grant agreement will specify the maximum amount the conservation district may expend for such services or problems. (This amount cannot exceed 20 percent of the funds appropriated to establish practices to address high priority problems.)

Actual technical administrative costs include, but are not limited to, those activities
associated with processing a contract, participating in training to enhance technical
skills, doing technical assessments and preparing costs estimates, designing the
practices, monitoring the construction of a practice, processing the payment of the
contract, and completing the associated record keeping and monitoring requirements.

Conservation districts’ cost-share maximum rate
Under the current state board guidelines, conservation districts may cost share with
land occupiers at the maximum rate of 75 percent of the eligible costs of a project.
An SWCD board may set the rate less than this percentage. The conservation district
board will establish local maximum cost-share rates for all conservation practices
installed with cost-share program funds. These rates may be less than, but not exceed
the 75 percent limit. These rates must be identified in the conservation district’s
annual plan and other documents containing conservation district policy.

The conservation district board will establish maximum cost-share rates based on:
A. The extent to high priority erosion or water quality problems as outlined in the
conservation district’s comprehensive and annual plans.

B. The advice of technical experts familiar with the conservation practice.

C. Cost-share rates currently used by the Farm Services Agency and other compatible
assistance programs.

D. The priorities of the conservation district as established in the conservation
district’s comprehensive and annual plans.

E. Funds available from all sources. Remember: the total cost-share provided to a
land occupier from all state and federal funds must not exceed 75 percent of the
total project cost.

These rates set general conservation district policy for the maximum cost-share
percentage of eligible costs to install practices. The conservation district may choose to
tailor the maximum rate based on specifics of a particular site or problem. See Part
IV–Contract Implementation part of these guidelines for information.

B. 3: Pooling cost-share allocations with other conservation districts
A conservation district may enter into an agreement to pool all or part of their
allocation with funds from other conservation districts to collectively address erosion
or water quality problems. This agreement can facilitate the accomplishment of
watershed-based resource management goals or goals of mutual benefit, as
identified in comprehensive local water management plans. Conservation districts
may request that BWSR allocate their regular statewide allocation to the fiscal agent
identified in the pooling agreement prior to BWSR’s development of the annual grant
agreement. Conservation districts involved in a pooling agreement may also apply for
competitive cost-share project funds, if available, from the state board.

Conservation districts must enter into a Memorandum of Agreement (MOA) or Joint
Powers Agreement (JPA) prior to pooling funds. At a minimum, the MOA or JPA must
specify the following items:

■ Purpose of the agreement. Is it for a single practice or an ongoing project?
■ All of the participants, including who will serve as the fiscal agency and who will
provide technical assistance. The grantee will be responsible for fulfilling conditions of the BWSR grant agreement.

- Financial obligations of all participants.
- The procedures that will be used to process cost-share contract(s).
- How the records will be managed and supporting documentation obtained.
- Procedure for monitoring the practice to ensure operation and maintenance obligations are being met.
- Reference to any locally adopted cost-share policies, other than state rules, that are to be followed.
- Attach a list of these policies to the agreement.
- Other items deemed necessary by participants or BWSR.

The MOA or JPA must be approved by the BWSR board conservationist prior to adoption and implementation by the conservation districts. A sample MOA is located on Page 17.

B. 4: Encumbering cost-share funds
Conservation districts may encumber grant agreement funds once the agreement has been executed or, if the district is comfortable assuming temporary liability for the funds, it may enter into a contract with a land occupier (i.e., encumber funds) before receiving official encumbrance authorization from the state board, provided it is after July 1 of the upcoming grant agreement period and the state board has approved entering into the grant agreement with the district. Conservation districts may continue to encumber funds, including funds from previous encumbrances that have canceled or slippage funds, until the grant agreement period expires. Any funds that are released from encumbrance due to cancellations or slippage after the grant agreement period has expired must be returned to the state (see B. 6, Return of unspent grant funds). It may be wise to encumber all the funds associated with the grant agreement early in the grant period to take advantage of the ability to re-encumber funds.

B. 5 Encumbering cost-share funds from more than two allocations
Funds from two consecutive fiscal year grant agreements can be pooled and applied to one contract, provided both grant agreements are finalized or in the process of being finalized.

An example follows of how a conservation district would combine funds from two grant agreements:

<table>
<thead>
<tr>
<th>Date</th>
<th>Grant Agreement Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 01</td>
<td>July 1, 2000 to June 30, 2002</td>
</tr>
<tr>
<td>FY 02</td>
<td>July 1, 2001 to June 30, 2003</td>
</tr>
</tbody>
</table>

In the summer of 2001, a land occupier has requested cost-share assistance to install a riparian buffer strip practice on her land. The conservation district technical representative has estimated the cost of the practice at $1,267. The practice falls within a high priority water quality area and the district has set a maximum cost-share rate of 75 percent for practices installed within this area. To cost share the practice at 75 percent the conservation district needs $950, but only has a balance
of $450 remaining from the FY 01 grant agreement. However, the district’s FY 02 grant agreement is finalized and provided $9,000 for high priority practices.

The conservation district approved a contract to cost share the riparian buffer strip practice at its monthly board meeting on 8/21/01. The district assigns a contract number of FY01-09 that corresponds to the earlier fiscal year encumbrance, and it applies all FY 01 grant agreement requirements. Contract FY01-09 is entered in the FY01 program log for $450 and in the FY02 program log for $500 and noted in both logs that this contract uses FY01 and FY02 grant agreement funds (see examples later in this part).

**Remember: To pool funds from consecutive grant agreements, both must be finalized or in the process of being finalized.**

**B. 6: Return of unspent grant funds**

Any funds allocated to conservation districts for the State Cost-Share Program that are not encumbered at the end of the grant agreement period must be returned to the state board within 30 days. In addition, all cost-share funds that become unencumbered after the grant period has expired must be returned to the state board within 30 days from the date they were released from encumbrance, e.g., the land occupier notified the conservation district that (s)he wished to cancel the cost-share contract.

**C. CONSERVATION DISTRICT RECORDS**

**C. 1: Program records**

The Program Log, Disbursement Journal, Record of Payment to Land Occupiers, and Final Financial Report Form are used to document receipts and expenditures of cost-share funds. These forms are available on BWSR’s web site in Microsoft Word and an Excel spreadsheet format. A separate form is required for each grant program (i.e. base grant, Feedlot Water Quality Management Grant, competitive grant).

**Cost-share program logs (see Page 19)**

This form records transactions that affect the balance of available cost-share funds. Encumbrances or obligations against available funds are recorded as well as those actions that make funds available (e.g., cancellations or practices costing below the estimated cost). A completed example can be found on Page 19.

CONTRACT NUMBER – Refers to the number of the contract.

DATE – The conservation district board meeting date when the contract was approved.

NAME – “Land occupier” from the contract.

CONSERVATION PRACTICE CATEGORY – From the conservation practice’s section of the contract, Code corresponds to the FOTG.

PRIMARY CODE – From the conservation practice(s) section of the contract. D1-D13

AMENDMENT – Denotes the district board approved amendment to the original contract.
T & A AMOUNT – Amount transferred to another account for technical and administrative services.

TOTAL PROJECT FUNDS ENCUMBERED – The cumulative total for the contract amounts column for this program log.

TOTAL T & A ENCUMBERED – The cumulative total for the T & A amounts column for this program log.

BALANCE REMAINING TO ENCUMBER – Cumulative balance of the total funds available for encumbering. When a program period has expired and all projects are completed the unencumbered fund balance must be “zeroed” out.

The program log should be balanced regularly so that the total encumbered funds plus the total unencumbered funds equal the total receipt of funds. This insures that funds from slippage and cancellations are reencumbered during the program period.

Cost-Share program disbursement journals (see Page 20)

CONTRACT NUMBER – Refers to the number on the contract.

NAME – “Land occupier” as it appears on the disbursement check and from the contract.

CONSERVATION PRACTICE CATEGORY – From the conservation practice’s section of the contract.

UNITS COMPLETED – The units, in NRCS units, of applied practices.

DATE OF PAYMENT – The board meeting date that the contract is approved for payment.

CHECK NUMBER – Number on the check.

WHOLE OR PARTIAL PAYMENT – Indicate whether this payment is whole or partial.

PAYMENT AMOUNT – The amount of payment. This amount must not exceed the amount authorized for payment on the contract, unless an amendment has been approved. In addition, it must not exceed the amount specified on the Voucher and Practice Certification Summary.

TOTAL PROJECT DISBURSEMENTS – Cumulative total of disbursement and transfers.

T & A AMOUNT – Amount transferred to another account for technical and administrative services.

TOTAL T & A DISBURSEMENT – The cumulative total for the T & A amounts column for this program log.

BALANCE REMAINING – Funds remaining in the account. The balance must be “zeroed” out to close out the cost-share grant. The conservation district requests a BWSR program close out upon closing out the grant.

C. 2: Record of payment to the land occupier and final financial report

When all the encumbered funds from a fiscal year grant agreement have been paid, or
cannot be re-encumbered, the conservation district must complete the Record of Payment to Land Occupiers and the Final Financial Report. Use a separate Final Financial Report, Program Log, Record of Payment to Land Occupiers, and Disbursement Journal for each grant program. Two copies of the completed forms must be mailed to the BWSR board conservationist within 30 days of the date the last check was issued for that grant period or from the date the funds were released from encumbrance. Upon receiving these forms the board conservationist will contact the conservation district to set up an office visit to conduct a program closeout for that grant agreement. Contact a board conservationist if you need assistance filling out these forms.

C.3: Reporting requirements for the State Cost-Share Program
To ensure the continued success of the State Cost-Share Program, it is important for conservation districts and the state board to show the accomplishments and benefits of the program. Funding requests to the state legislature and other sources are substantiated by documented accomplishments and benefits.

All conservation districts receiving State Cost-Share Program funds are required to submit an annual report to the state board as stated in the grant agreement between the state and the conservation district. This documentation is also needed to fulfill state and local audit requirements directing districts to maintain records documenting how the state cost-share program funds are used.

The method for reporting the local expenditure of program funds is provided to conservation districts by the state board. This report will record where these funds are spent, what kinds of conservation practices were installed, the cost to install the practice, and the environmental benefits including soil loss reduction and phosphorus and sediment reductions.

C.4: Record retention
The Operational Handbook discusses record retention. The handbook says to retain cost-share program records 10 years past the effective life of the practice. Conservation districts must also retain canceled contracts for 10 years past the date of cancellation. Attach a note, from the land occupier or from the conservation district, indicating why the contract was cancelled.

Records include the items contained in the project file. A list of these items can be found in Part V—Technical Information.

D. LAND OCCUPIER APPEALS
The administrative rules for the State Cost-Share Program permit land occupiers to appeal conservation district board decisions. The land occupier may request the conservation district reconsider their decision by submitted an appeal, in writing, within 60 days of receiving notification of the district board’s decision. For example, a land occupier may appeal what the conservation district determined to be “eligible costs” associated with establishing the practice. Other decisions that may be appealed include, but are not limited to, those relating to approving or denying partial payments or amendments to the contract.

The conservation district board must review all information pertinent to the decision being appealed, and establish a record documenting how it reached its original decision. After reviewing this record it must reconsider its original decision. The state
board encourages the conservation district to make every effort to resolve appeals at the local level. It is important to record all pertinent discussions and testimony. If the land occupier and conservation district reach an agreement regarding the decision being appealed, the terms of the agreement must be documented and both parties must acknowledge their agreement to the terms.

If the conservation district board decides not to reverse or amend its original action, the land occupier may appeal that decision to the state board, in writing, within 60 days of receiving notification of the district’s action on the appeal. The Cost-Share Committee of the state board will consider the appeal and decide whether to grant an informal hearing. If the appeal is determined not to have merit, the Cost-Share Committee will notify the land occupier of this decision within 60 days. If the appeal is determined to have merit, an informal hearing will be granted. The Cost-Share Committee will hear all testimony offered and accept written testimony for 10 days after the hearing. The Cost-Share Committee will report the findings and recommendations to the state board. The state board will make its decision on the appeal within 60 days of the hearing date or 60 days after receiving the Cost-Share Committee’s report, upholding, reversing or amending the decision of the conservation district board.
Part III: Appendix A
RESOLUTION 55
ADOPTING THE Caribou COUNTY COMPREHENSIVE LOCAL WATER
MANAGEMENT PLAN
AS THE COMPREHENSIVE PLAN FOR THE Caribou SWCD

Supervisor SMITH offered the following resolution, No. 55 and JONES moved its adoption.

WHEREAS, the Caribou SWCD has been an active participant in the development and all updates of the Caribou County Comprehensive Local Water Management Plan (CLWMP); and

WHEREAS, the Caribou County CLWMP included a map and description of the soil classifications within the conservation district; and

WHEREAS, the Caribou County CLWMP identifies the areas within the conservation district where erosion, sedimentation, and related water quality problems are the most severe; and

WHEREAS, the Caribou County CLWMP has been approved by the BWNR and has been determined to be in compliance with all laws and rules governing water in the State of Minnesota, and

WHEREAS, the Caribou County CLWMP identifies high priority erosion, sedimentation, and water quality problems in accordance with BWNR rules and guidelines.

NOW THEREFORE IT IS RESOLVED:


Supervisor Jones seconds the adoption of the resolution, and it was declared adopted upon the following votes:

Ayes: 5
List Names:

Nays: 0
List Names:
COST-SHARE POOLING MEMORANDUM OF AGREEMENT

PURPOSE

This Memorandum of Agreement (MOA) encompasses the terms and conditions whereby participating conservation districts enter into an agreement to accomplish projects to mutual benefit. The purpose of this agreement is to accelerate conservation practice implementation in the Loon Lake Watershed. Comprehensive plans and diagnostic studies have indicated that excessive sedimentation is occurring in this watershed and conservation practices will provide a major portion of the solution.

MEMBERSHIP

Fiscal Agent:
Dickerson SWCD will act as the fiscal agent for the purposes of this agreement and agrees to:

- Accept all responsibilities associated with implementation of BWSR grant agreement and MN Statute 103C.501 and Chapter 8400.
- Approve cost-share applications and retain original documentation on file.
- Perform financial transactions as part of contract implementation.

Participant SWCDs:
Carson, Riverbend, and Timms SWCDs will cooperate with Dickerson SWCD to pool cost-share funds on projects of mutual benefit to all.

Home SWCD:
The home SWCD is the county in which the conservation practice is being installed.

FINANCIAL

All members of this MOA agree to contribute the listed amount of their regular cost-share allocation to the fiscal agent to be used for the purpose of this MOA.

<table>
<thead>
<tr>
<th>Members</th>
<th>Amount</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dickerson SWCD</td>
<td>$10,000.00</td>
<td>(already included in their regular allocation)</td>
</tr>
<tr>
<td>Carson SWCD</td>
<td>$7,000.00</td>
<td>To be added to Dickerson SWCD regular allocation</td>
</tr>
<tr>
<td>Riverbend SWCD</td>
<td>$4,000.00</td>
<td>To be added to Dickerson SWCD regular allocation</td>
</tr>
<tr>
<td>Timms SWCD</td>
<td>$8,000.00</td>
<td>To be added to Dickerson SWCD regular allocation</td>
</tr>
</tbody>
</table>

TECHNICAL

The Dickerson SWCD is permitted to use up to 20% of their cost-share funds received under this MOA for technical and administrative services. The home SWCD is responsible for the technical requirements of practices installed. They may request assistance from other technical sources, including the member SWCDs.
ADMINISTRATION

1. Applications for these cost-share dollars must be acknowledged by the home SWCD board and forwarded to the prioritization committee with recommendations and comments about the project.

2. A committee consisting of one technician from each member SWCD will prioritize applications for funding prior to the fiscal agents regularly scheduled board meeting.

3. The Dickerson SWCD must act upon applications before funds are encumbered and the application becomes a contract.

4. Dickerson SWCD, acting as the fiscal agent, will be responsible to process all cost-share contracts and maintain appropriate financial records and contract files.

5. The fiscal agent will route cost-share payment checks through the home SWCD for delivery to the landowner.

6. The SWCD will maintain work files containing design documentation and copies of cost-share paperwork.

7. The home SWCD is responsible to assure operation and maintenance is accomplished for the life of the practice.

8. The home SWCD is liable for any financial consequences incurred and will reimburse the fiscal agent for such.

POLICIES
Cost-share policies more restrictive than state rules must be agreed to by all participants and adopted by the fiscal agent. Policies shall be found in Appendix A.

BWSR APPROVAL:

1. I. N. Stein, BWSR Board Conservationist, have reviewed the MOA and agree with its contents. I agree to forward the MOA to the BWSR Grants Coordinator if the undersigned fully agree and sign the MOA.

________________________________________________________________________
                                      Date:                                    Board Conservationist

SIGNATURES OF AGREEMENT:

________________________________________________________________________
                                      SWCD                                        Date

________________________________________________________________________
                                      SWCD                                        Date

________________________________________________________________________
                                      SWCD                                        Date

________________________________________________________________________
                                      SWCD                                        Date
BOARD OF WATER & SOIL RESOURCES
COST-SHARE PROGRAM CLOSEOUT FORM

SWCD Name ________________________________       FY___________

The State Cost-Share Program rules and procedures were established to assure that the expenditures of the Cost-Share funds follow state legal requirements and set uniform methods of administration across the state.

The process of review conducted by BWSR staff is referred to as a Cost-Share Closeout. A Cost-Share Closeout is conducted for each Cost-Share program period, for which funds were received, and all contracts have been completed and all funds have been expended or returned to the state.

<table>
<thead>
<tr>
<th>Cost-Share Program</th>
<th>Base Grant</th>
<th>FWQMG</th>
<th>Special Projects</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Grant Funds Received</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

On behalf of the Board of Water and Soil Resources, I have reviewed the Cost-Share Program and find the information reported:

☐ CORRECT AS REPORTED
☐ CORRECT AS AMENDED
☐ IN NEED OF FURTHER REVIEW (EXPLANATION)

OTHER COMMENTS

Board Conservationist ___________________________       Date: ____________

Attachments: ☐ Final Financial Report   ☐ Record of Payment to Land Occupier

BWSR Use Only

Copy: ☐ SWCD   ☐ Central Office  ☐ Board Conservationist File

Cost-Share Program Closeout
Updated 02/06
<table>
<thead>
<tr>
<th>CONTRACT NUMBER</th>
<th>DATE</th>
<th>NAME</th>
<th>Practice Category</th>
<th>PRIMARY CODE(S)</th>
<th>AMENDMENT</th>
<th>CONTRACT AMOUNT</th>
<th>T &amp; A AMOUNT*</th>
<th>TOTAL PROJECT FUNDS ENCUMBERED</th>
<th>TOTAL T &amp; A ENCUMBERED</th>
<th>BALANCE REMAINING TO ENCUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY02-1</td>
<td>8/26/2001</td>
<td>Uncle Wiggley</td>
<td>Terrace</td>
<td>600 - D-11</td>
<td>-</td>
<td>$2,000.00</td>
<td>$500.00</td>
<td>$2,000.00</td>
<td>$500.00</td>
<td>$7,500.00</td>
</tr>
<tr>
<td>FY02-2</td>
<td>8/23/2001</td>
<td>Bill Gates</td>
<td>Waste Management and Feedlot Runoff Control</td>
<td>784 - D6</td>
<td>-</td>
<td>$5,000.00</td>
<td>$1,250.00</td>
<td>$7,000.00</td>
<td>$1,750.00</td>
<td>$1,250.00</td>
</tr>
<tr>
<td>FY02-3</td>
<td>9/11/2001</td>
<td>Mister Ed</td>
<td>Grassed Waterway</td>
<td>412 - D5</td>
<td>-</td>
<td>$1,000.00</td>
<td>$250.00</td>
<td>$8,000.00</td>
<td>$2,000.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

*NOTE: In order for your total T & A encumbrance to equal 20% of the total grant funds, you will need to encumber 25% of each contract amount for T & A.*
## SWCD COST SHARE DISBURSEMENT JOURNAL

**FISCAL YEAR**: 2002  
**GRANT PROGRAM**: BASE ☐ FWQMG ☐ COMPETITIVE ☐  
**PROGRAM PERIOD**: July 1, 2001 to June 30, 2003  
**GRANT AMOUNT**: $10,000.00  
**TOTAL T & A ALLOWED**: $2,000.00  
**PROJECT FUNDS TO DISBURSE**: $8,000.00  

<table>
<thead>
<tr>
<th>CONTRACT NUMBER</th>
<th>NAME</th>
<th>CONSERVATION PRACTICE CATEGORY</th>
<th>UNITS COMPLETED</th>
<th>DATE OF PAYMENT</th>
<th>CHECK NUMBER</th>
<th>WHOLE OR PARTIAL PAYMENT</th>
<th>PAYMENT AMOUNT</th>
<th>TOTAL PROJECT DISBURSEMENTS TOTAL</th>
<th>T &amp; A AMOUNT</th>
<th>Total T &amp; A DISBURSEMENTS</th>
<th>BALANCE REMAINING</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY02-1</td>
<td>Uncle Wiggley Terrace</td>
<td>1,000 ft.</td>
<td>5/20/2002</td>
<td>2224</td>
<td>Whole</td>
<td>$1,875.00</td>
<td>$1,875.00</td>
<td>$468.75</td>
<td>$468.75</td>
<td>$7,656.25</td>
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<tr>
<td>FY02-2</td>
<td>Bill Gates Wastewater and feedlot runoff control</td>
<td>1</td>
<td>6/14/2002</td>
<td>3367</td>
<td>Whole</td>
<td>$5,000.00</td>
<td>$6,875.00</td>
<td>$1,250.00</td>
<td>$1,718.75</td>
<td>$1,406.25</td>
<td></td>
</tr>
<tr>
<td>FY02-3</td>
<td>Mister Ed Grassed waterway</td>
<td>1.8 ac</td>
<td>6/22/2002</td>
<td>3399</td>
<td>Whole</td>
<td>$1,000.00</td>
<td>$7,875.00</td>
<td>$250.00</td>
<td>$1,968.75</td>
<td>$156.25</td>
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<tr>
<td></td>
<td>Slippage Returned to BWSR</td>
<td></td>
<td>7/22/2002</td>
<td>3500</td>
<td>Whole</td>
<td>$156.25</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>NAME</td>
<td>ADDRESS</td>
<td>CONSERVATION PRACTICE CATEGORY</td>
<td>PRIMARY CODE(S)</td>
<td>UNITS COMPLETED</td>
<td>AMOUNT OF PAYMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Uncle Wiggley</td>
<td>125 Main Street</td>
<td>Terrace</td>
<td>D.11</td>
<td>1,000 ft</td>
<td>$1,875.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bill Gates</td>
<td>75 Millionaire Road</td>
<td>Wastewater and feedlot runoff</td>
<td>D.6</td>
<td>1</td>
<td>$5,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mister Ed.</td>
<td>10943 Bridle Lane</td>
<td>grassed waterway</td>
<td>D.5</td>
<td>1.8 ac</td>
<td>$1,000.00</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

**Total payment:** $7,875.00
# FINAL FINANCIAL REPORT

STATE COST-SHARE PROGRAM

Soil and Water Conservation District

## PLEASE USE ONE FORM PER COST-SHARE GRANT PROGRAM

### Receipts
1. Regular Statewide Cost-Share Base Grant
2. Feedlot Water Quality Management Grant
3. Special Project
4. Other Allocation (Local Contributions)

**TOTAL RECEIPTS**

### Disbursements

<table>
<thead>
<tr>
<th>Practice</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>D1. Critical Area Planting</td>
<td></td>
</tr>
<tr>
<td>D2. Diversion</td>
<td></td>
</tr>
<tr>
<td>D3. Field Windbreaks</td>
<td></td>
</tr>
<tr>
<td>D4. Shelterbelt</td>
<td></td>
</tr>
<tr>
<td>D5. Grassed Waterway</td>
<td></td>
</tr>
<tr>
<td>D6. Wastewater and Livestock Management</td>
<td></td>
</tr>
<tr>
<td>D7. Filter Strips</td>
<td></td>
</tr>
<tr>
<td>D8. Sediment Basins</td>
<td></td>
</tr>
<tr>
<td>D9. Streambank and Shoreland Protection</td>
<td></td>
</tr>
<tr>
<td>D10. Stripcropping</td>
<td></td>
</tr>
<tr>
<td>D11. Terraces</td>
<td></td>
</tr>
<tr>
<td>D12. Unused Well Sealing</td>
<td></td>
</tr>
</tbody>
</table>

Other Recognized Technical Practices

Please provide practice detail: 

**Total Disbursements on Practices**

**Technical & Administrative Funds Used on Practices**

**Percentage of Cost-Share Funds Used for T&A**

Technical & Administrative Funds for Cost-Share Grant Divided by

Total Cost-Share Program Disbursements Less Local Contributions (not to exceed 20%)

**TOTAL COST-SHARE PROGRAM DISBURSEMENTS**

(Total Disbursements on Practices + T&A Funds Used on Practices)

**AMOUNT DUE BWSR**

(Total Receipts Less Total Cost-Share Program Disbursements)

Please check the box if all Land and Water projects have been entered and are complete in eLINK. [ ]

This is to certify that the information is a true and accurate representation of the Cost-Share Program accounts for the fiscal year noted above. We believe our records are complete and subject to audit.

Signature of Conservation District Treasurer __________________________ Date __________

When returning program funds, please use the Returned Check form.

Make checks payable and mail to:

Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, MN 55155

Please forward completed form to your Board Conservationist.
# Returned Check Form

Please attach this form to your check for funds being returned to the State.

LGU: ___________________________ Date: ___________________________
Contact Name: __________________ Phone #: __________________________

## WE ARE RETURNING FUNDS FOR THE FOLLOWING:

### STATE COST SHARE

<table>
<thead>
<tr>
<th>Description</th>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base C/S Grant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C/S Special Projects</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special MN River Basin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FWQMG</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### CHALLENGE GRANTS

<table>
<thead>
<tr>
<th>Description</th>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Water Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Feedlot Challenge Grant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### SWCD SERVICE GRANT

<table>
<thead>
<tr>
<th>Description</th>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Easement Services</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### NATURAL RESOURCES BLOCK GRANT

<table>
<thead>
<tr>
<th>Description</th>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Water Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetland Conservation Act</td>
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<tr>
<td>ISTS</td>
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<tr>
<td>County Feedlot Program</td>
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</table>

### Non-Point Engineering Assistance

<table>
<thead>
<tr>
<th>Description</th>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>NPEA Base Grant</td>
<td></td>
<td></td>
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<tr>
<td>NPEA Challenge Grant</td>
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### MISCELLANEOUS GRANT PROGRAM

<table>
<thead>
<tr>
<th>Program</th>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>Program</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

All checks should be made payable and mailed to:

Board of Water and Soil Resources  
c/o Accounting Coordinator  
520 Lafayette Road  
St. Paul, MN 55115
Part IV: Contract Implementation

A. APPLICATION

A.1 Applicants: land occupier, landowner, and group projects

The conservation district must fill out the general information, applicant, conservation practice location, contract location, applicant information, and conservation practice(s) sections of the State Cost-Share Assistance Contract. The form, a completed example, and instructions for completing the form can be found in Appendix A (Page 37).

In order to gather the information needed to complete the contract, the conservation district technical representative will need to visit the site where the erosion or water quality problem is occurring. Prior to conducting the site visit the land occupier (and the landowner if different) must initial the line next to item one of the Applicant Signatures section at the top of page two of the contract. This acknowledges that representatives of the conservation district are granted permission to access the land where the problem is located. The conservation district technical representative will perform a technical assessment and prepare a cost estimate as instructed in the Technical Information section of this manual.

If the land occupier agrees to the terms of the contract, he or she must sign at the bottom of the contract. If the land occupier is not the landowner, the land occupier is responsible for obtaining the landowner’s signature on the contract. Where the cooperation of several land occupiers is required to solve an erosion or water quality problem, all parties involved must sign the Group Project Addendum form. The group spokesperson must sign the application on behalf of the group and negotiate all project details with the conservation district. Payment for the conservation district’s share of the practice will be issued to the group spokesperson. The group spokesperson is responsible for executing the division of payment according to the plan prepared by the group and must inform all of the members of the practice maintenance requirements.

A.2 Eligibility review

Conservation practices must meet four criteria:

1. Their primary purpose must be the control or prevent soil erosion, sedimentation or chemical or nutrient runoff or infiltration.

2. All practices must be designed and maintained for a minimum effective life of ten years from the date the conservation district board approved final payment.

3. Cost-share funds cannot be furnished for practices designed only to increase land productivity.

4. All practices must be consistent with the conservation district’s comprehensive plan and or the county’s comprehensive local water management plan.
When reviewing applications for eligibility prior to approving cost-share assistance, the conservation district board must comply with the four criteria on the preceding page, along with the following additional requirements:

- The technical assessment and cost-estimate determinations must be completed prior to the conservation district board approving the application for cost-sharing assistance.

- The conservation practice needed to solve the erosion or water quality problem must:
  - be on the state board approved Conservation Practices and Eligible Component list found in the Technical Information part of this manual; or
  - have received state board approval defined as other recognized technical practice.

- The primary purpose of the requested practice must be to treat a high priority erosion problem or a high priority water quality problem as defined in the glossary for this manual. (The only exception is if the conservation district uses funds appropriated for technical and administrative services or low priority problems.)

- The application must be signed by the land occupier and the landowner (if different from the land occupier) indicating their agreement to:
  - grant the conservation districts representative(s) access to the parcel where the conservation practice will be located;
  - obtain all required permits necessary for the installation and establishment of the practice prior to starting construction of the practice;
  - be responsible for operation and maintenance of the practice according to the operation and maintenance plan prepared by the conservation district technical representative. (Refer to the Contract Maintenance part of the NRCS-FOTG.)
  - Not accept cost-share funds, from state and federal sources combined, that are in excess of 75 percent of the total cost to establish the conservation practice.

- Other state or federal funds from any source, when combined with State Cost-Share Program funds, must follow the State Cost-Share Programs Administrative Rule and these Administrative Guidelines for the State Cost-Share Program. They may also be subject to other administrative guidelines as deemed appropriate by the state board.

- Under no circumstances should the cost-share received from the State Cost-Share Program, when combined with other state and/or federal funds for a conservation practice, exceed 75 percent of the total eligible costs for that practice.

- The base per acre rental under CRP, CCRP, and WRP will not count or be used when calculating the not-to-exceed 75 percent cost-share provision of the cost-share rule. All other federal payment including, but not limited to, SIP, PIP, and cost-share will count toward the federal share.

Note: The intent of matching or combining state cost-share funds with other state or federal funds is to provide sufficient cost-share incentives to convince the land occupier to treat a problem when individual contributions from either state or
federal programs do not provide adequate assistance. Consider combining funds only when the practice is expensive or a high priority problem with significant impacts and additional funds are needed to get the practice installed.

**Other considerations for the conservation district board when reviewing the applications:**
- The approved cost-share amount must never exceed the available cost-share funds unless conservation district or county (non-state) funds, or interest earned on these funds, are used.
- Priority consideration will be given to land occupiers who demonstrate the ability to meet matching requirements; i.e., their share of the practice costs.
- Practices where construction has begun prior to the conservation district board approval are not eligible for state cost-share assistance.
- Costs to repair damage to conservation practices installed with state cost-share dollars are eligible if the damage was caused by reasons beyond the control of the land occupier. In no case shall a conservation district board provide cost-share assistance to reapply a practice that was removed by the land occupier during the effective life or that failed due to improper maintenance.
- Costs to repair damage to a conservation practice installed with other public funded cost-share dollars are not eligible for state cost-share funds.
- Costs to reconstruct a conservation practice that was installed and has met or exceeded its designed effective life are eligible for state cost-share assistance.
- Feedlot expansions are not eligible for state cost-share funds.
- Components of feedlot relocations are eligible for state cost-share funds.

See (Part V–Technical Information) for BWSR policy.

**A.3 Maximum cost-share rate**

The state board has set the maximum cost-share rate at 75 percent of the total eligible costs of a practice. Conservation district boards are also required to establish cost-share maximums for approved practices, not to exceed 75 percent. When determining maximum cost-share percentages the conservation district board may consider:

**Location:** The extent of high priority erosion or water quality problems outlined in the conservation district’s comprehensive plan or county’s comprehensive local water management plan. Higher cost-share percentages may be targeted to high priority areas identified in these plans.

**Case-by-case:** Determining the cost-share percentage for each applicant allows the conservation district to take into account relevant circumstances, such as the applicant’s ability to secure funds through other sources.

**Approved practice:** Cost-share rates are determined for each of the conservation practices listed in Part V–Technical Information. The
conservation district will take into consideration the rates currently in effect under other funding sources.

It is important that the priorities established in the conservation district’s comprehensive plan and the county’s priorities identified in the comprehensive local water management plan are considered when assigning maximum cost-share rates, along with the advice of technical experts familiar with the conservation district.

The cost-share maximum rates set by the conservation district must be identified in the annual plan or other documents containing the policies of the conservation district.

A.4 Conservation district board approval
After completing the criteria review of the application(s) requesting cost-sharing assistance, the conservation district board must approve or deny the application. The action taken must be documented in the conservation board meeting minutes.

If approved, the conservation district board will instruct the chair (or acting chair) to sign the assistance contract. The approval signature cannot be delegated to a conservation district employee. Within 15 days of approving the application, the conservation district must send a notice of approval to the land occupier along with a copy of the completed contract. The letter should make the landowner aware that plans and specifications are being (or have been) developed for the practice and that the conservation district technical representative will set up a meeting to review them.

This review should also include the contractor that the land occupier intends to hire to construct the practice. It should be done enough in advance of construction to allow for any plan modifications the land occupier requests.

Changes in any provisions of the contract are subject to review and approval by the conservation district board and must follow the amendment process found in this part, Item B, Cost-Share Contract.

If denied, the conservation district board will notify the land occupier in writing of the reason for denial of the application. This written notification must be done within 30 days after the conservation district board’s action.

The land occupier may request the conservation district board to review its decision and appeal the conservation district board’s decision. The appeal process is found in Part III–Grant Administration.

Sample approval and denial letters can be found on Page 43 and Page 44.

A.5 Encumbering funds
Once the contract is signed by both the land occupier and the conservation district, it is a binding agreement and the funds are considered encumbered. For information pertaining to when and how the conservation district encumbers funds, refer to Part III–Grant Administration, Distribution of Funds.

Conservation districts may wish to hold a sign-up around the time they will receive that fiscal year’s grant agreement cost-share funds. Holding an official sign-up period may generate several quality projects from which the board can prioritize to select those
projects providing the most benefit in terms of reducing soil erosion, sedimentation, and improving water quality.

B. COST-SHARE CONTRACT

B.1 Project timelines

Projects not completed within two years of the conservation district board approval (encumbrance date) must be canceled unless an amendment to the project has been approved by the conservation district board. An amendment approval must be done prior to the end of the contract. The purpose of a starting date is to discourage applicants from requesting assistance and then not expeditiously completing the project.

As stated in Part III–Grant Administration, any funds that are released from encumbrance because a contract cancels or a project costs less to construct than estimated may be re-encumbered until the grant agreement expires. Funds unspent or unencumbered at the end of the grant agreement must be returned to the state within 30 days.

Please read B.4, B.5, and B. 6 of the Part III–Grant Administration for more information regarding encumbering funds and returning unspent funds to the state.

Authority to adopt timely deadline dates

Conservation district boards have the authority to adopt timely starting and completion dates prior to the maximum deadlines stated. The dates established by the conservation district board could vary with different practices. For example, set dates for waterways to meet seeding deadlines. The use of completion dates that shorten the time allowed for the project to get constructed (example: one construction season) allows conservation district personnel to monitor and expedite the construction process. Timely completion of projects allows conservation district boards to re-encumber dollars associated with canceled contracts or slippage funds before the two-year grant agreement expires.

Conservation district boards are encouraged to exercise their authority to adopt a policy on timely and manageable starting and completion dates. Amendments to these established dates are at the discretion of the conservation district board as long as the amended dates are within the maximum allowed deadlines as stated above. Policy decisions should be included in the conservation district’s cost-share policy records.

B.2 Amending the contract

It may be necessary to amend the original cost-share contract because of circumstances such as, but not limited to, change in practice type, weather, and unforeseen cost or soil conditions. If changes to the original cost-share contract are needed, the conservation district technical representative must verify that amending the contract has merit and the changes must be approved by the conservation district board.

Amendments must be filed in advance of completing a project. A project is considered complete when the conservation district board approves the final payment. Partial
payments are not considered amendments. Amendments are used to:

- grant extensions to starting or completion dates;
- increase or decrease the estimated project cost; or
- identify a different land occupier or owner.

Please refer to Page 53 for an example of the Cost-Share Assistance Contract Amendment.

B.3 Amendment criteria and considerations

- Approve amendments for additional funds only if sufficient funds are available.
- Never use amendments for the sole purpose of eliminating year-end balances.
- The amended amount of the contract must not exceed the originally approved cost-share percentage.
- For projects that have received funds from other cost-share programs, the conservation district must verify that the total cost-share funds allocated do not exceed 75 percent of the total eligible cost of the project construction, or the percentage originally approved by the conservation district board, whichever is less. This will require close communication with other contributors during contract implementation.
- Consider authorizing amendments only when absolutely necessary - bad weather, unforeseen cost, or soil conditions, etc.
- Amendments must never be approved for individuals that have received final payment.
- Consider approving amendments with discretion. If applicants realize that the conservation district board will always approve amendments, the technical staff may find it difficult to obtain starting and completion date commitments.

B.4 Amendment procedures

The procedure to amend a cost-share contract is as follows:

(a) The land occupier provides information justifying the need for an amendment and completes the cost-share amendment form. If the land occupier is not the landowner, the landowner's signature must be on the amendment form.

(b) The conservation district technical representative reviews and certifies the technical assessment component of the amendment form.

(c) The conservation district board reviews the amendment request at its next scheduled board meeting and approves or denies the request.

(d) The land occupier is notified of the board’s decision within 15 days.

(e) If approved, the date of board meeting is recorded at the top of the original cost-
share contract and the cost-share amendment form is signed and dated by the board chair.

(f) The amendment number and action is noted in the amendment column on the original contract entry line of the Cost-Share Program Log. Refer to Part III—Grant Administration, Conservation District Records section of this manual.

(g) Where the original estimated project cost is increased or decreased, add an entry line to the Program Log documenting the increase or decrease in the encumbrance and balance columns.

B.5 Amending with funds from different fiscal years
Situations may develop when, in the view of the conservation district board, a project from a previous fiscal year requires additional funds. If cost-share funds are available, an amendment may be approved from current fiscal year funds. If funds from two fiscal years (second year of FY 01 grant and first year of FY 02 grant) are allocated to one contract, the maximum starting and completion date requirements of the original contract (first fiscal 01 year) are in force. Document the encumbrance in the program records corresponding to the original contract number.

C. ISSUING CONTRACT PAYMENTS
C.1 Receipts and invoices
Receipts and invoices document the costs to construct a practice and must be submitted with the Voucher and Practice Certification Summary Form to receive the cost-share payment. Receipts and invoices are used to calculate the amount of cost-share funds to be issued to the land occupier.

The conservation district board is authorized to adjust the costs of materials, labor, and equipment submitted for reimbursement if it believes the amounts are not an accurate representation of average costs. In-kind services and materials provided by the land occupier such as, but not limited to, earthwork, seedbed preparation, seeding, and permanent fencing materials may be credited toward the land occupier’s share of total eligible cost the practice. The conservation district board will determine whether charges for in-kind services and materials are practical and reasonable. A guide to custom labor costs is available from the University of Minnesota Extension Service or Farm Service Agency. If adjustments are made to the cost submitted by the land occupier, the district’s reasons for the adjustments must be documented in writing and an explanation provided to the land occupier. Any adjustments should be indicated as the “total cost approved” on part D of the Cost-Share Voucher and Practice Certification Summary Form.

Conservation district charges for technical or administrative services provided to a land occupier are not eligible costs to establish a practice. (These activities should be funded by setting aside 20 percent of the grant appropriation.) Ineligible costs include, but are not limited to, costs to conduct field investigations, design the conservation practice, monitor the establishment of the practice, and all program administration costs. Conservation district service charges, including but not limited to tree planting or mechanical weed control charges, are not considered technical or administrative services and are an eligible cost to establish a practice. In addition, the services of a consulting engineer may be an eligible cost. See Part V—Technical Information, General
Cost-Share Program policies section of this manual.

The conservation district board may adopt a policy requiring paid receipts. The receipts or invoices should include the following information:

- the name of the vendor;
- the materials, labor, or equipment used to establish the practice; and
- the component unit costs (e.g., hours, feet, cubic yards, etc.)

When landowners purchase more than the minimum amounts of necessary components (e.g., a larger size of tile) the conservation district must determine the actual costs that apply to the components necessary to establish the practice according to the plans and specifications.

Submitting false bills to the conservation district is considered fraudulent. Many conservation districts have avoided the potential for this to occur by officially adopting (i.e., passing a motion at a conservation district board meeting) a policy to only accept paid receipts for reimbursement.

If the state becomes aware of cases where a conservation district knowingly participates in accepting fraudulent receipts or invoices to calculate cost-share claims, the state may deny future cost-share funds for the conservation district.

C.2 Voucher and Practice Certification Summary Form (See Page 54)
The receipts and invoices are submitted in conjunction with the Voucher and Practice Certification Summary Form and must be signed by the land occupier (payee). The conservation district should assist the land occupier with filling out the various sections of this form:

Section A: Payee Information
Identify the name and address of the party to receive the conservation district’s cost-share payment. This name must correspond to the name listed as “land occupier” on the contract.

Section B: Project Information
I.D. number must correspond to the number assigned to the cost-share contract.

BWSR program: Identify the appropriate grant program.

Benefit calculation: Tons of soil saved, sediment reduction, and phosphorus reduction.

Section C: Cost Information
Basis of request: Check the installation box except when a practice was previously installed and has failed, in that situation check reinstallation.

Type of request: Check partial or final.

Total Cost of Project: Please indicate total cost of project.

Receipts or Invoices: Indicate “R” for receipted and invoiced items and “I” for in-kind contributions.
Item: Indicate what type of work was performed and what materials were used.

Quantity: Total amount purchased.

Unit: Unit of measure.

Unit price: Cost per unit.

Cost: Quantity times unit price.

Total: Add all of the costs of the items listed and indicate the total in the box.

Section D: Payment Information

(A) Total previous payments: Enter any partial payment received.

(B) Cost-Share Payment Requested. Maximum amount of cost-share being requested.

(C) Total Cost Approved: Enter the total practice cost (above) or the total cost share approved if the conservation district board has adjusted the submitted costs.

(D) Other Public Funds: Enter the percent of cost share and the dollar amount contributed from other public sources (state and federal funds) to establish practice.

(E) District Share: Indicate the percent of cost share from the contract, multiply the total cost approved by the conservation district’s share percentage and indicate this amount in the box. Add this amount to the amount in box (D) and divide the sum by the amount in box (C). Make sure the result does not exceed 0.75. See the following Item C.3 for information on calculating cost-share when funds are combined.

Program Cost-Share Payment: (left column) Transfer the number from box (E) right.

Other Funding Sources: List the amount and name of any other funding sources (from D).

Landowner/Land Occupier Cost: Subtract the program cost-share payment and any other funding sources from the total cost of the practice to arrive at the landowner’s/land occupier cost. See Part IV–Combining Cost-Share Funds.

Section E: Practice Certification

The first signature line is a technical sign-off. The conservation district technical representative with technical approval authority (TAA) is certifying that the practice has been installed (or partially installed) according to the practice design’s standards and specifications. Refer to Part V–Technical Information.

The second line is to administratively certify that the voucher and all supporting information pertaining to the billed costs are accurate and in accordance with program guidelines. The authorized SWCD representative does not have to be the technical representative.

The third signature line is the conservation district board approval. This requires a board member signature, preferably the chair. The purpose is to authorize payment.
C.3 Combining cost-share funds
Contributions of other state and federal contributors must be deducted from the total cost-shared amount before calculating the amount of State Cost-Share Program funds the land occupier is eligible to receive. This will require close communication to ensure efficient use of all funds. When funds are combined on any project, it is the responsibility of the conservation district board to ensure that the district’s maximum payment rate is not exceeded.

The following examples illustrate how to calculate cost-share percentages when other sources of cost-share are being applied to the project or practice. All calculations should be documented and attached to the Voucher and Practice Certification Summary Form (or use the back of the voucher form).

The Farm Services Agency (FSA) Committee agreed to cost-share, with the conservation district, the cost of a high priority erosion control structure costing $8,000. The computation, as follows, should be reflected on the Voucher and Practice Certification Summary Form.

**EXAMPLE ONE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Total eligible project costs</td>
<td>$8,000</td>
</tr>
<tr>
<td>75% of the total (total cost-shared amount)</td>
<td>$6,000</td>
</tr>
<tr>
<td>Less FSA</td>
<td>-$3,500</td>
</tr>
<tr>
<td>Conservation district contribution</td>
<td>$2,500</td>
</tr>
</tbody>
</table>

Certain projects involve components that are not eligible for payment with state cost-share funds. The following calculations should be used to ensure that state cost-share funds are not used to pay for ineligible items.

**EXAMPLE TWO**

<table>
<thead>
<tr>
<th>Description</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Total cost of project</td>
<td>$20,000</td>
</tr>
<tr>
<td>Not eligible for state cost-sharing</td>
<td>-$5,000</td>
</tr>
<tr>
<td>Cost of eligible state components</td>
<td>$15,000</td>
</tr>
</tbody>
</table>

To figure maximum state contribution if only state funds are involved, take 75% of eligible state components ($15,000), minus the amount FSA agreed to contribute ($3,500) to share the cost with the district:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Maximum total cost-shared amount</td>
<td>$11,250</td>
</tr>
<tr>
<td>Maximum FSA contribution</td>
<td>-$3,500</td>
</tr>
<tr>
<td>Maximum state contribution</td>
<td>$7,750</td>
</tr>
</tbody>
</table>

Actual costs differing from estimated cost
In cases where the actual cost of the practice exceeds the estimated cost, the conservation district may only cost-share the approved percentage of the estimated cost unless an amendment to increase the original cost estimate (listed on the cost-share assistance contract) has been approved by the conservation district board.

C.4 Authorizing partial payments
The conservation district board may authorize a partial payment in cases where
weather or other unanticipated circumstances beyond the control of the land occupier force postponement of completing the project until the following construction season. The conservation district board may not authorize a partial payment unless:

- The anticipated project completion date will be in compliance with the contract and grant agreement terms.
- The completed work meets the practice specifications and standards as planned.
- The conservation district technical representative has reviewed the work and concurs with the payment decisions.

Partial payment authorizations should not be considered as precedent setting. Every request for partial payment should be considered by the conservation district board on its own merit. Conservation districts are encouraged to use partial payment authorization with discretion to eliminate any unnecessary administrative and technical staff workload and program documentation.

Partial payment conditions
Partial payment authorized by the conservation district board must comply with the following conditions:

- Payment percentages must not exceed the approved percentage rate identified on the cost-share contract or the maximum cost-share rate of 75 percent of the total eligible project costs submitted for payment, whichever is less.
- The balance of the project costs must be paid by the conservation district board upon project completion.
- All expenses incurred to correct damage caused by the land occupiers failure to expeditiously complete the practice must be borne by the land occupier.
- The land occupier must complete the project within a time deemed reasonable by the conservation district board.
- A land occupier is required to repay a partial payment if the project is not satisfactorily completed.

Partial payment procedures
It is the responsibility of the land occupier to submit a written request for partial payment to the conservation district board. Partial payment documentation requires two voucher forms, one for the partial payment and one for the final payment. The conservation district will note on the Voucher and Practice Certification Summary Form whether the submission is for partial payment or final payment. The procedures for issuing a partial payment are:

(a) The land occupier submits a written request for partial payment and certifies, by signing the Voucher and Practice Certification Summary form, that the submitted receipts or invoices are an accurate summation of the costs of practice construction.
(b) Prior to conservation district board review, the conservation district technical representative performs a site review. The conservation district technical representative with TAA certifies by signature that the work performed has been completed according to plan.

(c) The conservation district board reviews the written request for partial payment and the completed Voucher and Practice Certification Summary Form. Upon conferring with the conservation district technical representative, the district board must either approve or deny the request for partial payment.

(d) If approved, the conservation district board chair, or its designee, administratively certifies by signature that the voucher and supporting information have been reviewed for accuracy and are in accordance with terms of the cost-share program.

(e) To authorize payment the chair will sign the Voucher and Practice Certification Summary Form.

(f) A letter of approval is sent to the land occupier noting conditions of the partial payment along with the check and a copy of Voucher and Practice Certification Summary Form.

(g) This transaction is documented in the Cost-Share Disbursement Journal and on the Cost-Share Program Log along side of the original contract entry.

(h) If denied, the conservation district will notify the land occupier within 30 days of board action as to the reasons of denial.

C.5 Issuing final payment

It is the responsibility of the land occupier to submit receipts or invoices of all costs relating to the construction of the cost-share project to the conservation district. All cost figures may be rounded off to the nearest dollar. Sales tax is an eligible project cost.

If the contract has had a partial payment issued, the partial payment voucher should be attached to the final payment voucher and the final amount of the partial payment listed in Part D, Item (A) of the Voucher and Practice Certification Summary Form. The final voucher should only list additional costs not already submitted on the partial payment voucher.

Payment procedures

The procedures for issuing final payment are as follows:

(a) The land occupier submits receipts or invoices to the conservation district for final payment and certifies, by signing the Voucher and Practice Certification Summary Form, that the submitted receipts or vouchers are accurate and a true summation of actual costs of practice construction.

(b) Prior to the district board review, the conservation district technical representative performs a site review. The conservation district technical representative with TAA certifies by signature that the work performed has been completed according to standards and specifications for the practice.
(c) The conservation district board will review the receipts or invoices provided by the land occupier to determine the actual cost of the practice. When the district board determines that all claims are practical and reasonable, it will authorize issuance of a check for the conservation district’s share of the practice.

(d) If approved, the conservation district board chair, or its designee, certifies by signature that the vouchers and supporting information have been reviewed for accuracy and are in accordance with the terms of the State Cost-Share Program.

(e) To authorize payment the chair will sign the Voucher and Practice Certification Summary Form.

(f) A letter of payment approval is sent to the land occupier along with the check and a copy of the Voucher and Practice Certification Summary Form.

(g) If the conservation district board determines that certain claims are not justified, it will notify the land occupier in writing of the unjustified claims within 30 days. The conservation district board will then authorize the issuance of a check for the conservation district’s share of the justified claims.

(h) This transaction is then documented in the Cost-Share Disbursement Journal. Any slippage funds are added to the unencumbered funds balance of the Cost-Share Program Log if eligible for re-encumbering.

Additional bookkeeping procedures are necessary to show the payment of a contract with funds from two fiscal years. When paying contracts with funds from different fiscal years:

(a) use one Voucher and Practice Certification Summary, noting the amount from each fiscal year on a sheet attached to the form.

(b) issue one check, noting the amount from each fiscal year.

(c) record payments in the corresponding fiscal year’s Disbursement Journal, Program Log, Final Financial Report, and Record of Payment to the Land Occupier.

Note: The steps for contract implementation may differ when maintaining eLINK. Please check eLINK documents when maintaining eLINK.
### COST-SHARE ASSISTANCE CONTRACT INSTRUCTIONS

#### GENERAL INFORMATION

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation District</td>
<td>Self-explanatory</td>
</tr>
<tr>
<td>County Number:</td>
<td>80 (Fiscal agent)</td>
</tr>
<tr>
<td>Contract Number:</td>
<td>This should include the fiscal year and number (i.e., St.C/S FY04-01).</td>
</tr>
<tr>
<td>Individual/Group:</td>
<td>Indicate whether the contract is to be with an individual (I) or group (G) of land occupiers.</td>
</tr>
<tr>
<td>Federal or Other</td>
<td>Mark “yes” or “no.”</td>
</tr>
<tr>
<td>State Cost-Share:</td>
<td></td>
</tr>
<tr>
<td>Amendment/Canceled</td>
<td>Check appropriate box(es); fill in board meeting date</td>
</tr>
</tbody>
</table>

#### APPLICANT

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landowner:</td>
<td>Means a person, corporation, or legal entity that holds title to or is in possession of land.</td>
</tr>
<tr>
<td>Land Occupier:</td>
<td>A person, corporation, or legal entity that holds title to or is in possession of land within the conservation district as an owner, lessee, tenant, or otherwise. The group spokesperson, as designated in the agreement, must file and sign the contract.</td>
</tr>
<tr>
<td>Address:</td>
<td>Self-explanatory</td>
</tr>
</tbody>
</table>

#### CONSERVATION PRACTICE LOCATION

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twp. Name/Range/Section</td>
<td>Self-explanatory</td>
</tr>
<tr>
<td>1/4,1/4 Section:</td>
<td>Indicate the conservation practice location to the nearest 40 acres.</td>
</tr>
<tr>
<td>County Number:</td>
<td>List the county number. 80 (This number may be different than the fiscal agent under an MOA with another district)</td>
</tr>
<tr>
<td>Minor Watershed Number:</td>
<td>The unique watershed number.</td>
</tr>
</tbody>
</table>

#### CONTRACT INFORMATION

- This form is used for Base [C-S]; Special Project [SP], or Other Allocation in which case list the name of the program.

1. The minimum effective life of a conservation practice is 10 years. An effective life greater than 10 years may be established by the conservation district board.

2. Indicate [FOTG] if using the USDA/NRCS field office technical guide or [other approved] for other recognized technical standards that have been approved by the BWSR. Indicate the name(s) of the standard and specifications.
3. If amending a contract, explanatory statement requiring the conservation district board approval to increase the cost-share payment.

4. The purpose of a starting date is to discourage applicants from requesting assistance and then not completing the project in a timely manner. Conservation district boards, with input from staff, are encouraged to adopt starting and completion dates in advance of the sign up period. Dates established may vary with different conservation practices. See Cost-Share Contract–Project Timelines on Page 28 for more information.

5. The completion date relates to item 4. Although the date established should correspond with the date in item 5, it must allow sufficient time for the applicant to complete the project. The project must be completed within two years after initial board approval (encumbrance) of the contract.

6. Either invoices or receipts to be used for cost verification unless the district has set policy requiring paid receipts. The conservation district must review the receipts or invoices and verify that they are an accurate and true summation of the costs incurred to install the practice.

APPLICANT SIGNATURES

The landowner’s signature is only necessary if the applicant is not the landowner. Holders of land contracts [contract for deed] are eligible to apply as landowners. It is the applicant’s responsibility to obtain the landowner’s signature, if needed.

By signing the application, the applicant indicates his or her agreement to the terms listed. The applicant must initial and date term #1 before the conservation district technical representative can access the parcel. Make sure the land occupier, landowner, or designated spokesperson understand and acknowledge their agreement to the four items before they sign the contract.

CONSERVATION PRACTICES

Use a separate application for each conservation practice. For conservation practices which may include more than one component, use one application. If necessary, attach explanation sheets.

Conservation Practice: See Part V: Technical Information (D. 1 through D. 12).

Eligible Components: Corresponding FOTG practices/numbers (see Part V–Technical Information)

Other recognized technical practices: Practices approved by BWSR (see rule definition).

FOTG Number(s): NRCS-Field Office Technical guide number(s) assigned to the corresponding practice (see Part V–Technical Information).

Engineered and/or Ecological Science Practice: Indicate whether the conservation practice is an engineered or ecological science practice. To make
TECHNICAL ASSESSMENT AND COST ESTIMATE

The technical assessment and cost estimate, as verified and signed by the conservation districts technical representative, must be signed and dated before district board action to approve the contract.

AMOUNT AUTHORIZED FOR COST SHARE (encumbrance)

The applicant should understand that this is the maximum dollar amount and percentage of the total cost authorized for the project. The percentage must not exceed the maximum cost-share rate of 75 percent. The conservation district board should authorize amendment of these figures only when it is necessary, and must not exceed the percentage rate.
STATE COST-SHARE ASSISTANCE CONTRACT

GENERAL INFORMATION

<table>
<thead>
<tr>
<th>Conservation District</th>
<th>Lake SWCD</th>
<th>Contract No.</th>
<th>St. C/S FY-04-01</th>
<th>Individual / Group Ind</th>
<th>Federal or other state Cost-Share?</th>
<th>Amendment</th>
<th>Canceled</th>
<th>Board Meeting Date(s): 5/25/04</th>
</tr>
</thead>
</table>

APPLICANT

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Address</th>
<th>City/State</th>
<th>ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jack Johnson</td>
<td>Rural Route 5, Box 32</td>
<td>Lake City, MN</td>
<td>55555</td>
</tr>
</tbody>
</table>

* If a group contract, this must be filed and signed by the group spokesperson as designated in the group agreement.

CONSERVATION PRACTICE LOCATION

<table>
<thead>
<tr>
<th>Township Name</th>
<th>Township</th>
<th>Range</th>
<th>Section</th>
<th>1/4,1/4</th>
<th>County Number</th>
<th>Minor Watershed Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maple Ridge</td>
<td>20N</td>
<td>42W</td>
<td>8</td>
<td>sw1/4, sw1/4</td>
<td>80</td>
<td>21070</td>
</tr>
</tbody>
</table>

CONTRACT INFORMATION

I (we), the undersigned, do hereby request cost-share assistance to help defray the cost of installing the following State practice(s) listed on the second page of this contract. It is understood that:

1. The land occupier or landowner is responsible for the operation and maintenance of practices 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. Full establishment and maintenance of all conservation practices to achieve the upland treatment criteria are considered a State Cost Share Program requirement for the life span of the practice receiving financial cost-share assistance. Should the land occupier or landowner fail to maintain the practice during its effective life, the land occupier or landowner 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. The land occupier or landowner is not liable for cost-share assistance received if the failure was caused by reasons beyond the land occupier or landowner's control, or if conservation practices are applied at the land occupier or landowner's expense that provide equivalent protection of the soil and water resources.

In no case shall a conservation district provide cost-share assistance to a land occupier or landowner for the reaplication of a practice that was removed by the land occupier or landowner during its effective life without consent of the conservation district board or that failed due to improper maintenance. The specific operation and maintenance requirements for the conservation practice listed are described in the operation and maintenance plan prepared for this contract by the conservation district technical representative. 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 or landowner who signed this contract to advise the new owner that this contract is in force.

2. Practice(s) must be planned and installed in accordance with technical standards and specifications of the: NRCS FOTG

3. Increases in the practice units or cost must be approved by the conservation district board as a condition to increase the cost-share payments by amendment.

4. This contract, when approved by the conservation district board, will remain in effect unless canceled by mutual agreement, except where installations of practices covered by this contract have not been started by 7/1/04 (date), this contract will be automatically terminated on that date.

5. Practices will be installed by 06/30/05 (date) unless this contract is amended by mutual consent to reschedule the work and funding.

6. Items of cost for which reimbursement is claimed on the Voucher and Practice Certification Summary Form are to be supported by invoices/receipts for payments and will be verified by the conservation district board as practical and reasonable. The district board has the authority to make adjustments to the costs submitted for reimbursement.
APPLICANT SIGNATURES

The landowner’s and land occupier’s signature indicates their agreement to:

1. Grant the conservation district's representative(s) access to the parcel where the conservation practice will be located.

2. Obtain all permits required in conjunction with the installation and establishment of the practice prior to starting construction of the practice.

3. Be responsible for the operation and maintenance of conservation practices applied under this program in accordance with an operation and maintenance plan prepared by the conservation district technical representative.

4. Not accept cost-share funds, from state and federal sources combined, that are in excess of 75 percent of the total cost to establish the conservation practice provide copies of all forms and contracts pertinent to any other state or federal programs that are contributing funds toward this project.

<table>
<thead>
<tr>
<th>Date</th>
<th>Landowner/Spokesperson</th>
<th>Address</th>
<th>City/State/Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Rural Route 5, Box 32</td>
<td>Lake City, MN 55555</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Land Occupier</th>
<th>Address</th>
<th>City/State/Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CONSERVATION PRACTICE

The conservation practice category for which cost-share is requested is 412.

<table>
<thead>
<tr>
<th>Eligible component(s)</th>
<th>Other recognized technical practice</th>
<th>Engineered Practice</th>
<th>Ecological practice</th>
<th>Total Cost Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subsurface drain 606</td>
<td></td>
<td></td>
<td></td>
<td>800</td>
</tr>
<tr>
<td>mulching 484</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TECHNICAL ASSESSMENT AND COST ESTIMATE

I have reviewed the site where the above listed conservation practice(s) are to be installed and find that they are needed and that the estimated quantities and costs are practical and reasonable.

<table>
<thead>
<tr>
<th>Conservation District Technical Representative</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5/1/03</td>
</tr>
</tbody>
</table>

AMOUNT AUTHORIZED FOR COST-SHARE (ENCUMBRANCE)

Cost-sharing not to exceed $600 or 75 percent of the total eligible cost, whichever is less.

<table>
<thead>
<tr>
<th>Conservation District Board, Chair</th>
<th>Board Meeting Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7103</td>
</tr>
</tbody>
</table>
STATE COST-SHARE ASSISTANCE CONTRACT
GROUP PROJECT ADDENDUM

GENERAL INFORMATION

<table>
<thead>
<tr>
<th>Conservation District</th>
<th>Land Occupier/Group Spokesperson</th>
<th>Contract No.</th>
<th>Date</th>
<th>*Group Division of Payment Plan?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

CONSERVATION PRACTICE LOCATION

<table>
<thead>
<tr>
<th>Township Name</th>
<th>Township</th>
<th>Range</th>
<th>Section</th>
<th>1/4, 1/4 Section</th>
<th>County Number</th>
<th>Minor Watershed #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

APPLICANT INFORMATION AND SIGNATURES

We (the undersigned) are interested in developing and conserving our soil, water and related resources to meet the objectives of our group. In order to meet our group objectives, we request assistance from the conservation district to help us plan and apply proper land use and conservation treatment measures as agreed upon by our group.

We understand that this help is contingent upon staff assistance from the conservation district and in conformance with its policies and priorities.

We further understand that the below designated group spokesperson shall do the negotiating with the conservation district. Prior to the approval of this application the spokesperson shall prepare a division of payments schedule agreed to by the undersigned and present the schedule to the conservation district board.

<table>
<thead>
<tr>
<th>(group spokesperson)</th>
<th>(address)</th>
<th>(city/state/zip code)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(group member)</td>
<td>(address)</td>
<td>(city/state/zip code)</td>
</tr>
<tr>
<td>(group member)</td>
<td>(address)</td>
<td>(city/state/zip code)</td>
</tr>
<tr>
<td>(group member)</td>
<td>(address)</td>
<td>(city/state/zip code)</td>
</tr>
<tr>
<td>(group member)</td>
<td>(address)</td>
<td>(city/state/zip code)</td>
</tr>
<tr>
<td>(group member)</td>
<td>(address)</td>
<td>(city/state/zip code)</td>
</tr>
</tbody>
</table>

CONSERVATION DISTRICT BOARD ACTION

<table>
<thead>
<tr>
<th>Conservation District Board, Chair</th>
<th>Board Meeting Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Attach the division of payment plan to this form.

WR-01113-01
Updated 8/03

Part IV: Appendix A  State Cost-Share Program Manual Page 42
SAMPLE COST-SHARE CONTRACT APPROVAL LETTER

Insert Letterhead

Date: 7/1/2003

Subject: Cost-Share Contract Approval

Dear: Jack Johnson

The Lake Soil and Water Conservation District board has approved your application for State Cost-Share assistance to construct a Grass Waterway. The cost-share assistance cannot exceed $800.00 or 75 percent of the total cost, whichever is less.

The SWCD is proceeding to develop a conservation practice plan that includes the standards and specifications that must be followed when constructing the practice. In addition, the district is compiling an operation and maintenance plan that indicates your responsibilities to maintain the practice during its effective life. It is important that you do not begin constructing the practice until the SWCD has supplied you with the completed documents. Before starting to construct the practice, please notify the SWCD office.

Upon completion of the project all paid receipts must be brought to the SWCD office. The SWCD board will review the receipts, make adjustments if deemed appropriate, and issue a reimbursement check.

Enclosed is a copy of the cost-share contract you entered in with the SWCD board. Please read it over and feel free to contact the office at 555-1234 if there are any questions.

Sincerely,

District Employee
Lake Soil and Water Conservation District
Enclosure
SAMPLE COST-SHARE CONTRACT DENIAL LETTER

Insert Letterhead

Date: 7/11/2003

Subject: Cost-Share Contract Denial

Dear: Jack Johnson

The [Lake] Soil and Water Conservation District board regrets to inform you that due to lack of funds the District will be unable to provide state cost-share assistance for your Grass Waterway. The shortfall of funds requires the SWCD board to carefully prioritize applications according to the resource protection priorities identified in our comprehensive plan and the county’s comprehensive local water management plan.

We encourage you to apply again next year. Regardless of available funds, the SWCD will continue to provide you with technical assistance to treat the erosion problem. Please contact Good Technician at 555-1234 for more information regarding the Grass WaterWay conservation practice or other alternatives to treat the erosion problem.

Thank you for your interest in the State Cost-Share Program.

Sincerely,

Good Technician
Lake Soil and Water Conservation District

Enclosure
BWSR’s Internal Corrective Action Procedure

The Cost-Share manual discusses the Non-compliance Guidelines the districts uses when dealing with landowners. This sections discusses the options the Board Conservationist has should the district is Non-compliant.

103C.401, Subdivision 1. Powers and duties, addresses BWSR’s obligation to assure program compliance. Items 13, states “the state board shall: ensure compliance with statewide programs and policies established by the state board by advice, consultation, and approval of grant agreements with the districts.” Subd.2, states “funds made available to a district from the state for expenditures necessary for its operation may be used only for purposes authorized by the state board.”

Procedures and Non-Compliance Guide

- The Board Conservationist discovers a violation(s) during a closeout and documents the nature of violation on the Cost-Share Closeout form.
- The violation is discussed with SWCD staff at the time of the closeout.
- The SWCD staff is given 7 days to contest the Board Conservationist finds.
- If the Board Conservationist findings are uncontested after the 7 day period a letter is sent to the SWCD chair at their home address, SWCD manager/administrator, BWSR’s Regional Supervisor, and BWSR’s Grants Coordinator. The letter will state the nature of the violation(s), provide documentation substantiating the violation, amount, and list options available to the SWCD for repayment.

1. The SWCD requires the landowner to return the cost-share funds received.
2. The SWCD repays the State with non-state funds. This would include funds received from the County or funds generated by the district (tree program, seeder/drill programs, etc.)
3. The SWCD would take a yearly reduction in cost-share grant payments(s) until the violation amount is met.

*Note: If the district is unsuccessful in pursuing items 1 and 2 it will proceed to number 3.*

- Upon request the Board Conservationist will attend the SWCD board meeting to address violation(s)
- If the violation is contested (it must be in writing) by the SWCD board, the Board Conservationist will notify the Regional Supervisor and Grants Coordinator.
- The Board Conservationist and Regional Supervisor will attend the next SWCD board meeting to resolve the matter.
- The Board Conservationist will provide a written summary of the Cost-Share discussion to the SWCD chair, Regional Supervisor, and Grants Coordinator.
- If the violation has not been resolved the Grants Coordinator, in consultation with the Board Conservationist and Regional Supervisor, will bring the matter before the Executive Director and the full Board.
- The Board will assign a sub-committee to meet with BWSR staff and the SWCD to resolve the situation.
- If an agreement is not reached and the violation stands the matter will be referred to the State’s Attorney General Office.

3/31/2006
A. GRANT CLOSE-OUTS
An SWCD must send its board conservationist the Final Financial Report and Record of Payment to Land Occupiers within 30 days of the FY close out. The board conservationist contacts the SWCD and schedules a close out within 60 days of receiving these reports. Board conservationists should attempt to complete the close out within 120 days of receiving these reports from the SWCD.

To assist the board conservationist with the close out, the SWCD should have the following documents ready for review:

- Final Financial Report;
- Cost Share Program Log;
- Cost Share Program Disbursement Journal;
- Record of Payment to Land Occupiers;
- Project file including:
  - Documentation of high/low priority erosion or water quality problems,
  - Technical assessment and cost estimate,
  - Cost-Share Assistance contracts and amendments (if applicable),
  - Construction information,
  - Voucher and Practice Certification Summary Form.
- SWCD board meeting minutes;
- SWCD comprehensive and annual plan;
- SWCD board policies;
- Copy of grant agreement;
- Correspondence from BWSR Central Office or board conservationist regarding approvals (if applicable);
- Project recorded in eLINK, including:
  - Funds expended;
  - Project mapped;
  - Benefit calculation (if required) completed.
B. COST-SHARE NON-COMPLIANCE GUIDELINES

To provide administrative consistency statewide to non-compliance found in the State Cost-Share Program, the following guidelines have been developed. The degree of non-compliance is identified from least (level 1) to most severe (level 4). Keep in mind the board conservationist has the discretion to include items not covered in the close out non-compliance guidelines.

Program non-compliance has been categorized into four levels:

Level 1: Departure from recommended administrative procedures
This is not a statute or rule violation. An administrative guideline has been followed incorrectly. Many times this includes a form or record that is either not complete, completed incorrectly, or in the case of the landowner correspondence, not kept up to date. Two examples of a level would be an improperly kept program log or project file guidelines not followed.

A. Note the procedural differences on the cost-share close-out form.
B. Cite changes with SWCD staff necessary to comply with required procedure and explain the purpose of the procedure.
C. Changes may be required to close out grant period before certification is issued.
D. Normally, no penalties are issued for level 1. If items B & C are not corrected, item E in level 2 may be initiated by the BC.

Level 2: Deviation from required administrative procedures
As with level 1, this is not a statute or rule violation. It is a BWSR administrative requirement. Level 2 focuses on specific information required to justify payment. It also reflects the overall health of all aspects of the contract and its components. It would include improperly completed: record of payment to landowners, final financial reports, starting and ending dates, submitted invoices or receipts, lack of documentation, O & M plans, and site inspections.

A. Note procedural differences on the cost-share close-out form.
B. Cite changes with SWCD staff necessary to comply with required procedure and explain the purpose of the procedure.
C. Changes may be required to close out grant period before certification is issued.
D. Require compliance at the next close out (don’t make the same mistake twice).
E. If compliance is not accomplished at the next close out, a warning is issued that further violations at level 2 will result in financial penalties. (Corrective Action Policy).
F. No penalties are issued for first-time level 2 violations.

Level 3: Deviation from required SWCD and/or BWSR program rule(s) procedures
These are rule violation(s). Violations at this level may include technical assessment and sign-off by a District Technical Representative without proper TAA, the use of non-approved practices, SWCD and BWSR policy infractions, and project approval dates. A violation at this level highlights major areas of the contact that requires special attention. This level does require corrective action by the SWCD and gives BWSR some latitude in accessing a financial penalty.
BWSR options:

A. Note procedural differences on the cost-share close-out form.

B. Cite changes with SWCD staff necessary to comply with required procedure and explain the purpose of the procedure.

C. Changes may be required to close out grant period before certification is issued.

D. Require compliance at the next close out.

E. If compliance is not accomplished at the next close out, a warning is issued to the SWCD staff and board that further violations at level 3 will result in financial penalties. (Corrective Action Policy)

Note: No penalties are normally issued for first-time level 3 violations. If the deviation is considered serious by BWSR, the warning procedures may be omitted and the SWCD board is notified and a penalty may be assessed.

Level 4: Rule, Statute, or Grant Agreement violation
Violations at level 4 require the board conservationist to go directly to the corrective action policy. These violations include overpayment to landowners/occupiers (exceed 75 percent), or technical and administrative service provided by the SWCD (exceed 20 percent). Level 4 would also apply if the practice does not address a sedimentation, erosion, or water quality problem. The guidelines also address contract extensions that can only be granted by BWSR.

A. Violations are noted, board conservationist implements corrective action policy.
### State Cost-Share Program Non-Compliance Guide

Soil and Water Conservation District

Grant Period

<table>
<thead>
<tr>
<th>BWSR Staff</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Non-Compliance Level Guide:</strong></td>
<td></td>
</tr>
<tr>
<td>1. Departure from recommended administrative process</td>
<td></td>
</tr>
<tr>
<td>2. Deviation from required administrative process (policy)</td>
<td></td>
</tr>
<tr>
<td>3. Deviation from requirements of rule procedure</td>
<td></td>
</tr>
<tr>
<td>4. Rule, statute, or grant agreement violation</td>
<td></td>
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</tbody>
</table>

### Part III - Grant Administration

#### Local Resource Planning

<table>
<thead>
<tr>
<th>Section</th>
<th>Subsection</th>
<th>Violation</th>
<th>Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>1. Comprehensive Plan</td>
<td>Inconsistent with comprehensive plans</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>3. Annual Plan</td>
<td>Inconsistent with annual plan</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not covered in annual plan</td>
<td>1</td>
</tr>
</tbody>
</table>

#### Distribution of Funds

<table>
<thead>
<tr>
<th>Section</th>
<th>Subsection</th>
<th>Violation</th>
<th>Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>1. State Board Grants to Conservation Districts</td>
<td>T/A exceeds 20%</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>2. Conservation District Administration of Grants</td>
<td>Maximum cost share rate exceeds 75%</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>3. Pooling cost-share allocations with other conservation districts</td>
<td>MOA does not meet requirements</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MOA not approved by BWSR</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pooled grant periods applied improperly</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not returned within 30 days</td>
<td>3</td>
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</tbody>
</table>

#### Conservation District Records

<table>
<thead>
<tr>
<th>Section</th>
<th>Subsection</th>
<th>Violation</th>
<th>Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>1. Program records</td>
<td>BWSR forms and format not used</td>
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<tr>
<td></td>
<td></td>
<td>Program and Disbursement log improperly kept</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>2. Record of payment to land occupier and financial reports</td>
<td>Improperly completed</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>4. Reporting requirements for the state cost-share program</td>
<td>Close out forms not mailed to BC within 30 days</td>
<td>2</td>
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<tr>
<td></td>
<td></td>
<td>Annual report not filed</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>5. Record retention</td>
<td>Combined Balance Sheet and Statement of Revenues and Expenses not filed</td>
<td>2</td>
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<tr>
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<td>Provisions not made for retention</td>
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### Part IV - Contract Implementation

#### Application

<table>
<thead>
<tr>
<th>Section</th>
<th>Subsection</th>
<th>Violation</th>
<th>Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>2. Eligibility review</td>
<td>Practice not approved</td>
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<td></td>
<td></td>
<td>Combined funds requirements exceed 75%</td>
<td>4</td>
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<tr>
<td></td>
<td></td>
<td>Repair for an ineligible project</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Practice started before district board approval</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Technical assessment incomplete</td>
<td>3</td>
</tr>
<tr>
<td>-----</td>
<td>---------------------------</td>
<td>----------------------------------------</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>Cost-share amount exceeds available cost-share balance (negative balance)</td>
<td>Exceeds 75%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Information incomplete</td>
<td>District policies not followed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Combined funds requirements lack significant purpose</td>
<td>Not approved at district board meeting</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not documented in minutes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Chairperson signature and date missing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Approval notice not sent to applicant</td>
<td></td>
</tr>
</tbody>
</table>

### Cost-Share Contract

<table>
<thead>
<tr>
<th></th>
<th>1. Project Timeline</th>
<th>2. Amending the contract</th>
<th>3. Amendment criteria and considerations</th>
<th>4 Amendment procedures</th>
<th>5. Amending with funds from different fiscal year</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>Amendment/extend date not completed prior to end of grant agreement period</td>
<td>Amendment is meritless</td>
<td>Rate exceeds 75% of total eligible cost or the percentage originally approved by the board, whichever is less</td>
<td>Procedures not followed</td>
<td>Start/completion dates not from original contract</td>
</tr>
<tr>
<td></td>
<td>Extension granted without BWSR approval</td>
<td>Not approved before project completion</td>
<td>Amended after final payment</td>
<td>Used to eliminate year end balances</td>
<td>Program records do not use original contract number</td>
</tr>
<tr>
<td></td>
<td>Starting date requirements not met</td>
<td>Not approved by district board</td>
<td>Original percentage exceeded</td>
<td>Used without discretion</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Completion date requirements not met</td>
<td>Not certified by district technical representative</td>
<td>Amendment without sufficient funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>District timeline policies not followed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Amendment not used to extend dates</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Issuing Contract Payments

<table>
<thead>
<tr>
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<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Fraudulent billings</td>
<td>Amount approved does exceeds limits</td>
<td>Combined programs computation errors</td>
<td>Not approved at district board meeting</td>
</tr>
<tr>
<td></td>
<td>District T&amp;A not eligible costs</td>
<td></td>
<td></td>
<td>Authorization requirements not met</td>
</tr>
<tr>
<td></td>
<td>Receipts and invoices not submitted</td>
<td></td>
<td></td>
<td>Condition requirements not met</td>
</tr>
<tr>
<td></td>
<td>District policies not followed</td>
<td></td>
<td></td>
<td>Discretion not used</td>
</tr>
<tr>
<td></td>
<td>Costs not adjusted or inconsistent</td>
<td></td>
<td></td>
<td>Procedures not followed</td>
</tr>
<tr>
<td></td>
<td>Voucher and Practice Certification form completed improperly</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Part IV: Appendix B  State Cost-Share Program Manual Page 49
### Part V – Technical Information

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A</strong></td>
<td>Conservation district technical representation</td>
<td>Representative does not possess appropriate level of TAA (requirements not met)</td>
</tr>
<tr>
<td><strong>B</strong></td>
<td>Technical assessment and cost-estimate</td>
<td>Technical assessments and/or estimates not completed</td>
</tr>
<tr>
<td><strong>C</strong></td>
<td>Approved Practice List</td>
<td>Practices not on approved practice list (see NRCS FOTG)</td>
</tr>
<tr>
<td><strong>D</strong></td>
<td>Practice Guidelines</td>
<td>Practice guidelines not followed (see NRCS FOTG)</td>
</tr>
<tr>
<td><strong>E</strong></td>
<td>Other Recognized Technical Practices</td>
<td>Approval procedures not followed</td>
</tr>
<tr>
<td><strong>F</strong></td>
<td>Project File</td>
<td>BWSR approval not received</td>
</tr>
</tbody>
</table>

### Part VI – Contract Maintenance

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A</strong></td>
<td>Operation and Maintenance Plans</td>
<td>O&amp;M plans not prepared</td>
</tr>
<tr>
<td><strong>B</strong></td>
<td>Practice Site Inspection</td>
<td>Site inspection not carried out</td>
</tr>
<tr>
<td><strong>C</strong></td>
<td>Violations procedures</td>
<td>Violation procedures not followed</td>
</tr>
</tbody>
</table>
# Checklist Items for Processing a Cost-Share Contract

**Contract Number:**

**Land Occupier/Group Spokesperson:**

**Conservation district technical representative:**

**Conservation Practice (NRCS – FOTG)**

**Other:**

## Date Completed:

- Conduct field investigation of the problem
- Complete technical assessment and cost-estimate (steps on the back of this page)
- State board approval received (if practice is not on the approved practice list)
- Conservation district board review of eligibility criteria
- Conservation district board action completed check-off requirements:
  - [ ] set cost-share maximum rate
  - [ ] approved & signed (encumbered)
  - [ ] documented in the minutes
  - [ ] approval/denial letter sent

## Technical requirements completed check-off requirements:

- [ ] approval for other standards
- [ ] permits attained
- [ ] as-built
- [ ] practice designed
- [ ] practice construction
- [ ] certification of completion

## Financial transactions completed check-off requirements:

### Partial Payments

- [ ] land occupier notified of the status and terms of partial payment
- [ ] Cost-Share Voucher and Practice Certification Summary received for partial payment
- [ ] partial payment approved on
- [ ] Program Log and Disbursement Journal updated

### Final Payment

- [ ] Cost-Share Voucher and Practice Certification Summary received for final payment
- [ ] conservation district board certifies the voucher has been reviewed for accuracy
- [ ] conservation district board approves final payment
- [ ] Reporting requirements completed
- [ ] Project in eLINK
- [ ] Funds expended
- [ ] Project mapped
- [ ] Benefit calculation (if required) completed
1. The problem does □ does not □ meet the high priority erosion □ water quality □ definition.

   Explain:

2. Conservation practices that will effectively treat the problem:

   Alternatives:

   Recommendation:

3. Potential impacts caused by the construction of the conservation practice:

   Cultural resources (including historical): □ No □ Yes (please explain)
   Threatened or endangered species: □ No □ Yes (please explain)
   Wetlands: □ No □ Yes (please explain)
   Other: □ No □ Yes (please explain)

4. Watershed treatment assessment:

   percent of the contributing watershed acres controlled by the land occupier has the needed cultural, management, or structural practices in place, or scheduled to be installed to stabilize sources of damaging sediment and surface water runoff.

   Runoff from the contributing watershed (including land not controlled by the land occupier) will □ will not □ prevent the practice from achieving its intended purpose with normal operation and maintenance of the practice.

   Notes:
COST-SHARE ASSISTANCE CONTRACT AMENDMENT

<table>
<thead>
<tr>
<th>Conservation District</th>
<th>Contract Number</th>
<th>Amendment Number</th>
<th>Amendment Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAKE SWCD</td>
<td>ST.C/S FY04-01</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

The parties whose names are signed below hereby agree that the above-referenced cost-share assistance contract is amended as follows:

IT IS AGREED THAT:
The original cost estimate of $800.00 shall be amended to $1,100.00. Unanticipated seepage will require extra drain tile. The total amount authorized for cost-share based on the original percentage of 75% is $825.00.

The original contract as numbered shall remain in full force and effect, except for those changes made necessary to this amendment.

This amendment is to take effect on the date of the last signature hereto.

<table>
<thead>
<tr>
<th>Landowner</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4/24/04</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land Occupier</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TECHNICAL ASSESSMENT AND COST ESTIMATE

I have viewed the site where the above listed are to be installed and find that they are needed, and that the amended estimated quantities, costs or completion date are practical and reasonable.

<table>
<thead>
<tr>
<th>Conservation District Technical Representative</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5/14/04</td>
</tr>
</tbody>
</table>

CONSERVATION DISTRICT BOARD APPROVAL

<table>
<thead>
<tr>
<th>Conservation District Board, Chair</th>
<th>Board Meeting Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5/26/04</td>
</tr>
</tbody>
</table>
Part IV: Appendix C
## VOUCHER AND PRACTICE CERTIFICATION SUMMARY FORM

### A PAYEE INFORMATION
- **Name:** JACK JOHNSON
- **Address:** RURAL ROUTE 5 BOX 32, LAKE CITY, MN 55555

### B PRACTICE INFORMATION
- **Name:** JACK JOHNSON
- **I.D. Number:** ST. C/S FY04-01
- **Program:** BWSR Program
- **City, State, Zip Code:** LAKE CITY, MN 55555
- **Tons of Soil Saved:** SAVED 1ST/Y
- **Base Grant:** Base Grant
- **Competitive:** Competitive
- **FWQMG:** FWQMG
- **Other Allocation:** Other Allocation

### C Cost Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Basis of Request</th>
<th>Type of Request</th>
<th>Total Cost of Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>EARTHWORK R</td>
<td>Installation</td>
<td>Partial</td>
<td>$1,100.00</td>
</tr>
<tr>
<td>6&quot; TILE R</td>
<td></td>
<td>Partial</td>
<td>$0.60</td>
</tr>
<tr>
<td>SEED R</td>
<td></td>
<td>Partial</td>
<td>$1.00</td>
</tr>
<tr>
<td>SEEDBED PREPARATION R</td>
<td></td>
<td>Partial</td>
<td>$38.75</td>
</tr>
</tbody>
</table>

(attach additional sheets as necessary)

### D PAYMENT INFORMATION
- **Total Cost of Practice:** $1,100.00
- **Program Cost-Share Payment:** $825.00
- **Other Funding Sources:** $0.00

### E TECHNICAL CERTIFICATION
- **I certify that an inspection has been performed and that the items identified in part c have been complete and are in accordance with the requested practice standards and specifications.**

### ADMINISTRATIVE CERTIFICATION
- **I certify that I have reviewed this voucher and all supporting information and that to the best of my knowledge and belief, the quantities and billed cost or disbursements are accurate and are in accordance with terms of the program identified.**

### CONSERVATION DISTRICT BOARD PAYMENT APPROVAL
- **District Representative with TAA:** 6/18/2004
- **Administrative Sign-Off Designated SWCD Rep.:** 6/21/2004
- **Conservation District Board Chairperson:** 6/23/2004
A. RECORDING PRACTICES

A. 1 Requirements and general information

The location of conservation practices using $50,000 or more of State Cost-Share Program funds must be recorded on the property title at the county recorder’s office. This notifies subsequent buyers of the existence of a state-funded conservation practice on the property and their obligation to maintain the practice during its effective life. When amendments to cost-share contracts result in program payment equal to or greater than $50,000, the practice must be recorded. The original and amended cost-share contract amounts are recorded.

For practices costing less than $50,000 to establish, the district board can determine whether the practice should be recorded when reviewing cost-share assistance applications.

A. 2 Recording policies

- Recording must be done within 30 days after final payment.
- When an application is approved for funding that requires recording, the conservation district should contact the county recorder and document the ownership of the land where the practice will be constructed.
- For a Contract for Deed, the seller and the buyer’s name and address must be filled in the first blank. They must both sign the form.
- Even if only one spouse is listed on the deed of record, both names must be listed in the landowner’s section on the recording form and both must sign the form.
- If there are multiple practices (thus multiple contracts) on the same site, contracts may be grouped for a single recording with the county recorder.
- If a practice is located in two or more counties, record in each county.
- If the landowner lives out of the immediate area, information must be mailed to their place of residence.
- After recording, all landowners should receive a copy of the recorded form.
- Recording fees are paid by the district.
- If a landowner refuses to record a practice, any payments made must be refunded.
- If the practice is on the property line (or crosses over it) a consent to record the practice must be obtained from the effected property owner prior to constructing the practice.
- Districts can record a practice under $50,000 if they choose. This may be wise where:

  - Local match is contributed to cover some or all of the landowner’s cost.
  - Other state and federal contributions, when added to the state cost-share program funds, equal or exceed $50,000; or
  - The practice is located on lands likely to change ownership frequently.
B. CHECKLIST FOR RECORDING CONSERVATION PRACTICES

- Landowner is notified verbally that state cost-shared funded permanent conservation practice(s) must be recorded with the county recorder.
- Cost-share assistance contract approved by conservation district board. Landowner notified in writing of the recording requirement.
- Contact county recorder’s office and begin to complete the recording form(s).
- Request consents, if necessary.
- Outside interests (contract for deed, etc.) are notified of the requirement.
- Permanent conservation practice(s) is installed.
- Permanent conservation practice(s) certified as complete.
- Recording form(s) is completed.
- Landowner signs recording form(s). Signature is notarized.
- The recording form(s) is signed by any outside interests, if necessary. Signature is notarized.
- The recording form(s) and consent form(s) and other attachments are recorded.
- Copy of recording form(s) is sent to landowner and outside interest (if any).
- Copy of recording form(s) is filed with the cost-share contract in the conservation district office.
### C. EXAMPLES OF WHAT FORM TO USE AND WHEN

<table>
<thead>
<tr>
<th>Situation</th>
<th>Form</th>
<th>Who Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual landowner owns property; no mortgage</td>
<td>Recording of Permanent Conservation Practices, Individual</td>
<td>Landowner and spouse</td>
</tr>
<tr>
<td><strong>Contract for Deed</strong></td>
<td>Recording of Permanent Conservation Practices, Individual</td>
<td>Landowner and spouse (vendee) and seller and spouse (vendor)</td>
</tr>
<tr>
<td>Individual landowner has a mortgage (with a mortgage company) on property</td>
<td>Recording of Permanent Conservation Practices, Individual Consent form, Corporation</td>
<td>Landowner and spouse Mortgate company</td>
</tr>
<tr>
<td>Individual landowner has a recorded lease on the land</td>
<td>Recording of Permanent Conservation Practices, Individual Consent form, Individual</td>
<td>Landowner and spouse Interested party</td>
</tr>
<tr>
<td>Corporate landowner owns property, no mortgage</td>
<td>Recording of Permanent Conservation Practices, Corporation</td>
<td>Corporation officials</td>
</tr>
<tr>
<td>Corporate landowner has a mortgage (with a mortgage company) on property</td>
<td>Recording of Permanent Conservation Practices, Corporation Consent form, Corporation</td>
<td>Corporation officials Mortgage company</td>
</tr>
</tbody>
</table>
C. 3 Instructions for recording conservation practices

NOTE: Instructions refer to the Permanent Conservation Practices Individual form found on Page 60. All entries must be typed, with the exception of the sketch and signatures.

1. The name and address of the landowner(s) of record. If it is a husband/wife, note that after the name. If there is more than one landowner (other than the spouse), attach an additional sheet with the name and address, signature block, and area for the notary and county recorder. Note the attachment at the top.

2. Describe the permanent conservation practice including type, quantity and, if possible, dimensions of the practice.

3. The total dollar amount of state cost-share funds contributed (include amendments, if appropriate).

4. The duration or effective life of the permanent conservation practice (i.e., a minimum of 10 years). The effective life begins when the conservation district board authorized final payment.

5. The locale of the permanent conservation practice by legal description.

6. Additional location data on the permanent conservation practice.

7. Enter a sketch of the permanent conservation practice from an aerial photo. Include any location identification.

8. Enter an “X” indicating scale used.

9. Use black ink pens for all signatures. These are the signature blocks. All signatures must be the same as they appear on the land title.

10. Each signature must be notarized. If two or more signatures are required, and done at the same time, they (both or more signatures) may be notarized at the same time. If not done at the same time, you must have a second signature page with additional room for the second notary. It must state the marital status (i.e., husband/wife) on the line “Name of Person Acknowledged.” If the husband and wife’s signatures are notarized at different times, the notary must state the marital status (i.e., John Doe, husband to Jane Doe or Jane Doe, wife of John Doe) on the line of “Name of Person Acknowledged.”

11. For County Recorders Use Only: For the recorder’s bookkeeping.

Where recording is required (by the state board or the conservation district board) please make a copy of the checklist found in Appendix D (Page 56), complete it, and keep it in the project file.
ACKNOWLEDGMENT FOR INDIVIDUALS
Permanent Conservation Practices Individual

STATE OF

COUNTY OF

Execution of the attached Permanent Conservation Practices document was acknowledged before me this day of , 20 , by

(Seal)

____________________________
Notary Public (signature)

My commission expires: _______
<table>
<thead>
<tr>
<th>Township</th>
<th>ADDITIONAL DATA:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Range</td>
<td></td>
</tr>
<tr>
<td>¼ Section</td>
<td></td>
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<tr>
<td>¼ Section</td>
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<td>¼ Section</td>
<td></td>
</tr>
<tr>
<td>¼ Section</td>
<td></td>
</tr>
</tbody>
</table>

Scale:
- [ ] 4\" = 1 mile
- [ ] 8\" = 1 mile
SIGNATURES (See Attachment __)

<table>
<thead>
<tr>
<th>Land Occupier</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>

FOR NOTARY USE ONLY:
STATE OF MINNESOTA__________________________
COUNTY OF ________________________________
The foregoing instrument was acknowledged before me this ______________________day of ________________, 20____.

________________________________________
Name of Person Acknowledged

________________________________________
Name of Person Acknowledged

________________________________________
Name of Person Acknowledged
My commission expires ____________, 20____.

This instrument was drafted by:
Minnesota Board of Water and Soil Resources
One West Water Street, Suite 200
St. Paul, MN 55107

FOR COUNTY RECORDER USE ONLY:
STATE OF MINNESOTA
BOARD OF WATER AND SOIL RESOURCES
MORTGAGEE’S CONSENT TO CONSERVATION PRACTICE
CORPORATION

WHEREAS, is/are the fee owner(s) of the following lands:

AND WHEREAS, the undersigned (name of corporation) , is the mortgagee of a certain mortgage dated , and recorded in Book of , Page , as document number in the Office of the County Recorder/Registrar of Titles for County, Minnesota, on the day of 19 , which mortgage covers all or part of the lands described above,

AND WHEREAS, the State of Minnesota Board of Water and Soil Resources, acting through the Soil and Water Conservation District is about to contribute dollars for the implementation of a permanent conservation practice, pursuant to Minnesota Rules 8400.0050 to 8400.1800 upon all or a portion of the land described above.

AND WHEREAS, the Soil and Water Conservation District is required to record all conservation practices where the total cost is $50,000 or greater, or where the district deems appropriate, with the county recorder, pursuant to Minnesota Rules 8400.1650.

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the above named Corporation as mortgagee, hereby consents to the installation of a conservation practices and agrees that the lien of the above described mortgage shall be subject to and subordinate in lien priority to the conservation practice to be conveyed to the State of Minnesota by the fee owner(s). Mortgagee agrees that any foreclosure of said mortgage or other sale of the property subject to said mortgage under judicial proceedings shall be subject to the conservation practice.

IN TESTIMONY THEREOF, the undersigned corporation has caused this instrument to be executed in its corporate name by , its President, and its , on this day of 20 .

(Name of Corporation)

By

By

Its

Its

ACKNOWLEDGMENT

STATE OF MINNESOTA  )

) SS

COUNTY OF  )
The foregoing instrument was acknowledged before me this day of 20 , by (Name of officer and title) and by (Name of office and title), for a under the laws of , on behalf of the .

(Notary Stamp or Seal)

My Commission expires on

(Signature of Notary)

WR-001124
Updated 09/03

Part IV: Appendix D  State Cost-Share Program Manual Page 62
STATE OF MINNESOTA
BOARD OF WATER AND SOIL RESOURCES
MORTGAGEE’S CONSENT TO CONSERVATION PRACTICE
INDIVIDUAL

WHEREAS, is/are the fee owner(s) of the following lands:

AND WHEREAS, the undersigned is/are the mortgagee(s) of a certain mortgage dated , and recorded in Book of , Page , as document number in the Office of the County Recorder/Registrar of Titles for County, Minnesota, on the day of , 19 , which mortgage covers all or part of the lands described above,

AND WHEREAS, the State of Minnesota Board of Water and Soil Resources, acting through the Soil and Water Conservation District is about to contribute dollars for the implementation of a permanent conservation practice, pursuant to Minnesota Rules 8400.0050 to 8400.1800 upon all or a portion of the land described above.

AND WHEREAS, the Soil and Water Conservation District is required to record all conservation practices where the total cost is $50,000 or greater, or where the district deems appropriate, with the county recorder, pursuant to Minnesota Rules 8400.1650.

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the above named Corporation as mortgagee, hereby consents to the installation of a conservation practices and agrees that the lien of the above described mortgage shall be subject to and subordinate in lien priority to the conservation practice to be conveyed to the State of Minnesota by the fee owner(s). Mortgagee agrees that any foreclosure of said mortgage or other sale of the property subject to said mortgage under judicial proceedings shall be subject to the conservation practice.

IN TESTIMONY WHEREOF, as mortgagee(s) has executed this document this day of , 20 .

ACKNOWLEDGMENT

STATE OF MINNESOTA )
COUNTY OF ) SS

The foregoing instrument was acknowledged before me this day of , 20 , by .

(Notary Stamp or Seal) Signature of Notary _______________________

My Commission expires on ____________________
SAMPLE RECORDING PRACTICE LETTER TO LANDOWNER

Date 4/9/03

Dear JACK JOHNSON

To protect and conserve Minnesota’s natural resources, (JACK JOHNSON) has made the commitment to install a GRASSED WATERWAY.

The LAKE county recorder has informed the district that you JACK JOHNSON are listed on the deed as owner (or having an interest in) RURAL ROUTE 5, BOX 32, MAPLE RIDGE TOWNSHIP. Minnesota Rule 8400.1650 requires that conservation practices constructed using state cost-share funds and costing $50,000 or more (or practices less than $50,000 but the district board deems appropriate to record), must be recorded on the property deed for the effective life of the practice. This is to ensure that the permanent conservation practice remains on the land and that the practice is properly maintained.

Since you have a vested interest in the property, we request that you review the enclosed documents. Please sign and date the enclosed documents where indicated. Your signature(s) must be notarized by a notary public at the time of signing (if the district has notary capabilities available indicate so). When this is completed, please return the documents in the enclosed stamped envelope.

If you have any questions, please do not hesitate to contact MR. SMITH at this office.

Thank you for your time.

Sincerely

Chairperson

Enclosures
1) Copy of recording form
2) Acknowledgement for Individuals
3) Any additional information
**Part V: Technical Information**

**A. GENERAL REQUIREMENTS**

It is the responsibility of BWSR and conservation districts to administer the State Cost-Share Program to establish enduring conservation practices that effectively solve erosion and/or water quality problems during the effective life of the practice. To carry out this obligation, the conservation district must assign technical representatives who possess the expertise needed to effectively provide technical assistance for the applicable project phase(s), which typically include:

1) inventory and evaluation of the area where the problem is occurring (aka site investigation or conservation practice planning) to determine the resource management needs of the area, identify the practice(s) that will effectively address the natural resource problems and develop a preliminary cost estimate for designing and installing the practice(s);

2) design of the conservation practice(s), including preparation of construction / installation plans, specifications and bid documents, as appropriate, in accordance with approved design standards;

3) construction / installation inspection to ensure conformance with the project plans and specifications; and

4) periodic site inspection of operation and maintenance over the effective life of the practice(s).

**A. 1 Conservation district technical representative**

The Conservation District Technical Representative (CDTR) is a conservation district employee, or other designee, who has expertise for the conservation practice(s) and the applicable project phase(s) outlined above. The conservation district may designate a qualified and available district employee, NRCS employee, SWCD Technical Services Area (TSA) (aka Joint Powers Area, or Nonpoint Engineering Assistance) engineer or technician, or private consultant, to serve as the CDTR. Although it is preferable to have continuity of staffing throughout a project, the conservation district may designate different CDTRs for the different phases of a project. More than one CDTR may be needed for different engineering and/or ecological sciences practices that are part of a cost-shared project. The CDTR(s) must be identified in the project file.

For project phases 1) through 3) above, the CDTR must have applicable Technical Approval Authority (TAA), or be a Professional Engineer licensed in Minnesota, for engineering practices. Individuals without the necessary TAA may work under the direct supervision of the designated CDTR(s) for the applicable conservation practice and project phase. On-the-job training is an important method to help individuals qualify for TAA.

For project phase 4) above (i.e. periodic site inspection of operation and maintenance), the CDTR must be qualified to fulfill the following responsibilities:

a) verify that all components of the conservation practice remain in place; and

b) verify that the practice is in good repair; or determine that it needs repair in accordance with the operation and maintenance plan for the practice (as applicable); or identify that someone with appropriate TAA is needed to further assess the condition of the practice, the potential need for repair beyond the scope of the operation and maintenance plan and to provide associated recommendations, consistent with the contract noncompliance requirements in Part VI. D. of this manual.

As the front-line implementers of the State Cost-Share Program, conservation district boards and staff have the responsibility to ensure that the designated CDTR(s) for a project have the appropriate technical expertise for the role(s) assigned. The recognized procedures for assessing technical expertise and assigning TAA are explained in the SWCD Operational Handbook. Peer review of all technical work is also strongly encouraged. Conservation districts are responsible for ensuring that the CDTR for site inspection of a cost-shared practice is qualified to perform the project phase 4) responsibilities defined above.
A.2 Comprehensive resource management planning

Conservation planning is a natural resource problem solving and management process. Effective planning integrates economic, social, and ecological considerations to meet both private and public needs. The goal of the plan is comprehensive protection of all natural resources. Concepts such as whole farm/ranch planning, comprehensive farm planning, and SWAPA (soil, water, air, plants and animals) and holistic farm planning all strive to achieve this goal.

Conservation planning is dependent on the land occupier’s objectives and his or her ability to make conservation decisions. Not all land occupiers are ready or willing to commit to implementing a conservation plan. Use the planning processes to communicate the total resource needs—hopefully this will lead to increased practice application. When combinations of practices are planned and established, a resource system is developed that provides comprehensive resource protection.

Proper planning processes ensure that individual practices are not recommended or applied without first considering their impact on other resources. In most cases, if a specific practice will negatively impact a resource, the effects can be mitigated through the establishment of additional practices.

Additional information on the various planning processes can be found in NRCS publications such as the National Planning Procedures Handbook or the Field Office Technical Guide or by contacting your board conservationist.

B. TECHNICAL REQUIREMENTS - COST-SHARE CONTRACT

The technical requirements involved in executing the contract are:

- assessing the overall resource management needs of the area where the problem is occurring;
- identifying alternatives and helping the land occupier(s) choose the practice that best solves the problem and fits the intended land use;
- calculating the estimated cost of the solution;
- designing the practice plans according to approved standards;
- preparing construction plans and specifications;
- monitoring construction of the practice;
- certifying that the practice was installed according to the plans and specifications;
- developing an operation and maintenance plan for the practice; and
- following up with the land occupier.

B.1 Technical assessment and cost-estimate

The conservation district technical representative for the project must do an on-site investigation of the erosion or water quality problem. This investigation must include:

- Determining the nature of the problem and whether it meets the high priority erosion or water quality problem definitions in the glossary.
- Determining which conservation practice(s) or management practice(s)/system(s) are needed to effectively treat the problem.

Management practices or systems (e.g., conservation tillage, rotational grazing) are not eligible for cost-share funds.
Assessing whether the identified solution would have adverse impacts on the cultural resources, threatened and endangered species, wetlands, or flood plains of the area.

Obtaining state board approval for practices not found on the approved practice list (section C of this part).

Determining if the contributing watershed (including land not managed by the land occupier) is a sediment source that will reduce the practice’s planned effective life and prevent normal operation and maintenance during the planned life. (This also applies to practices requiring treatment of contributing watersheds - identified under the practice guidelines in section D of this part.)

Gathering information needed to prepare a cost estimate.

Determining whether or not the problem is related to non-compliance with existing regulations, such as a soil loss ordinance or zoning restriction.

This information is documented and retained in the project file. The checklist found on Page 51 of the Contract Implementation part of this manual can be used for this purpose. Before a district board approves the application, the district technical representative must estimate the cost of the practice based on the information gathered in the field, standards and specifications that will be used to design and construct the practice, and relevant experience in the area. The technician’s goal is to arrive at a reasonably accurate preliminary cost estimate.

If the erosion or water quality problem is a result of non-compliance with a regulation or ordinance, the district board must decide whether cost-share funds are needed or appropriate to treat the problem. Gathering this information up front and considering it when approving or denying the application is informed decision-making. With the exception of feedlots, the state board does not have a policy relating to whether problems resulting from non-compliance situations are eligible for state cost-share program funds. BWSR did adopt a resolution regarding non-compliant feedlots (in official violation status) in April 1993, indicating case-by-case evaluation of the circumstances. Districts are encouraged to consult with their board conservationist when making the decision.

B.2 Developing the conservation practice plan
Upon conservation district board approval of the cost-share contract, the district technical representative develops the conservation practice plan(s) and specifications for the approved practice.

IMPORTANT: Remember, the conservation district technical representative must have the technical approval authority necessary to sign off on the assigned project phase(s). In the case of practice of engineering, the technical representative must be a registered professional engineer competent in the design of the requested practice or an NRCS employee with appropriate technical approval authority working within the scope of his or her federal position. The rules of professional conduct for registered engineers require that they only engage in work for which they are competent and
qualified to perform. The technical approval authority system for conservation district staff incorporates a similar professional ethics requirement. Verifying the qualifications and expertise of a consulting engineer is good district policy.

Practice design and sign-off requirements do not preclude technicians and other resource professionals from participating in the planning, design, and construction of engineering practices or practices for which they do not have technical approval authority. It is often good on-the-job training to work under the supervision of the assigned technical representative who will approve and sign off on the work. A non-federal registered engineer signing off on the project must participate to the extent that (s)he can “certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota,” or an NRCS engineer must participate to the extent required by the NRCS technical approval process.

The practice plan(s) and specifications must be prepared following:
- the standards in the Field Office Technical Guide; or
- standards certifiable by a registered professional engineer;
- or other standards approved by the state board.

(Request state board approval of other standards on a case-by-case basis by submitting a copy to the BWSR Grants Coordinator.)

The state is concerned about invasive non-native species. The State Cost-Share Program prohibits the seeding/planting of invasive non-native species on State Cost-Share Program conservation practices where they are likely to colonize more desirable stable plant communities.

Where the SWCD determines that site conditions necessitate the use of invasive non-native species, prior to planting, the SWCD must include a copy of the justification to plant invasive non-native species in the project file (please refer to Invasive Non-Native Species Policy found later in Part V.).

B.3 Practice construction and sign-off
It is the responsibility of the district technical representative to review the conservation practice plan(s) and specifications with the land occupier and the contractor hired to install the practice, prior to starting construction. Make sure they understand what is required to properly install the conservation practice according to the plans and specifications for the conservation practice.

It is extremely important that the construction of the practice is adequately monitored by the conservation district technical representative (possibly with assistance from someone working under his or her supervision). The technical representative will attest to the proper installation of the practice by certifying that it was completed according to the plans and specifications. This must take place before district board approval to make final payment. To make such a certification, the technical representative will need to determine those portions of the installation that need continuous monitoring and those that can be monitored periodically. For example, the technical representative will want to take elevation shots indicating the elevations of installed tiles or be present to document that a fill around corrugated metal pipe was
adequately tamped. Survey notes and a construction inspection diary indicating how the practice was built are needed to rule out faulty construction if the practice fails. Monitoring the construction of a practice(s) sends an important message to the contractor - that the conservation district will not approve cost sharing for the project unless it was built according to the plans and specifications. Documentation during construction also enables assessment of the “reasonableness” of a contractor’s bill. The technical representative should keep the land occupier updated on the construction progress, particularly if problems or any modifications to the plans and specifications occur.

When the project is complete, the technical representative certifies that all plans and specifications, including technically approved modifications to the plan, have been satisfied. This sign-off is located on the Voucher and Practice Certification Summary. The technical representative(s) must also ensure that as-built project plans are completed and filed.

C. APPROVED PRACTICE LIST
The 12 approved conservation practice categories and corresponding eligible components are listed later in this section. The numbers correspond to the practice codes identified in the NRCS’s Field Office Technical Guide (FOTG).

Conservation practices achieve the purpose of controlling soil erosion, sedimentation, or chemical or nutrient runoff or infiltration. The conservation practice must be designed to meet the purpose of the practice, as defined in the FOTG, for an effective life of not less than 10 years from the date it is approved for final payment. Eligible practices help achieve the purpose of the conservation practice category. Sometimes a single eligible practice will achieve the intended purpose and adequately address the erosion or water quality problem. However, in most cases, several eligible practices will be installed to meet the purpose of the conservation practice category, but not necessarily installed at the same time.

Although operation and maintenance (O&M), and utilization of the practice are not eligible for cost share, it is important to provide the land occupier with guidance for these functions, as part of the overall project plans and specifications.

Objectives of approved construction practices include activities that:
- control nutrient runoff;
- stabilize critical eroding areas;
- divert runoff to protect and improve water quality;
- reduce wind erosion;
- control gully, rill, or sheet erosion;
- protect shoelands from erosion;
- control stormwater runoff; or
- protect surface water and groundwater quality.

The approved practice categories list, along with the cost-share policy guidelines, has been developed in consultation with Soil and Water Conservation District representatives and other interested parties.

D. PRACTICE GUIDELINE
General Cost-Share Program Policies:
The conservation district is authorized to amend the maximum cost-share rate to be less than, but not in excess of, the program’s 75 percent limit for eligible costs of individual practices. See Contract Implementation, Page 24, for more information.

The conservation district is authorized to set maximum flat rates for specific materials or activities.

The conservation district board has the authority to adjust the costs of materials, labor, and equipment submitted for reimbursement where the amounts are not an accurate representation of the average costs.

The conservation district board can require that the receipts submitted for reimbursement be paid.

The services of a consulting engineer are eligible for cost share if the conservation district determines that their services are needed to solve the erosion or water quality problem. The conservation district is encouraged to set a maximum rate, for example not to exceed 20 percent of the cost of the practice.

Conservation district charges for technical and administrative services provided to a land occupier are not considered eligible costs to establish a practice that is funded solely, or in part, with State Cost-Share Program funds. Ineligible costs include, but are not limited to, technical services to perform investigations, design the conservation practice or monitor its establishment, and all associated administrative costs.

Conservation district services, such as tree planting and weed control, are considered an eligible cost for cost-share fund reimbursement.

Where the land occupier has documented, in writing to the conservation district, the intent and purpose of installing larger tile than the conservation practice plan calls for, the conservation district must determine whether such action would violate regulatory restrictions, such as the Minnesota Wetland Conservation Act or the USDA Swampbuster program. If it is determined that such actions would result in non-compliance to a federal, state, or local regulatory program the landowner must be notified and the cost-share funds cannot be expended.
<table>
<thead>
<tr>
<th>Code</th>
<th>Conservation Practice</th>
<th>*Responsible Discipline</th>
<th>Current Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>313</td>
<td>Waste Storage Facility</td>
<td>ENG</td>
<td>11/06</td>
</tr>
<tr>
<td>326</td>
<td>Clearing and Snagging</td>
<td>ENG</td>
<td>10/99</td>
</tr>
<tr>
<td>342</td>
<td>Critical Area Planting</td>
<td>ECS</td>
<td>02/07</td>
</tr>
<tr>
<td>350</td>
<td>Sediment Basin</td>
<td>ENG</td>
<td>11/10</td>
</tr>
<tr>
<td>351</td>
<td>Well Decommissioning</td>
<td>ENG</td>
<td>08/11</td>
</tr>
<tr>
<td>362</td>
<td>Diversion</td>
<td>ENG</td>
<td>07/10</td>
</tr>
<tr>
<td>378</td>
<td>Pond</td>
<td>ENG</td>
<td>02/05</td>
</tr>
<tr>
<td>380</td>
<td>Windbreak/Shelterbelt Establishment</td>
<td>ECS</td>
<td>09/09</td>
</tr>
<tr>
<td>382</td>
<td>Fence</td>
<td>ECS</td>
<td>05/06</td>
</tr>
<tr>
<td>386</td>
<td>Field Border</td>
<td>ECS</td>
<td>09/07</td>
</tr>
<tr>
<td>393</td>
<td>Filter Strip</td>
<td>ECS</td>
<td>02/10</td>
</tr>
<tr>
<td>410</td>
<td>Grade Stabilization Structure</td>
<td>ENG</td>
<td>10/99</td>
</tr>
<tr>
<td>412</td>
<td>Grassed Waterway</td>
<td>ECS/ENG</td>
<td>01/12</td>
</tr>
<tr>
<td>468</td>
<td>Lined Waterway or Outlet</td>
<td>ENG</td>
<td>02/07</td>
</tr>
<tr>
<td>472</td>
<td>Access Control</td>
<td>ECS</td>
<td>10/09</td>
</tr>
<tr>
<td>484</td>
<td>Mulching</td>
<td>ECS</td>
<td>09/08</td>
</tr>
<tr>
<td>500</td>
<td>Obstruction Removal</td>
<td>ENG</td>
<td>05/00</td>
</tr>
<tr>
<td>512</td>
<td>Forage and Biomass Planting</td>
<td>ECS</td>
<td>05/11</td>
</tr>
<tr>
<td>516</td>
<td>Pipeline</td>
<td>ENG</td>
<td>08/05</td>
</tr>
<tr>
<td>570</td>
<td>Stormwater Runoff Control</td>
<td>ENG</td>
<td>05/11</td>
</tr>
<tr>
<td>580</td>
<td>Streambank and Shoreline Protection</td>
<td>ENG</td>
<td>05/11</td>
</tr>
<tr>
<td>584</td>
<td>Channel Bed Stabilization</td>
<td>ENG</td>
<td>11/10</td>
</tr>
<tr>
<td>585</td>
<td>Stripcropping</td>
<td>ECS</td>
<td>09/08</td>
</tr>
<tr>
<td>600</td>
<td>Terrace</td>
<td>ENG</td>
<td>03/09</td>
</tr>
<tr>
<td>606</td>
<td>Subsurface Drain</td>
<td>ENG</td>
<td>01/12</td>
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<tr>
<td>612</td>
<td>Tree/Shrub Establishment</td>
<td>ECS</td>
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<tr>
<td>614</td>
<td>Watering Facility</td>
<td>ENG</td>
<td>08/04</td>
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<tr>
<td>620</td>
<td>Underground Outlet</td>
<td>ENG</td>
<td>01/12</td>
</tr>
<tr>
<td>638</td>
<td>Water and Sediment Control Basin</td>
<td>ENG</td>
<td>05/09</td>
</tr>
<tr>
<td>655</td>
<td>Forest Trails and Landings</td>
<td>ECS</td>
<td>03/01</td>
</tr>
</tbody>
</table>

* Responsible Discipline: ECS-Ecological Practice, ENG-Engineering Practice
### PRIMARY PRACTICE CODE LIST

Updated August 2012

<table>
<thead>
<tr>
<th>Primary Practice Code</th>
<th>Primary Conservation Practice</th>
<th>Technical Standards (Corresponding Numbers) Code Corresponds To The FOTG</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>Conservation Practice</td>
</tr>
<tr>
<td>D1</td>
<td>Critical Area Planting</td>
<td>342</td>
</tr>
<tr>
<td>D2</td>
<td>Diversions</td>
<td>362</td>
</tr>
<tr>
<td>D3</td>
<td>Windbreak/Shelterbelt Est.</td>
<td>380</td>
</tr>
<tr>
<td>D4</td>
<td>Shelterbelt</td>
<td>380</td>
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<tr>
<td>D5</td>
<td>Grassed Waterway</td>
<td>412, 468</td>
</tr>
<tr>
<td>D6</td>
<td>Livestock Waste Management</td>
<td></td>
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<tr>
<td>D7</td>
<td>Filter Strips</td>
<td>393</td>
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<tr>
<td>D8</td>
<td>Sediment Basins</td>
<td>350, 378, 410, 638</td>
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<tr>
<td>D9</td>
<td>Streambank and Shoreline Protection</td>
<td>580, 410, 655</td>
</tr>
<tr>
<td>D10</td>
<td>Stripcropping</td>
<td>585</td>
</tr>
<tr>
<td>D11</td>
<td>Terraces</td>
<td>600</td>
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<tr>
<td>D12</td>
<td>Well Decommissioning</td>
<td>351</td>
</tr>
<tr>
<td>D13</td>
<td>Forestry Conservation Practice</td>
<td></td>
</tr>
</tbody>
</table>

Note: Please refer to NRCS Field Office Technical Guide for the current Operation and Maintenance for each practice.
D. 1 Critical Area Stabilization

**Conservation Practice**

*Critical Area Planting (342):* Establishing permanent vegetation on sites that have or are expected to have high erosion rates, and on sites that have physical, chemical, or biological conditions that prevent the establishment of vegetation with normal planting practices.

**Eligible Component(s):**
- Fencing (382)
- Use/Livestock Exclusion (472)
- Mulching (484)
- Tree/Shrub Establishment (612)
- Establishment of Cooperative Weed Management Areas (613)
- Restoration and Management of Declining Habitats (643)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

**Policies**

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

**Materials:**
- Seed
- Trees
- Herbicides
- Fertilizer
- Minerals
- Fence Materials
- Mulch

**Activities:**
- Grading (Earthwork)
- Planting
- Fertilizer/Herbicide Application
- Fencing Labor
- Mulching Labor

- Cost share is authorized where at least 80 percent of the contributing watershed controlled by the land occupier has the appropriate cultural, management, or structural practices in place (or scheduled to be installed) to stabilize sources of sediment and reduce surface water runoff.

- Cost share is not authorized where runoff or sediment from the contributing watershed would prevent the practice from achieving its intended purpose with normal operation and maintenance. The contributing watershed includes land not controlled by the land occupier.

- Weed control performed within 24 months of installation, as needed for establishment, is authorized at the discretion of the district board.
D. 2 Diversion

Conservation Practice

*Diversion (362)*: A channel constructed across the slope with a supporting ridge on the lower side.

**Eligible Components:**
- Critical Area Planting (342)
- Fencing (382)
- Grade Stab. Structure (410)
- Grassed Waterway (412)
- Mulching (484)
- Obstruction Removal (500)
- Runoff Management System (570)
- Subsurface Drain (606)
- Underground Outlet (620)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

**Policies**

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

- **Materials:**
  - Tile Systems
  - Pipe Seed
  - Herbicides
  - Fertilizer
  - Minerals
  - Fence Materials
  - Mulch

- **Activities:**
  - Earthwork
  - Planting
  - Fertilizer/Herbicide Application
  - Fencing Labor
  - Mulching Labor
  - Tile Installation

- Cost sharing of subsurface drain tile is only authorized for the purpose of eliminating spot seepage to ensure the practice functions properly and to safely convey the water to an adequate and stable outlet as determined by the district technical representative. If the land occupier wants to install larger tile (s)he must document, in writing, the purpose and the area to be served and must be responsible for the additional material and installation costs.

- Cost share is not authorized where the entire contributing watershed is a sediment source that will reduce the capacity of the practice to achieve its intended purpose and reduce the ability to perform normal operation and maintenance during the planned effective life of the practice.
D. 3 Field Windbreaks

Conservation Practice

Field Windbreak (380): Linear plantings of single or multiple rows of trees or shrubs or sets of linear plantings.

Eligible Component(s): Windbreak/Shelterbelt Renovation (650)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

Policies

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

<table>
<thead>
<tr>
<th>Materials:</th>
<th>Activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trees</td>
<td>Tree Planting</td>
</tr>
<tr>
<td>Herbicides</td>
<td>Fertilizer/Herbicide Application</td>
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<td>Fertilizer</td>
<td>Fencing Labor</td>
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<td>Minerals</td>
<td>Weed Control-Mechanical</td>
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<td>Fence Materials</td>
<td>Site Preparation</td>
</tr>
<tr>
<td>Plastic Tubes</td>
<td></td>
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<tr>
<td>Tree Mats</td>
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</tbody>
</table>

- The primary purpose of the field windbreak must be to control erosion. Cost sharing is not allowed when the primary purpose is for farm beautification, protection of buildings or livestock, energy conservation, or other uses where erosion control is not the primary purpose.
- The use of animal control devices such as, but not limited to, plastic tubes is authorized at the discretion of the district board.
- Weed control performed within 24 months of installation, as needed for establishment, is authorized at the discretion of the district board. Weed control is not authorized to maintain the windbreak.
- The tree planting must be protected from destructive fire and destructive grazing as documented in the operation and maintenance plan for the practice.
D.4 Shelterbelts

Conservation Practice
Shelterbelt (380): Linear plantings of single or multiple rows of trees or shrubs or sets of linear plantings.

Eligible Component: Windbreak/Shelterbelt Renovation (650)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

Policies

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

<table>
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<tr>
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<td>Minerals</td>
<td>Weed Control-Mechanical</td>
</tr>
<tr>
<td>Tree Mats</td>
<td>Site Preparation</td>
</tr>
</tbody>
</table>

- Cost sharing is authorized for site preparation, seedlings, and planting trees or shrubs as needed for establishing a farmstead windbreak. Cost sharing is not authorized for planting orchard trees or ornamental plantings.
- Weed control performed within 24 months of installation, as needed for establishment, is authorized at the discretion of the district board. Weed control is not authorized after 24 months at which time the windbreak is considered established. Mechanical: 3 times/year, Chemical: 1 time/year.
- The tree planting must be protected from destructive fire and destructive grazing as documented in the operation and maintenance plan for the practice.

MAXIMUM cost-share rates are as follows (districts can set lower rates):

1. Site Preparation;
   A. Chemical: 75% of the eligible cost not to exceed $94 per acre.
   B. Mechanical: 75% not to exceed $68 per acre.
   C. Debris removal: 75% of the eligible cost not to exceed $500 per acre. Cost sharing is not authorized for burning or burying debris.
2. Trees, Shrub, Planting:
   A. Trees, shrubs (stock & planting): 75% of eligible cost not to exceed $146 per 100.
   B. Container conifers (stock & planting): 75% of eligible cost not to exceed $8 each.
3. Weed Control:
   A. Mechanical: 75% of eligible cost for up to 3 cultivations not to exceed $7.20 per 100 ft. of total payment.
   B. Chemical: 75% of eligible cost for 1 application not to exceed $2.40 per 100 ft. of row per year.
   C. Tree mats: Roll- 75% not to exceed $40/100 ft.; Square- 75% not to exceed $1 each.
4. Wildlife Control Devices: 75% of eligible cost not to exceed $4 per tree.
D. 5 Grassed Waterway

Conservation Practices

*Grassed Waterway (412)*: A natural or constructed channel that is shaped or graded to required dimensions and established in suitable vegetations for the stable conveyance of runoff.

*Lined Waterway or Outlet (468)*: A waterway or outlet having an erosion-resistant lining of concrete, stone, or other permanent material.

Eligible Component(s):

- Critical Area Planting (342)
- Grade Stabilization Structure (410)
- Mulching (484)
- Subsurface Drain (606)
- Underground Outlet (620)
- Water and Sediment Control Basin (638)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

Policies

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

<table>
<thead>
<tr>
<th>Materials:</th>
<th>Activities:</th>
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<tr>
<td>Tile Systems</td>
<td>Earthwork—Grading &amp; Shaping</td>
</tr>
<tr>
<td>Seed</td>
<td>Site preparation—Seeding</td>
</tr>
<tr>
<td>Rip Rap</td>
<td>Planting</td>
</tr>
<tr>
<td>Filter Material</td>
<td>Fertilizer/Herbicide Application</td>
</tr>
<tr>
<td>Herbicides</td>
<td>Mulching &amp; Netting Labor</td>
</tr>
<tr>
<td>Fertilizer</td>
<td>Rock Placement</td>
</tr>
<tr>
<td>Minerals</td>
<td>Tile Installation</td>
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<tr>
<td>Mulch</td>
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<tr>
<td>Netting</td>
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</tbody>
</table>

- Cost share is authorized where at least 75 percent of the contributing watershed controlled by the land occupier has the appropriate cultural, management, or structural practices in place (or scheduled to be installed) to stabilize sources of sediment and reduce surface water runoff.
- Cost share is not authorized where runoff or sediment from the contributing watershed would prevent the practice from achieving its intended purpose with normal operation and maintenance. The contributing watershed includes land not controlled by the land occupier.
- Cost share of subsurface drain tile is limited to the minimum size and length of tile needed to convey seepage water to an adequate and stable outlet, as determined by the conservation district technical representative. If the land occupier wants to install larger tile, (s)he must document, in writing, the purpose and the area to be served and must be responsible for the additional material and installation costs.
D. 6 Livestock Waste Management

Conservation Practice

Livestock Waste Management: The application of eligible conservation practice components to improve water quality associated with livestock wastewater and runoff.

### Eligible Component(s):
- Diversion (362)
- Waste Storage Facility (313)
- Fencing (382)
- Heavy Use Area Protection (561)
- Roof Runoff Management (558)
- Pumping Plant (533)
- Underground Outlet (620)
- Manure Transfer (634)
- Composting Facility (317)
- Subsurface Drain (606)
- Waste Treatment (629)
- Waste Treatment Strip (635)

(In certain circumstances, other eligible components may be applicable. If other eligible components are needed, please see Part V.E. Other Recognized Technical Practices.)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

### STATE FEEDLOT COST-SHARE POLICIES

**General Policies**
1) Cost-sharing is limited to correction of existing pollution problems at feedlots that are at least 5 years old.
2) Cost-sharing is limited to feedlots that are not classified as a Large Concentrated Animal Feeding Operation (CAFO) and have less than 1000 animal units, in accordance with state feedlot rules.
3) Feedlot pollution abatement projects must acquire all applicable permits and comply with all applicable environmental standards to be eligible for cost-share.
4) Partial systems that correct only a portion of an existing feedlot pollution problem are eligible for cost-share only if allowable by the applicable regulatory authority.
5) The maximum cost-share rate is 75% for eligible practices. (Applies to combined state and federal cost-share from any source.)
6) The maximum cost-share amount is limited to the amount authorized by the district board for the most feasible and practical alternative that achieves the cost-share program objectives, not to exceed $50,000 per feedlot project, including interim and final measures.
7) Cost-sharing is authorized for eligible runoff control, waste storage and treatment practices for manure and process wastewaters, including milkhouse wastewater and silage leachate, and for associated transfer components.
8) Cost-sharing is not authorized for production facilities or equipment including, but not limited to, buildings, feed storage, feeding facilities and equipment, or manure application equipment, except that cost-sharing is authorized for waste storage structures that serve as foundations for buildings, up to the eligible cost-share for a functionally comparable waste storage structure that does not serve as a foundation for a building.
9) Cost-sharing is not authorized for manure or process wastewater collection facilities, except for the inlet of eligible systems to transfer manure or process wastewater to storage or treatment facilities.
10) Innovative waste management systems with multiple benefits, or design standard variances, can be considered by submitting a written request to the BWSR Grants Coordinator.
STATE FEEDLOT COST-SHARE POLICIES, CONTINUED

11) BWSR will review feedlot cost-share eligibility on a case-by-case basis where formal enforcement actions have been taken, considering the environmental and legal facts of the situation, as well as the feedlot owner’s demonstration of good faith.

12) If a project is canceled in a SWCD, cost-share funds may be encumbered on another feedlot project, with Board Conservationist approval.

13) In order to maximize the leveraging of EQIP funding, which has a 50% cost-share maximum, SWCDs may replace FWQMG funds with available EQIP funds and use the excess FWQMG funds for their next highest priority feedlot project, with Board Conservationist approval.

14) Prior to the SWCD Proceeding with a cost-share approval on either a feedlot relocation or feedlot roof structure, the SWCD shall contact the Board Conservationist to discuss the applicable cost-share policies.

Feedlot Relocation Policies (in addition to General Policies)
1) Cost-sharing at a feedlot relocation site is limited to:
   a) the maximum cost-share amount approved to upgrade the existing eligible feedlot site;
   b) eligible practices and components of the most feasible and practical waste management system at the relocation site, as determined by the district board, with applicable assistance from its technical advisors.

2) The existing eligible feedlot must be permanently closed in accordance with the state feedlot rules and, thereafter, is no longer eligible for feedlot cost-share.

3) Cost-sharing is authorized for closure of the existing feedlot in accordance with state feedlot rules, including fence removal, waste storage facility closure and seeding, but is not authorized for removal or land application of manure from an open lot or waste storage facility.

4) Feedlot relocation and associated closure of an existing feedlot shall be considered one feedlot project for application of limitations on the cost-share amount.

Feedlot Roof Structure Policies (in addition to General Policies)
1) A feedlot roof to eliminate precipitation on a feedlot, and associated runoff, is eligible for cost-share only when a documented alternatives analysis shows this to be part of the most feasible and practical alternative that meets applicable state feedlot rule requirements, including manure storage, land application and feedlot runoff requirements, or when the amount of cost-share approved by the district board for the feedlot project is based on the estimated costs for the most feasible and practical alternative. The documented alternatives analysis must be kept in the district file for the feedlot project.

2) Cost-sharing is authorized only when the roof structure design and construction is approved by a professional engineer registered in Minnesota.

3) Cost-sharing is not authorized when the roof structure is to be a component of a planned waste management system that will also include a waste storage or treatment facility, unless drainage conditions make routing of the feedlot runoff to the waste storage or treatment facility impractical, as determined by the district board, with applicable assistance from its technical advisors.

4) Cost-sharing is not authorized for surfaced floors or walls, but is authorized for a 1-foot high curb for clean water diversion, or up to a 4-foot high retaining wall to contain a manure pack, if applicable.
Conservation Practice

(Filter Strip (393): A strip or area of herbaceous vegetation situated between cropland, grazing land, or disturbed land (including forest land) and environmentally sensitive areas.

Eligible Component(s):
- Channel Bank Vegetation (322)
- Clearing and Snagging (326)
- Critical Area Planting (342)
- Fencing (382)
- Field Border (386)
- Filter Strips (393)
- Use/Livestock Exclusion (472)
- Riparian/Forest Buffers (391)
- Pasture & Hayland Planting (512)
- Pipeline (516)
- Tree/Shrub Establishment (612)
- Trough or Tank
- Water Facility (614)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

Policies

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

Materials:
- Seed
- Trees & Shrubs
- Herbicides*
- Fertilizer*
- Fence Materials
- Minerals
- Mulch
- Netting
- Pipeline
- Rip Rap
- Trough or Tank

Activities:
- Earthwork- Grading & Shaping
- Site Preparation-Seeding
- Planting
- Fertilizer/Herbicide Application
- Mulching & Netting Labor
- Fencing Labor

* The use of herbicides and fertilizers is permitted only in conjunction with soil tests and an application plan developed by the district technical representative.

- Construction of livestock watering facilities outside of the filter strip is authorized.
- Areas established to grass may be grazed or hayed periodically if it is identified in a conservation farm plan and the conservation district determines that these management measures are needed for wildlife management, weed control, or nutrient removal. The operation and maintenance plan must include provisions for approved grazing or haying.
Conservation Practices

*Sediment Basin (350):* A basin constructed to collect and store debris or sediment.

*Pond (378):* A water impoundment made by constructing a dam or an embankment or by excavating a pit or dugout.

*Grade Stabilization Structure (410):* A structure used to control the grade and head cutting in natural or artificial channels.

*Water & Sediment Control Basin (638):* An earth embankment or a combination ridge and channel generally constructed across the slope and minor watercourses to form a sediment trap and water detention basin.

Eligible component(s):

- Critical Area Planting (342)
- Fencing (382)
- Filter Strips (393)
- Mulching (484)
- Subsurface Drainage (606)
- Underground Outlet (620)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

POLICIES

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

**Materials:**
- Tile Systems
- Pipes
- Rip Rap
- Filter Material
- Seed
- Herbicides
- Fertilizer
- Minerals
- Fence Materials
- Mulch
- Netting

**Activities:**
- Earthwork—Grading & Shaping
- Site Preparation—Seeding
- Planting
- Fertilizer/Herbicide Application
- Mulching & Netting Labor
- Tile Installation

- Cost share is authorized where at least 80 percent of the contributing watershed controlled by the land occupier has the appropriate cultural, management, or structural practices in place (or scheduled to be installed) to stabilize sources of sediment and reduce surface water runoff.
- Cost share is not authorized where runoff or sediment from the contributing watershed would prevent the practice from achieving its intended purpose with normal operation and maintenance. The contributing watershed includes land not controlled by the land occupier.
- Cost share of subsurface drain tile is limited to the minimum size and length of tile needed for the proper functioning of the structure and to convey the water to a safe and stable outlet as determined by the conservation district technical representative. If the land occupier wants to install larger tile (s)he must document, in writing, the purpose and the area to be served, and must be responsible for the additional material and installation costs.
D. 9 Streambank, Shoreland, and Roadside Protection

Conservation Practices

Streambank and Shoreland Protection (580): Using vegetation or structures to stabilize and protect banks of streams, lakes, estuaries, or excavated channels against scour or erosion.

Grade Stabilization Structure (410): A structure used to control the grade and head cutting in natural or artificial channels.

Forest Harvest Trails and Landings (655): A route, travel-way, or cleared area within a forest.

Eligible Components:

<table>
<thead>
<tr>
<th>Critical Area Planting (342)</th>
<th>Filter Strips (393)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fencing (382)</td>
<td>Riparian/Forest Buffers (391)</td>
</tr>
<tr>
<td>Mulching (484)</td>
<td></td>
</tr>
<tr>
<td>Stream Channel Stabilization (584)</td>
<td></td>
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</tbody>
</table>

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

Policies

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

- **Materials:**
  - Tile Systems
  - Pipes
  - Rip Rap
  - Filter Material
  - Seed
  - Herbicides
  - Fertilizer
  - Minerals
  - Fence Materials
  - Mulch
  - Netting

- **Activities:**
  - Earthwork — Grading & Shaping
  - Site preparation — Seeding
  - Planting
  - Fertilizer/Herbicide Application
  - Mulching & Netting Labor
  - Tile Installation
  - Bioengineering (Ch 16 FOTG)

- Cost share is authorized where at least 75 percent of the contributing watershed controlled by the land occupier has the appropriate cultural, management, or structural practices in place (or scheduled to be installed) to stabilize sources of sediment and reduce surface water runoff.

- Cost share is not authorized where runoff or sediment from the contributing watershed would prevent the practice from achieving its intended purpose with normal operation and maintenance. The contributing watershed includes land not controlled by the land occupier.

- Cost share of subsurface drain tile is limited to the minimum size and length of tile needed for the proper functioning of the structure and to convey the water to a safe and stable outlet as determined by the conservation district technical representative. If the land occupier wants to install larger tile(s) he must document, in writing, the purpose and the area to be served, and must be responsible for the additional material and installation costs.
D. 10 Stripcropping

Conservation Practice

Stripcropping (585): Growing row crops, forages, small grains, or fallow in a systematic arrangement of equal width strips on or near the contour of the field slope. A strip of grass or grass/legume or small grain is alternated with a strip of tilled annual crop or fallow.

Eligible Component: Field Border (386)
Obstruction Removal (500)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

Policies

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

Materials & Activities:

Equipment and labor costs involved in the marking of individual strip lines.

- Cost sharing is authorized up to the equivalent total costs as listed in “Custom Rate Estimates for Minnesota” published annually by the University of Minnesota Agricultural Extension Service, and available in county agricultural extension offices.
D. 11 Terraces

Conservation Practice

Terrace (600): An earth embankment, or a combination ridge and channel constructed across the field slope.

Eligible Components:

- Critical Area Planting (342)
- Grass Waterway (412)
- Subsurface Drain (606)
- Underground Outlet (620)
- Water and Sediment Control Basin (638)
- Mulching (484)

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

Policies

Cost sharing is authorized for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

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<td>Tile Systems</td>
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<td>Seed</td>
<td>Site Preparation—Seeding</td>
</tr>
<tr>
<td>Herbicides</td>
<td>Planting</td>
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<td>Fertilizer</td>
<td>Fertilizer/Herbicide Application</td>
</tr>
<tr>
<td>Minerals</td>
<td>Mulching &amp; Netting Labor</td>
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<td>Mulch</td>
<td>Tile Installation</td>
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<td>Netting</td>
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</tbody>
</table>

- Cost share is authorized where at least 75 percent of the contributing watershed controlled by the land occupier has the appropriate cultural, management, or structural practices in place (or scheduled to be installed) to stabilize sources of sediment and reduce surface water runoff.

- Cost share of subsurface drain tile is limited to the minimum size and length of tile needed to convey water to a safe and stable outlet, as determined by the conservation district technical representative. If the land occupier wants to install larger tile he/she must document, in writing, the purpose and the area to be served and must be responsible for the additional material and installation costs.
D. 12 Unused Well Sealing

Conservation Practice

Well Decommissioning (351): The sealing and permanent closure of a water well no longer in use. Minnesota Rules Chapter 4725 specifies the requirements for sealing unused wells in Minnesota.

Eligible Component: N/A

The number in parentheses corresponds to the practice number in the Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

Policies

Cost sharing is authorized for the materials and activities required to seal unused wells in accordance with Minnesota Rules Chapter 4725 (Minnesota Dept. of Health).

- Maximum cost-share rates are 50 percent of the eligible costs. Districts may set lower rates.
- Cost sharing will be authorized only for unused wells identified as “high priority.” (See attachment).
- Districts must develop either a list of identified high-priority unused wells for sealing or a well-designed method for selecting unused wells to be sealed. (Maintain list in cooperator file.)
- Unused wells in the contribution zone of a public water supply well, a designated wellhead protection area (WHPA), or a drinking water supply management area (DMSMA) should be given special priority for cost sharing.
- Use cost-share funds to fill in gaps in funding for well sealing that may be available through other sources.
- Take maximum advantage of training, education, and demonstration opportunities afforded by the well-sealing work.
WELL-SEALING PRIORITY CHECKLIST

PRIORITY WELL CHARACTERISTICS FOR WELL-SEALING COST-SHARE FUNDS

(More conditions met → higher priority for sealing)

Construction, depth, condition (provides pathway for contamination migration substantially faster than provided by natural hydrogeologic conditions):

[ ] Well serves to channel surface or near surface contaminants into an aquifer (drainage or waste disposal wells reaching water table, wells in pits with surface water drainage to the well.)

[ ] Well penetrates confining layer(s).

[ ] Well has sand-packed or ungrouted casing(s) penetrating confining layer(s).

[ ] Multi-aquifer well.

[ ] Multiple screened well >100 ft deep.

[ ] Well poses hazard of people and animals falling into well.

Location, aquifer characteristics:

[ ] Within ½ mile of public water supply well and in same aquifer.

[ ] Within the zone of contribution of a public water supply well or within a designated Drinking Water Supply Management Area (DWSMA).

[ ] Well in area subject to flooding.

[ ] Well provides connection to water supply aquifer for which there are limited alternative supplies.

[ ] Well in or near a confirmed or suspected zone of contamination and capable of transferring contamination to water supply aquifer(s) faster than natural flowpaths.

[ ] Well in an area and aquifer where unsealed unused wells provide the main pathways for contamination to reach the aquifer.

[ ] Well in area which will undergo development or other changes in land and water use which have the potential to increase the contaminant load.

REASONS FOR NOT USING COST-SHARE FUNDS TO SEAL AN UNUSED WELL

[ ] Well does not meet any of above criteria.

[ ] Well has potential use as a monitoring or water level observation well and an organization is willing to "adopt" it and meet all provisions of the well code.

[ ] Well-sealing cost-share funds available through other sources.
### D.13 Forestry Conservation Practice

**Establishment or improvement of long term forestry practices to improve or protect water quality or control soil erosion.**

<table>
<thead>
<tr>
<th>Eligible Components:</th>
<th>Access Road (560)</th>
<th>Forest Trails and Landings (655)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Brush Management (314)</td>
<td>Fuel Break (383)</td>
</tr>
<tr>
<td></td>
<td>Clearing and Snagging (326)</td>
<td>Grade Stabilization (410)</td>
</tr>
<tr>
<td></td>
<td>Conservation Cover (327)</td>
<td>Prescribed Forestry (409)</td>
</tr>
<tr>
<td></td>
<td>Critical Area Plantings (342)</td>
<td>Restoration and Management of Rare or Declining Habitats (643)</td>
</tr>
<tr>
<td></td>
<td>Early Successional Habitat Development/Management (647)</td>
<td>Riparian Forest buffer (391)</td>
</tr>
<tr>
<td></td>
<td>Fence (82)</td>
<td>Stream Crossing (578)</td>
</tr>
<tr>
<td></td>
<td>Forest Site Preparation (490)</td>
<td>Tree/Shrub Establishment (612)</td>
</tr>
<tr>
<td></td>
<td>Forest Stand Improvement (666)</td>
<td>Water and Sediment Control Basin (638)</td>
</tr>
<tr>
<td></td>
<td>Forest Slash Treatment (384)</td>
<td></td>
</tr>
</tbody>
</table>

The number in parentheses corresponds to the practice number in the NRCS Field Office Technical Guide (FOTG). Please refer to the FOTG for a definition of the practice, its purpose, applicability, and recommended standards and specifications.

In certain circumstances, other eligible components may be applicable. If other eligible components are needed, please see Part V.E. Other Recognized Technical Practices.

### POLICIES

- **A Small Acreage Assessment** must be completed to document needs.
- Cost share is authorized where at least 80 percent of the contributing watershed controlled by the land occupier has the appropriate cultural, management, or structural practices in place (or scheduled to be installed) to stabilize sources of sediment and reduce surface water runoff.
- Cost share is not authorized where runoff or sediment from the contributing watershed would prevent the practice from achieving its intended purpose with normal operation and maintenance. The contributing watershed includes land not controlled by the land occupier.

Cost sharing is authorized up to 75% (Districts can set lower rates.) of total eligible project costs for the materials and activities required to establish the practice and protect the site during construction of the practice. They include, but are not limited to:

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<thead>
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<th>Materials:</th>
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<tbody>
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<tr>
<td>Herbicides</td>
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<tr>
<td>Fertilizer</td>
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<tr>
<td>Minerals</td>
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<tr>
<td>Fence Materials</td>
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<tr>
<td>Mulch</td>
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<tr>
<td>Tubes</td>
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<tr>
<td>Mats</td>
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<table>
<thead>
<tr>
<th>Activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grading (Earthwork)</td>
</tr>
<tr>
<td>Planting</td>
</tr>
<tr>
<td>Fertilizer/Herbicide Application</td>
</tr>
<tr>
<td>Fencing Labor</td>
</tr>
<tr>
<td>Mulching Labor</td>
</tr>
<tr>
<td>Site Preparation</td>
</tr>
</tbody>
</table>

**Small Acreage Assessment**

Name: ___________________________  Assessment: ___________________________  Date: ___________________________

Address: ___________________________  Planner: ___________________________  Sign ___________________________

City: ___________________________  LAT / LONG (X / Y): ___________________________

Agency: ___________________________  Township Range Section: ___________________________

---

**Stand Inventory Worksheet** (Complete one sheet for each stand or different area on the property.)

- Stand number or letter (mark this on your map)  Neighboring property

***Soil*** – dig a small hole about a foot deep. Is the soil at the bottom of the hole:

- Sand  Wet
- Clay (sticky and hard to dig)  Dry
- Loam (rich, black dirt)

**Slope** – is the land:

- Level  Hilly (If it’s hilly, which direction does the hill face:
  - North  East  South  West  Rolling, no specific direction

Comments / suggested opportunities: ________________________________________________________________

---

**Woodland** – Predominant tree type:

- Deciduous (broadleaf, loses leaves in fall). List species you recognize in order of predominance: ________________________________________________________________

- Evergreen (leaves are needles). List species you recognize in order of predominance: ________________________________________________________________

Predominant tree size:

- Seedling (under 5 feet tall)  Sapling (5 feet tall to 5 inches in diameter)
- Pole (5 to 8 inches in diameter at 4 feet above the ground [Dbh])  Sawtimber (over 8 inches Dbh)

Comments / suggested opportunities: ________________________________________________________________

---

Tree condition:

- Vigorous (no leaf discoloration, stems are straight without blemishes, few dead branches in the crown)
- In trouble – check conditions that apply:
  - Discolored or shredded leaves  Odd growths on stems and branches
  - Many dead branches in tree crowns  Many dead trees in the area
  - Other observed problems

Comments / suggested opportunities: ________________________________________________________________

Are trees in rows?  Yes  No

Undergrowth:

- Pine needles or Fire soil
- Medium brush
- Tall brush (over 3 feet tall) (species):

**Short (<1 ft.) shrubs & form (species):**

**Diameter:**

- 1-3 feet

**Height:**

- Tall

Density:

- Heavy (hard to walk through)  Moderate  Sparse

Comments / suggested opportunities: ________________________________________________________________

---

**Developed:**

- Homesite:
  - Predominant trees:  Deciduous  Evergreen – list species:
  - Tree size:  Seedlings  Saplings  Pole  Sawtimber
  - Tree condition:  Vigorous  Problems. List: ___________________________

- Hard space mitigation needs: ________________________________________________________________

Other significant features: ________________________________________________________________

Comments / suggested opportunities: ________________________________________________________________
**Conservation Needs Assessment**

**Name:**

---

**Basic type:**
- [ ] Open (grassland, bare soil, pasture, crops, predominantly brush or shrubs – few or no trees)
- [ ] Woodland (predominantly trees)
- [ ] Wetland (open water, wet soil, or periodically wet area)
- [ ] Developed (property with buildings on it or utility right of way)

**Comments / suggested opportunities:**

---

**Shoreline:**
- [ ] River
- [ ] Lake
- [ ] Small stream or intermittent stream
- [ ] Wetland

**Riparian zone condition:**
- [ ] None
- [ ] Poor
- [ ] Good

**Concerns or suggested opportunities:**

---

**Wetland character:**
- [ ] Open water: [ ] Lake [ ] Stream [ ] Pond [ ] Forested Wetland
- [ ] Seasonally wet area (not always open water). Predominant vegetation:
  - [ ] Bare soil
  - [ ] Grasses
  - [ ] Cattails
  - [ ] Shrubs

**Concerns or suggested opportunities:**

---

**Invasive species present:**
- [ ] Open
- [ ] Wooded
- [ ] Wetland

**Concerns or suggested opportunities:**

---

**Water Quality:**

**Erosion:**
- [ ] Gullies present
- [ ] Other

**Concerns or suggested opportunities:**

---

**Wildlife:**

**Types:**
- [ ] Animals:
  - [ ] Food
  - [ ] Habitat
  - [ ] Water

- [ ] Birds:
  - [ ] Food
  - [ ] Habitat
  - [ ] Water

**Concerns or suggested opportunities:**

---

**Other significant features:**
- [ ] Nest (bird?):
- [ ] Beaver dam
- [ ] Steep slope
- [ ] Water seep or spring

**Animal den (animal?):**

**Other:**

**Concerns or suggested opportunities:**

---
E. OTHER RECOGNIZED TECHNICAL PRACTICES
A conservation district may encounter situations where the erosion or water quality problem requires the installation of a conservation practice that is not contained on the list of approved practices (see previous section). In such situations, the conservation district can request approval on a case-by-case basis by submitting a written request to the Grants Coordinator of the state board prior to approving the application. This request must include:

- the name of the conservation district technical representative assigned to the project;
- a description of the erosion or water quality problem;
- the proposed practice, including rationale as to why this practice was chosen in lieu of an approved practice;
- the estimated cost of the proposed practice;
- the standards and specifications that will be used to design the practice; and
- the planned effective life of the practice.

It is the policy of the state board not to cost share on conservation practices that involve the management of land, such as conservation tillage or rotational grazing. It is also the policy of the state board not to cost share on septic systems for private homes.

F. PROJECT FILE
A project file must be maintained and retained in the district office for 10 years after the effective life of the practice(s). The file label should include the contract number, land occupier, and the practice (Also see Part IV, appendix B, Cost-Share Program Closeout Checklist). Here is an example of the file label:
FY 04-1 Hugh H. Bennet Waste Management.

The file must contain:
- documentation of the existing problem and whether or not it meets the high priority definition;
- notes and information from the technical assessment and cost estimate determination (see section B of this part for required documentation);
- aerial photograph showing the location of the project;
- cost-share assistance contract;
- cost-share assistance contract amendment(s) (if applicable);
- construction design standards and specifications (or may be kept in the cooperator files);
- construction monitoring diary, survey notes, or other notes during construction (or may be kept in the cooperator files);
- certification of practice completion and associated “as built” information (or may be kept in the cooperator files);
- cost-share voucher;
- project bills or receipts;
- division of payment schedule prepared by the member involved in group projects;
- references to the board minutes with actions pertaining to the contract;
- all correspondence with the land occupier or land owner;
- record of contacts with the land occupier or owner; and
- any other pertinent information.
SUBJECT: INVASIVE NON-NATIVE SPECIES POLICY
EFFECTIVE DATE: SEPTEMBER 8, 2004

Minnesota is graced with a diverse landscape of prairies, forests, waters, and agricultural areas. They have high social, economic, and ecological value, and, a long tradition of resource-related recreational activities such as fishing and hunting, commercial activities (agriculture, forestry) and tourism.

Invasive species, not native to Minnesota, harm our valuable state resources. They displace native species, thus threatening outdoor recreation opportunities, increase costs for industry, and diminish the natural heritage of significant sites in the state such as parks and natural areas.

Public awareness and action are key components of minimizing the impacts of invasive species. The Minnesota Invasive Species Advisory Council is seeking to increase public awareness of this issue and is conducting a variety of events throughout the summer to promote awareness concerning invasive species.

The BWSR is also concerned about invasive non-native species. At their June Meeting, the BWSR adopted new policy pertaining to the State Cost Share Program and invasive non-native species and actions that can be taken with regard to conservation practices. This policy:

Prohibits the seeding/planting of invasive non-native species on State Cost Share Program conservation practices where they are likely to colonize more desirable stable plant communities.

Where the SWCD determines that site conditions necessitate the use of invasive non-native species, prior to planting, the SWCD must include a copy of the justification to plant invasive non-native species in the project file.

An Invasive Non-Native Species List has been provided by the DNR – Ecological Services:

**GRASSES & WILDFLOWERS**
- Alliaria petiolata - Garlic mustard
- Berteroa incana - Hoary ajisai
- Bromus inermis - Smooth brome grass
- Carduus nutans - Musk thistle
- Centaurea maculosa - Spotted knapweed
- Chrysanthemum leucanthemum - Ox-eye daisy
- Cirsium arvense - Canada thistle
- Cirsium vulgare - Bull thistle
- Coronilla varia - Crown vetch
- Daucus carota - Queen Anne's lace
- Digitalis lanata - Grecian foxglove
- Euphorbia esula - Leafy spurge
- Glechoma hederacea - Creeping Charlie
- Iris pseudacorus - Yellow iris
- Linaria vulgaris - Butter and eggs
- Lotus corniculatus - Bird's-foot trefoil
- Lythrum salicaria - Purple loosestrife
- Melilotus alba & M. officinalis - White & yellow sweetclover
- Miscanthus sacchariflorus - Amur silver grass
- Nymphaea spp. - Non-native waterlilies
- Pastinaca sativa - Wild parsnip
- Phalaris arundinacea - Reed canary grass
- Polygonum cuspidatum - Japanese knotweed
- Sonchus arvensis - Sow thistle
- Vicia villosa - Hairy vetch

**TREES & SHRUBS**
- Acer ginnala - Amur maple
- Acer platanoides - Norway maple
- Berberis thunbergii - Japanese barberry
- Caragana arborescens - Siberian peashrub
- Elaeagnus angustifolia - Russian olive
- Lonicera tartarica & hybrids - Non-native honeysuckles
- Rhamnus cathartica - Common buckthorn
- Rhamnus frangula - Glossy buckthorn
- Robinia pseudoacacia - Black locust
- Ulmus pumila - Siberian elm
The BWSR recognizes that some of these species are commonly used by many SWCDs for conservation practices. It is important to remember that these species are prohibited from being used only on State Cost Share practices where they could colonize existing native plant communities.

A couple examples:

#1 Stormy County SWCD cost-shared on a 1,200’ waterway in cropland that outlets into a wetland. The SWCD technician usually would write a seeding/planting plan that would include a cover crop with smooth brome grass or reed canary grass. However, the technician recognizes that both smooth brome grass and reed canary grass are invasive species, and either of these has the potential to threaten the biological integrity of the wetland, if they were to colonize it. Instead, she modifies the plan, substituting smooth brome grass and reed canary grass with perennial rye and timothy.

#2 Stormy County SWCD cost-shared on stabilizing 600’ of eroding streambank. Because the landowner also has concerns about improving wildlife habitat, the technician usually would write a seeding/planting plan that would include Russian olive on the borrow areas. However, the technician recognizes that Russian olive is an invasive species that has the potential to threaten the biological integrity of the uplands, if it were to colonize them. Instead, he modifies the plan, substituting the Russian olive with American plum.

The first step in complying with this policy is learning what species are non-native and invasive. The second step is recognizing conditions where they could colonize native plant communities. Simply put, the policy says, “Think before you plant.”

In almost all situations there is a viable substitute for an invasive non-native species. But on occasion, certain conditions may necessitate the use of invasive non-native species. The SWCD must then include in the project file a justification for using invasive non-native species.

This policy is effective immediately on any new contracts approved after September 8, 2004, regardless of which fiscal year funds are used.

POSTED March 31, 2006
Part VI: Contract Maintenance

A. OPERATION AND MAINTENANCE OF PRACTICES

Conservation districts are required to develop operation and maintenance plans for each conservation practice and ensure that practices are maintained according to the plan. Plans must be prepared using information from the practice standards and specifications found in the:

- Field Office Technical Guide;
- information developed by NRCS;
- or other standards approved by the state board.

The land occupier or landowner is responsible for the operation and maintenance of practices to ensure that their conservation objective is met and the effective life, a minimum of 10 years, is achieved. Should the land occupier or landowner fail to maintain the practices during their effective life, the land occupier or landowner is liable to the state for the full amount of financial assistance received to install and establish the practice.

The conservation practice enters the operation and maintenance phase when it is certified as complete by the conservation district technical representative.

A. 1 Responsibilities for operation and maintenance

- Contractor: The contractor is responsible for installing a conservation practice that fully conforms to the design standards and specifications. Usually the contractor’s responsibility for the work terminates when work has been completed and accepted by the contracting officer (land occupier via the district technical representative). But under certain circumstances the contractor’s liability may be extended. For example the factory warranty on items, such as electric motors, may extend for a specified number of months or years. If this is so, or if a failure results from the use of material or workmanship of less quality than specified in the contract, the contractor’s responsibility may extend beyond the date of certification of practice completion.

- Land occupier: The land occupier is responsible for financing and performing operation and maintenance activities on conservation practices without state cost-share assistance. If there is a malfunction or failure of the practice, the land occupier must immediately notify the conservation district technical representative.

- Conservation district: The district must determine the cause and measures that are needed to correct any malfunction or failure of the conservation practice. If design or construction is at fault the conservation district should cost share the reconstruction costs. The conservation district will supply the land occupier with the following information, where applicable:

  1. conservation practice designs that function satisfactorily with reasonable maintenance for their estimated life;
  2. complete and timely information on the expected cost of operation and maintenance in terms of time, effort, and money;
  3. a complete description of the anticipated items of operation and maintenance activities for each practice;
Within the limits of available resources, the district will also:

4. help land occupiers schedule their operations and maintenance activities;
5. advise land occupiers on operation and maintenance techniques; and
6. make engineering surveys and designs for maintenance when needed.

A. 2 Operation and Maintenance Plans

Operation and maintenance activities for dams, channels, or other conservation practices depend on variable factors such as topography, geology, size, purpose served, or intended use. Some maintenance activities may be critically important for one or more structures but may be less important for other similar structures. Identifying operation and maintenance needs is necessary to plan and schedule effective operation and maintenance activities.

Conservation districts should prepare an operation and maintenance plan tailored to fit the conservation practice and the site where it is located. The operation and maintenance plan should be as detailed as necessary to identify all of the maintenance activities that are likely to be needed and specify how to accomplish them. The plan should be prepared and reviewed with the land occupier before installation of the conservation practices is started.

B. PRACTICE SITE INSPECTIONS

The conservation district is required to monitor all cost-share contracts by conducting periodic site inspections of conservation practices installed with cost-share funds. Conservation practices are to be inspected by the conservation district technical representative to determine that the operation and maintenance plan is being followed and that the practices have not been altered or removed.

Practice site inspections must be completed at the end of the first, fifth, and ninth years following the certified completion of the conservation practices with a minimum effective life of 10 years. For conservation practices with an effective life of greater than 10 years, the minimum practice site inspection must be completed at the end of the first year following the certified completion of the conservation practice, and at 33 percent and 66 percent intervals of the effective life and the next to the last year before the end of the minimum effective life. In addition, inspect conservation practices for damage after storms producing unusually heavy run off. The conservation district may want to perform additional site inspections on a case-by-case basis.

Minor maintenance needs can quickly become major and costly maintenance problems if they are left untreated. The conservation district technical representative should encourage the land occupier to visually inspect the practice and to contact the conservation district should a problem be suspected.

Site inspections can provide the conservation district technical representative the opportunity to discuss with the land occupier the proper management of a conservation practice. The conservation district technical representative may want to ask how the conservation practice is working and if there has been any problems. This is a good time to inquire if the land occupier is interested in installing other
conservation practices, or possibly the development of a whole farm plan.

The findings of a site inspection should be documented on the practice site inspection form found later in this section.

C. CONTRACT NON-COMPLIANCE
C. 1 Procedural overview
For administrative purposes, the following terminology will be used to describe failure of the land occupier or landowner to carry out required provisions of the cost-share contract.

■ Non-compliance
Failure of the land occupier or landowner to carry out the provisions of the cost-share contract.

■ Violation
Failure of a land occupier or landowner who is in a non-compliance status to implement corrective actions within the timelines identified in the Corrective Action Plan prepared by the conservation district.

■ Corrective Actions Transmittal
This form notifies the land occupier and landowner that the conservation district has determined that the land occupier is not in compliance with the terms of the cost-share contract and the associated operation and maintenance plan. The notice describes what actions are required to return to compliance status.

■ Corrective Action Plan
This form is used to document the status of the non-compliance determination. Actions to resolve the violations are listed on the plan. In addition, this form is used by the conservation district to certify that the land occupier or landowner has failed to acknowledge and implement the corrective actions within the required timelines.

C. 2 Jurisdictional areas
Conservation districts may be involved in resolving various types of cost-share contract non-compliance issues with land occupiers or landowners. Certain issues require the conservation district have primary responsibility to resolve problems; in others, the district will play a support role.

The conservation district has primary responsibility to resolve the following non-compliant conditions where the land occupier or landowner has:

1. failed to allow the state or the conservation district technical representative access to the practice area for inspection.
2. failed to establish or maintain vegetative cover and/or structures specified in the practice standards and specification or operation and maintenance plan during the effective life of the practice.
3. caused or allowed unauthorized alteration of the cost-share practice.
4. received partial payment and failed to complete the practice.
5. failed to repair damage of the cost-share practice.
C.3 Investigations and documentation

Non-compliance situations may come to light in several ways: complaints, rumors, eyewitness reports, site investigations, and audits, to name a few. Most typically the conservation district is in the best position to learn of non-compliance and to resolve the situations quickly. Conservation districts are trusted to use their best judgment to resolve non-compliance informally where appropriate. The following procedure is designed to provide a framework to work from if non-compliance issues cannot be informally resolved, and to help conservation districts to be thorough and reasonably uniform in conducting investigations.

1. If the initial investigation, including conversations with the land occupier or landowner, turns up an obvious situation not in compliance with the cost-share contract, and the land occupier/land owner agrees to take immediate corrective action, document this decision, and follow up to see that corrective actions were taken.

2. After learning of potential non-compliance, make sure that the following are investigated:
   - Review of applicable law and rule;
   - Review project file contents, including a review of the contract language and conservation practice, and operation and maintenance plan;
   - Do an on-site investigation, including taking photographs and completing a practice site inspection form; and
   - Interview with the land occupier or landowner and/or other parties where appropriate.

3. Keep a log of dates, times, and facts surrounding your investigation. This should become part of the cost-share contract file. The Cost-Share Program Site Inspection Form, found in this part, should be the central document in the investigation. All subsequent documentation should be attached to this form.

4. Remember that the purpose of the investigation is to verify the facts. Documentation is very important!

5. If the conservation district finds that the investigation has revealed that the land occupier is in compliance with the requirements of the contract and conservation practice plan, you can document this decision and end your work.

6. If the non-compliance issue is not obvious, or if a land occupier or landowner is not cooperative, it is suggested that a more formal determination be made by the conservation district board.

7. The BWSR board conservationist should be consulted for advice when needed.

C.4 Non-compliance determination

After the investigation and gathering of the facts, the conservation district must make a determination whether a land occupier is not in compliance with the state cost-share contract and operation and maintenance plan. If the land occupier is not the landowner, the landowner is also responsible to carry out the operation and maintenance plan as stated on the contract. It is suggested that the conservation
district board of supervisors be the decision-maker. Staff should present the information at a formal conservation district board meeting for decision by the board of supervisors.

If the board determines that the land occupier or landowner is in compliance with the terms of the cost-share contract and the conservation practice plan, then the case is closed. If the conservation district board determines that a non-compliance condition exists, then a Corrective Action Transmittal form, found in this part, must be completed and sent via registered mail to the land occupier (and the landowner if different). Send a copy to the board conservationist. A standard form is provided for the district’s use. This form should be used to:

- reference the specific items in the cost-share contract or the referenced conservation practice plan that are not in compliance;
- specify what the land occupier must do to correct the situation; and
- give deadlines for performance.

In cases where damage to the cost-share practice is due to land occupier or landowner failure to implement the operation and maintenance plan, the land occupier or landowner is required to repair or reconstruct the cost-share practice at his or her own cost.

Conservation district staff should solicit land occupier/land owner input when developing a Corrective Action Plan. It is important that the Corrective Action Transmittal not be an absolute mandate because the land occupier or landowner may have knowledge of certain conditions or suggest actions to achieve the desired end results that are somewhat different from what the conservation district has proposed. This provides opportunity for negotiation between the district and the land occupier/land owner. Deadlines for land occupier/land owner to perform the actions should be reasonable. For example, reseeding of vegetation should be required during the next upcoming recommended seeding period for the cover to be established; removal of unauthorized materials should be accomplished as soon as necessary equipment can access the area, etc. The conservation district should allow up to 30 days for the land occupier/land owner to respond and to negotiate.

If there is any uncertainty on the part of the conservation district board in making the determination, contact your BWSR board conservationist.

Once negotiations are completed, the conservation district should complete the Corrective Action Plan portion of the form (found in this part) with the land occupier/land owner, if possible, and obtain the land occupier’s/land owner’s signatures. If a negotiated plan is not arrived at within the 30 day period, the conservation district should complete the Status Verification and Corrective Action Plan (found in this part), sign it and provide it to the land occupier/land owner requesting his or her concurrence and signature and return of the form within 10 working days. If the land occupier/land owner fails to comply with the items identified on the Corrective Action Plan, they will be considered in violation of the terms of the cost-share contract.

C.5 Violations procedure

Occasionally, the conservation district’s best efforts to resolve non-compliance issues may not be successful. If the land occupier(s) fails to respond, refuses to sign and/or
does not implement the required Corrective Action Plan, the landowner(s) is considered in a "violation" status.

Up to this point, the board conservationist’s role has been to advise the conservation district. If the noncompliant situation is not resolved, the board conservationist becomes directly involved to assist the conservation district in resolving the violation. The district should review the file materials with the board conservationist and accompany him or her on a site visit to view the conservation practice in violation status. The land occupier/land owner should be invited to accompany them on the site.

After the on-site visit, the board conservationist will decide to either uphold the conservation district’s Corrective Action Plan or recommend different requirements on the Corrective Action Plan. The board conservationist will coordinate any recommendations changing the conservation district’s Corrective Action Plan with the district technical representative. The board conservationist will then communicate the required follow-up action to be taken by the land occupier/land owner in writing via registered mail.

If by this time the violation has not been successfully resolved, the violation is referred to the BWSR Grants Coordinator.
PRACTICE SITE INSPECTION FORM

The site inspection form on the following page is used to document the conservation districts site inspection(s) of conservation practice(s) and should be inserted in the applicant’s file. When the conservation district technical representative has determined that the land occupier/land owner has satisfactorily operated and maintained the conservation practice for the specified minimum effective life, they should sign and date the form. Instructions on the completion of this form:

Applicant, General Information, and Practice Location - Reference the contract.

Date - Date of the practice inspection.

Initial - Initials of the conservation district technical representative the performed the inspection.

Conservation Practice Condition - Check the condition of the practice.

Suggested Maintenance - Document the required maintenance (NA if not applicable). Attach additional sheets if necessary.
Part VI: Appendix A
# STATE COST-SHARE PROGRAM
## SITE INSPECTION FORM

### GENERAL INFORMATION

<table>
<thead>
<tr>
<th>District</th>
<th>Contract Number</th>
<th>Conservation Practice Category</th>
<th>Eligible Conservation Practice(s)</th>
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<tbody>
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### LAND OCCUPIER

<table>
<thead>
<tr>
<th>Land Occupier</th>
<th>Address</th>
<th>City/State</th>
<th>Zip Code</th>
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### CONSERVATION PRACTICE LOCATION

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<thead>
<tr>
<th>Township Name</th>
<th>Township</th>
<th>Range</th>
<th>Section</th>
<th>1/4, 1/4 Section</th>
<th>County Number</th>
<th>Minor Watershed Number</th>
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### INSPECTION INFORMATION

<table>
<thead>
<tr>
<th>Date</th>
<th>CDTR Initials</th>
<th>* Practice Condition</th>
<th>* Contributing Watershed Upland Treatment Condition</th>
<th>Suggested Maintenance</th>
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* Attach additional sheets if necessary.

### PRACTICE INSTALLED DATE

<table>
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<tr>
<th>Date</th>
<th>CDTR Initials</th>
<th>* Practice Condition</th>
<th>* Contributing Watershed Upland Treatment Condition</th>
<th>Suggested Maintenance</th>
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* PRACTICE CONDITIONS

* CONTRIBUTING WATERSHED UPLAND TREATMENT CONDITIONS

<table>
<thead>
<tr>
<th>Condition</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/E</td>
<td>Has not yet been established as planned.</td>
</tr>
<tr>
<td>Excellent</td>
<td>Is fully established as planned and is in excellent condition.</td>
</tr>
<tr>
<td>Good</td>
<td>Is fully established as planned and is in adequate condition.</td>
</tr>
<tr>
<td>Fair</td>
<td>Action is required to improve and/or provide maintenance.</td>
</tr>
<tr>
<td>Poor</td>
<td>Needs immediate land occupier action to comply with the terms of the O&amp;M plan.</td>
</tr>
<tr>
<td>PNT</td>
<td>Practice no longer there.</td>
</tr>
</tbody>
</table>

NOTE: Practice site inspections must be completed at the end of the first, fifth, and ninth years following the certified completion of the practice. See Part VI: Contract Maintenance—Practice Site Inspections of the Cost-Share Program Manual for more details.

Notes:

The operation and maintenance plan for this practice has been satisfactorily completed for its designed expectancy.
CORRECTIVE ACTION TRANSMITTAL – STATE COST SHARE PROGRAM

SWCD:  
Land Occupier Name:  
Address:  

DESCRIPTION OF NON-COMPLIANCE (to be completed by the conservation district):

CORRECTIVE ACTIONS REQUIRED:

<table>
<thead>
<tr>
<th>Item</th>
<th>Deadline</th>
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</table>

Approved by SWCD:  
(Chairman’s Signature)  
(Date)

Note: Attach a copy of the State Cost-Share Program Site Inspection form that identifies the problem.

LAND OCCUPIER RESPONSE:

I, _____, (print name) have read the Corrective Actions Required listed above and forward my statement for consideration by the district in the resolution of this matter.

(Land occupier signature)  
(Date)

(Land owner signature, if different from land occupier)  
(Date)

This form must be signed and returned to the Soil and Water Conservation District office within 30 days after signature by the district for land occupier input to be considered.
CORRECTIVE ACTION PLAN – STATE COST-SHARE PROGRAM

--STATUS VERIFICATION --

☐ LAND OCCUPIER IS NOW IN COMPLIANCE (check here to certify that the non-compliance or violation has been resolved).

☐ LAND OCCUPIER IS NOT IN COMPLIANCE (see Corrective Action Transmittal).

☐ LAND OCCUPIER DID NOT RESPOND within 30 days of his/her receipt of Corrective Action Transmittal

District Technical Representative ___________________________ Date ___________________________

Corrective Actions Required:

<table>
<thead>
<tr>
<th>Item</th>
<th>Deadline</th>
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We, the undersigned, do hereby agree that implementation of this Corrective Action Plan will resolve the contract violation.

TAA District Technical Representative ___________________________ Date ___________________________

Applicant Signature ___________________________ Date ___________________________

Land Owner Signature ___________________________ Date ___________________________

LANDOWNER: You must sign this form in the space above and return it to the SWCD within 21 working days of the SWCD signature. Failure to agree to the Corrective Action Plan will place you in a violation status, subject to possible legal action.

---CERTIFICATION OF APPLICANT REFUSAL TO COOPERATE---
(To be completed by the SWCD if the applicant does not agree to the corrective action plan or does not implement its provisions)

On behalf of the _____ Soil and Water Conservation District, I hereby declare that the Corrective Action Plan described herein has been sent via United States Postal Service Registered Mail to the applicant and that the applicant refuses to acknowledge and/or implement the corrective actions within the required timelines.

SWCD Chair Signature ___________________________ Date ___________________________
Part VII: Other Programs

Other funds received by BWSR may be allocated to conservation districts for the treatment of erosion, sedimentation, or water quality problems. These funds may be incorporated with existing cost-share program funds and their use may be governed by the administrative guidelines or may be subject to other administrative guidelines required to fully implement the intent for which these additional funds were appropriated.

FEEDLOT WATER QUALITY MANAGEMENT PROGRAM
In 1998, the Minnesota Legislature appropriated funds for a program that would protect water quality by improving animal waste management systems on feedlots. This program is administered under the State Cost-Share Program rules.

These grant funds are available to the Soil and Water Conservation Districts for small feedlots (less than 500 animal units) to benefit water quality. This program does not allow funding for new or expansion projects. In addition, the Soil and Water Conservation District may request up to 10 percent of the eligible requested project funds to be used towards their technical and administrative costs.

The maximum cost-share rate available is 75 percent of the total eligible cost of the project up to $50,000.

The funding priorities established by the BWSR board (as of April 2004) are:

- Feedlots in riparian locations enrolled in a recognized stewardship plan and high FLEVAL pollution potential.
- Feedlots in riparian locations and high FLEVAL pollution potential.
- Feedlot operations where a high FLEVAL indicates a greater pollution potential.
- Practices that will be applied in current fiscal year for the grant.
- Feedlot operators who have received a notice of violation.
- Feedlots in counties that are conducting or have completed a level 2 or level 3 feedlot inventory.

BWSR will announce to districts when these funds may be applied for and any application criteria.