



Natural Resources District

POLICIES AND PROCEDURES FOR ADMINISTERING:

NEBRASKA SOIL AND WATER CONSERVATION PROGRAM

TRI-BASIN NATURAL RESOURCES DISTRICT SOIL AND WATER CONSERVATION PROGRAM

NEBRASKA BUFFER STRIP PROGRAM

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POLICIES FOR ADMINISTERING:

Nebraska Soil and Water Conservation Program

And Tri-Basin Natural Resources Soil and Water Conservation Program

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- #2 Tri-Basin Natural Resources District Soil and Water Conservation Program Cost-share Assistance Application, Payment Claim and Agreement
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Tri-Basin Natural Resources District

Policies for Administering the Nebraska Soil and Water Conservation and Tri-Basin Natural Resources District Soil and Water Conservation Programs

GENERAL

The Tri-Basin Natural Resources District Board of Directors has established policies for administering the Nebraska Soil and Water Conservation and Tri-Basin NRD's Soil and Water Conservation programs. These programs provide financial incentives to landowners in the District to carry out soil and water conservation practices on their property, and to conserve and protect natural resources for the general good of the people of the District.

The Nebraska Soil and Water Conservation Act, established in 1977, is administered by the Nebraska Department of Natural Resources. The Act established the Nebraska Soil and Water Conservation Fund, which provides state financial assistance to Nebraska landowners for the installation of approved soil and water conservation measures that improve water quality, conserve water, and help control erosion and sedimentation. This program is funded with state revenue.

The Nebraska Department of Natural Resources (DNR) is responsible for determining eligible practices and establishing operating procedures for the Nebraska Soil and Water Conservation Program (NSWCP). DNR allocates funds among the state's 23 Natural Resources Districts and approves payments to landowners. Natural resources districts are responsible for administering the NSWCP program at the local level according to state rules and regulations. The USDA/NRCS provides technical assistance in planning and developing the approved conservation measures.

The Tri-Basin NRD Soil and Water Conservation Program is funded locally from the District's budget. Conservation practices eligible for funding under the District Cost-share Program correspond with approved practices identified for NSWCP. Other unique and special practices may be approved by the board for the District Conservation Program.

Tri-Basin NRD aids municipalities (schools, city and county government, and etc.) in planting windbreaks by charging only actual material costs for tree planting and mulch installation.

Policies described in this manual supersede all prior policies that cover the same subject matter. They may be waived or superseded by a board motion unless otherwise provided by law.

I. DEFINITIONS

As used in this program the following definitions will apply:

- A. "Act" shall mean the Nebraska Soil and Water Conservation Act as established and governed by sections 2-1575 to 2-1579 and 2-1583 and 2-1585, R.R.S. 1943, and all amendments, additions, or deletions which have been or may be made thereto;
- B. "Apportion" shall mean to set aside funds for use according to the act and the Department's rules and regulations, but shall not mean any physical distribution or other transfer of such funds;

- C. “Average Unit Cost” shall mean the unit of measure cost determined on a county basis to be the average cost charged in that county for the work performed and materials required in installing such unit;
- D. “Board” or “Board of Directors” shall mean the board of Directors of the Tri-Basin Natural Resources District.
- E. “Department” or “DNR” shall mean the Nebraska Department of Natural Resources created pursuant to section 2-1504, R.S. Supp. 1984, and amendments thereto;
- F. “District”, “Tri-Basin” or “Tri-Basin NRD” shall mean Tri-Basin Natural Resources District, created and governed by sections 2-3201 to 2-3262, R.R.S. 1943 and amendments and additions thereto.
- G. “Eligible Project or Practice” shall mean project or Practice designated as eligible for state cost-share funds by the Department according to section 3-001;
- H. “Landowner” shall mean the record owner or owners of real property or upon adequate documentation of the sale of real property by land contract, the purchaser or purchasers of said real property;
- I. “NRCS” shall mean the United State Department of Agriculture, Natural Resources Conservation Service.
- J. “Newly Irrigated Acres (land)” shall mean land that has not been irrigated at least two out of the last five years.

II. APPLICATION PROCEDURES

A landowner or landowners (or representative with appropriate legal authority/Power of Attorney) can apply for funds from either program at the NRD office or their local NRCS office. Proof of legal authority to sign the cost-share must be provided if a person other than the landowner is signing the cost-share application (refer to attachment #7 or #8– Power of Attorney, if needed.) A W-9/Citizenship Form must be signed by the landowner. Applications will be made on forms provided for the Nebraska Soil and Water Conservation Program (refer to attachment #1), or the District program Application (refer to Attachment #2) when cost-share reimbursements for conservation practices originate from the District’s conservation program.

NRCS or NRD personnel will sign the application, if eligible, and indicate that the planned conservation practices meet specifications in the NRCS-Field Office Technical Guide and/or NSWCP specifications. NRCS will complete the Priority Scoring Sheet (not required for flowmeters or soil sensors), necessary attachments and attach an aerial photo. The application is referred to the Tri-Basin NRD District Office, where the General Manager and Administrative Secretary determine whether the application meets all requirements of the appropriate program including certification that the applicant is in compliance with NRD rules and regulations. The manager shall declare the application eligible for funding and decide whether to recommend to the Board of Directors that funds be obligated for the project. The Board of Directors will usually approve cost-share applications at the regular monthly board meeting. After an application is approved by the Board of Directors, funding is obligated for the project, and a letter is sent to the landowner and appropriate NRCS Office to inform them of the application’s approval. Following approval of the application, work on the project may proceed. The landowner may not begin work until the application has been approved by the Board of Directors. Projects must be completed within six months of their approval

date, unless a six-month extension is approved (see Section IX. Termination Date/Application Extension).

Several landowners may submit separate cost-share applications to request assistance with components of joint conservation projects. Joint project component applications should include a brief narrative describing the project and how the proposed practice(s) will contribute to the successful implementation of the overall project.

Landowners may submit cost-share applications for single-purpose projects that involve multiple contiguous tracts with different legal descriptions. Landowners need to file separate applications for projects that have multiple purposes, or which involve separate, unconnected tracts of land.

The General Manager shall have the authority to approve one six-month extension on each approved project. Any project requiring additional funding must be approved by the Board of Directors at their regular monthly meeting.

Following the installation or application of a project or practice, it is the responsibility of NRCS and/or NRD personnel to certify that the project or practice was installed or applied according to specifications. Payment for claims will not be approved until proper certification is received confirming that the project or practice is completed according to the application specifications.

Attachment #6 contains a flowchart that shows how the cost-share process starts and proceeds.

III. COST-SHARE ASSISTANCE AGREEMENT

As a condition for receiving cost-share funds for eligible projects or practices, landowners must enter an agreement on the Department's and/or District's application form, agreeing that if a conservation practice is terminated or a project or practice is removed, altered, or modified to lessen its effectiveness, without prior approval of the District, within a period of ten years after the date of receiving payment, the landowner shall refund to the appropriate entity, either the Department and/or District, the full amount of the cost-share payment previously received for the project or practices or portion thereof which has been thus terminated, removed or modified. Landowners must also certify that they are the legal owners of the property referenced on the cost-share application.

IV. DISTRICT ELIGIBLE PRACTICES LIST

Tri-Basin NRD offers funding on all eligible NSWCP practices. Windbreaks, windbreak renovations, flowmeters and soil sensors are given priority for funding by this program. Eligible practices and their components, designated by the Nebraska Soil and Water Conservation Program are listed later in the manual.

V. NON-STANDARD COST-SHARE PRACTICES

Landowners often have new ideas and technology they wish to apply. Any landowner that has a project that doesn't fit under any current cost-share category may send a memo describing the practice asking Tri-Basin Natural Resources District for assistance. NRCS can assist in describing the practice upon request by landowner or NRD.

VI. INDUSTRIAL AND COMMERCIAL FLOWMETER COST-SHARE

Tri-Basin NRD offers cost-share for industrial and commercial flowmeters through the Tri-Basin's cost-share program. Cost-share is provided at a rate of 50% of actual or average cost with a

maximum payout of \$750. Industrial and commercial flowmeters do not have to read in acre inches but need to report their water usage annually to TBNRD.

VII. STATE AND LOCAL GOVERNMENTAL AGENCY FLOWMETER COST-SHARE

Tri-Basin NRD offers cost-share for state and local governmental agencies through the Tri-Basin's cost-share program. Cost-share is provided at a rate of 50% of actual or average cost with a maximum payout of \$750. Flowmeters must have a non-resettable totalizer and need to report their water usage annually to TBNRD.

VIII. APPLICATION PRIORITY AND RANKING PROCESS

The Tri-Basin NRD Board of Directors annually allocates cost-share funds among several categories of conservation practices. Individual applications are assigned to one of these categories. Applications are approved if funds are available, the application rates favorably when compared to other applications in the same category, the applicant is eligible to receive cost-share and the application is for practices that help achieve NRD soil and water conservation objectives.

Categories:

Trees: The Tri-Basin Natural Resources District Soil and Water Conservation Program is the principal source of cost-share funds for the conservation trees program. Unobligated funds may be allocated for use for other eligible projects or programs and/or leveraged with other funding sources to institute conservation measures.

Water Conservation Practices: Eligible practices in this category are NC-3, NC-5, NC-6, NC-9, NC-13, NC-19 and NC-17.

Erosion Practices: Eligible practices under the erosion category are: NC-1, NC-2, NC-3, NC-4, NC-6, NC-7, NC-8, NC-10, NC-11, NC-18 and NC-19.

Range Management Practices: Eligible practices under the Range Management category are: NC-9, NC-10, NC-11, NC-14, NC-18, NC-19 and NC-20.

Windbreak Renovation: The only practice eligible under this category is NC-16. Both NSWCP and Tri-Basin NRD cost-share programs fund windbreak renovations with NSWCP funding utilized first.

Priority Scoring Sheet: Tri-Basin NRD uses a Priority Scoring Sheet (refer to attachments #3 & #4) to quantify the benefits of cost-share applications. NRCS staff completes the Priority Scoring Sheet with data from the cost-share project application. Cost share applications with higher ratings are generally given a higher priority than those with lower ratings. Only those water category cost-share applications with a minimum score of "5" or above will be considered for funding, except in the month of February, when applications that rank below "5" will be considered for approval. Flowmeters, Rain-Fall Shut-off Devices and Soil Moisture Sensors are exempt from the scoring system and no Priority Score sheet is required. Landowners who are not approved may request that their applications be reviewed by the NRD Projects and Construction Committee.

IX. APPROVAL OF APPLICATIONS

The board may approve applications for cost-share assistance only when there is a sufficient unobligated fund balance to provide the estimated cost-share amount based upon the average cost

information indicated on the application. Exception: applications pursuant to Section 2-001, Subsection 001.03 of the DNR Rules and Regulations (mandatory cost-share on erosion complaints).

Applications must arrive at the Tri-Basin NRD Office 8 business days before the second Tuesday of each month to be considered for approval at the next regularly scheduled board meeting. NC-17 Cost-Share application will be approved in the months of September, December, February and May, with the exception of flowmeters, rainfall shut-off devices and soil moisture sensors which can be approved by the board monthly.

The Tri-Basin NRD Board of Directors, based on the process to set priorities and rank applications, may either approve or disapprove NSWCP and/or NRD cost-share applications up to \$5,000 from unobligated funds. A landowner is entitled to receive \$5000 in funding per NRD fiscal year from NSWCP cost-share, eligibility to be determined by date approved.

NSWCP cost-share applications must comply with DNR and USDA-NRCS specifications, but Tri-Basin Natural Resources District may approve applications for district cost-share funding that don't meet DNR or NRCS specifications, such as demonstration projects.

Landowners and NRCS offices are notified whether applications are approved. Applications are reconsidered monthly according to Policy V: Application Priority and Ranking Process. When funds have been completely expended, applications are placed in a "holding" file until funds become available or until the end of the fiscal year. Landowners can ask to have applications reviewed by the Projects and Construction Committee if they have gone unapproved for three months. All unapproved applications are cancelled at the end of the fiscal year. Landowners may reapply annually.

Cost-share will not be approved for anyone out of compliance with TBNRD Groundwater Quality or Quantity Management Area Rules and Regulations.

Any cost-share project must meet NRCS specifications to be eligible for NSWCP cost-share. If a landowner feels he should qualify for cost-share, he may appeal to the Projects and Construction Committee. Any NSWCP cost-share applications that doesn't meet NRCS specifications and is approved by the Projects and Construction Committee must also be approved by DNR prior to submitting the cost-share application to the Tri-Basin Natural Resources District Board of Directors for approval.

X. COST-SHARE RATES

The cost-share rate for the Nebraska Soil and Water Conservation Program eligible projects and practices are set by the Tri-Basin NRD Board of Directors according to the Department's Rules and Regulations. The current cost-share rate is 50% (special limitations for flowmeters, rainfall shut-off devices & soil moisture sensors apply) of actual or NRCS average costs, whichever is less. All applicable rules, regulations and guidelines of the Nebraska Soil and Water Conservation program-approved practices apply to the Tri-Basin NRD Soil and Water Conservation Program unless specific modifications have been made by the Board of Directors. Where average costs are used to determine the cost-share, the average cost used will be those unit costs established for the District by the USDA-NRCS. The USDA average cost rate in effect when a project is started will be used to determine the payment rate for cost-shareable components of practices in completed cost-share projects. Cost-share applications requesting a maximum assistance of less than \$250 will not be processed.

XI. SIGN-UP PERIOD

Landowners may apply for cost-share throughout the District's fiscal year (July 1 to June 30 of each year). Funds are apportioned during the July Board of Directors Meeting (the beginning of the fiscal year).

X. TERMINATION DATE / APPLICATION EXTENSION

- A. Funding for all approved NSWCP projects will terminate six months from the date the board approves the landowner's application. (The termination date is shown on the cost-share applications). Claims for payment filed after the termination date will not be honored. A landowner may request a project extension of up to six months after the original termination date. TBNRD cost-share applications are eligible for one six-month extension. A board approved, 2nd extension may be granted in special cases. All approved Tri-Basin NRD cost-share applications shall terminate on June 15 of the current fiscal year (Exception windbreak renovations and flowmeters).
- B. NRCS field office secretaries will notify landowner(s) two to four weeks before their application terminates. Landowners are responsible for notifying NRCS or Tri-Basin NRD that they need an extension on an existing application that is due to expire. Landowners may cancel applications at any time. If a landowner doesn't respond within 30 days, Tri-Basin NRD will send a letter of cancellation and send a copy of the cancellation letter to the appropriate NRCS office.
- C. Upon termination of an approved NSWCP application, funds will be made available to all cooperators as set forth in Policy V: Application Priority and Ranking Process.
- D. Any project requiring additional funding must be approved by the Board of Directors at their regular monthly meeting.

XI. APPEAL PROCESS

If a disagreement develops between the NRD or NRCS and an applicant regarding the NSWCP program and/or NRD Soil and Water Conservation Program, the matter may be appealed to the District Projects and Construction Committee for discussion and recommended action to the board.

XII. REIMBURSEMENT

Reimbursement is made to landowners at 50% of actual cost or current NRCS average cost (whichever is less) for both NSWCP and NRD cost-share programs. The NRD board may approve applications for practices other than tree planting with Conservation Program funds. If NSWCP funds are available at the time of reimbursement, they will be used first. When those funds are exhausted, Conservation Program Funds will be used if they are available.

Exceptions to "first use" of NSWCP funds:

- 1) Those for which it is desirable to use District funds to match other sources of funding, such as federal or state grants,
- 2) Those for which it is desirable to use another source of funds, and
- 3) Other applications that, in the board or manager's judgement, are desirable to reimburse with District funds.

XIII. COST SHARE COMPLETION REQUIREMENTS

NRCS personnel are responsible for completing NSWCP and District cost-share applications and attachments provided NRCS specifications are met. The NRCS personnel completing the cost-share application shall document methods used to calculate final cost-share reimbursement, if the methods for calculation are non-standard or not visually apparent. Sales Tax should be included when calculating actual costs for NCWSP cost-share applications. Sales Tax should not be included when calculating actual costs for Tri-Basin Conservation Tree Program applications.

The following is a listing of attachments that accompany NSCWP cost-share applications and the practice they relate to:

ATTACHMENT	FORM #	PRACTICE	DESCRIPTION
#9	NSWCP-10	NC-14	Planned Grazing System
#10	NSWCP-13	NC-16	Windbreak Renovation
#11	NSWCP-14	NC-17	Irrigation Water Management

In addition, a W-9 (Attachment #14) and a Citizen Attestation Form (cannot be completed by landowner representative) are to be completed and signed by the landowner and if a flowmeter is included in the cost-share a Certificate of Installation (Attachment #17) is required.

XIV. TRANSFERS OF OWNERSHIP

An approved NSWCP or Tri-Basin cost-share application is transferable to a new landowner. If the transfer is made before the cost-share application is completed, an amendment shall be completed by NRCS and the new landowner, with the new landowner's name and address. The amendment will state that the new landowner wants to carry out the practice and is willing to adhere to all rules and regulations listed in "III. COST-SHARE ASSISTANCE AGREEMENT". If title to land is transferred to another party after the cost-share application is completed, it is the responsibility of the previous landowner to advise the new owner that the cost-share agreement is in force and to obtain the new owner's acceptance of responsibility.

NEBRASKA SOIL AND WATER CONSERVATION PROGRAM

ELIGIBLE NEBRASKA CONSERVATION (NC) PRACTICES

<u>IDENTIFICATION</u>		<u>PRACTICE</u>
<u>Practice</u>	<u>NC – 1</u>	<u>Constructing Terrace Systems</u> Purpose: <i>To control erosion on cropland, to conserve water and to reduce pollution</i>
	A	Side Slopes 13.5 feet and over
	B	Parallel, cut and fill
	C	Flat Channel
	D	Push-up
	E	Parallel Flat Channel
	F	Seed for back slopes (critical area)
	(1)	Common
	(2)	Certified
	G	Slope of 10% or greater
	H	Extra Long Terrace Slopes
	J	Narrow Base Terrace
<u>Practice</u>	<u>NC – 2</u>	<u>Constructing Terrace Underground Outlets</u> Purpose: <i>To dispose of excess water from a terrace system without causing erosion.</i>
	A	Materials for Underground Outlets (see Exhibit I)
<u>Practice</u>	<u>NC – 3</u>	<u>Constructing Water Impoundment Dams</u> Purpose: <i>To impound runoff, conserve water, prevent erosion, prevent pollution, and to enhance groundwater recharge.</i>
	A	Earth Moved – Excavation
	B	Earth Fill – Class A compaction (moisture controlled)
	C	Earth Fill – Class C
	D	Seed (critical area)
	(1)	Common
	(2)	Certified
	E	Fencing
	F	Other construction items (see Exhibit 1)
	G	Mulching
<u>Practice</u>	<u>NC – 4</u>	<u>Constructing Grade Stabilization Structures</u> Purpose: <i>To stabilize the grade in an existing watercourse to prevent or heal gully situations.</i>
	A	Earth moved - Excavation
	B	Earth Fill – Class A compaction
	C	Earth Fill – Class C compaction
	D	Seed (critical area)
	(1)	Common
	(2)	Certified
	E	Fencing
	F	Other Construction Items (see Exhibit 1)
	G	Mulching

(MORE)

<u>IDENTIFICATION</u>		<u>PRACTICE</u>
<u>Practice</u>	<u>NC – 5</u>	<p><u>Constructing Irrigation Tailwater Recovery Pits with or without Underground Return Pipe</u> Purpose: <i>To impound runoff from irrigated fields for reuse; hence, conserving groundwater.</i> Cost-share Rate: 50% of average or actual, whichever is less.</p> <p>A Earth moved – excavation B Earth Fill – Class A compaction C Earth Fill – Class C compaction D Seed (critical area) E (1) Common (2) Certified F Other Construction Items (see Exhibit 1) G Mulching (SEE PRACTICE NC-13 FOR UNDERGROUND RETURN PIPE)</p>
<u>Practice</u>	<u>NC – 6</u>	<p><u>Constructing Diversions</u> Purpose: <i>To divert water from areas where it is in excess to sites where it can be used or disposed of safely.</i></p> <p>A Earth moved D Seed (critical area) (1) Common (2) Certified E Seeding (1) Standard Drill (2) Grassland Drill G Other Construction Items (see Exhibit 1)</p>
<u>Practice</u>	<u>NC – 7</u>	<p><u>Constructing Grassed Waterways</u> Purpose: <i>To shape natural or constructed waterways to required dimensions and vegetate for safe disposal of runoff from a field, diversion, terraces or other structure.</i></p> <p>A 10-19.9 cross-section, earth moved, square feet B 20-29.9 " " " " " " C 30-39.9 " " " " " " D 40-49.9 " " " " " " E 50+ " " " " " " F Seed (1) Common (2) Certified G Seeding (1) Standard Drill (2) Grassland Drill H Mulching I Side Dikes</p>
<u>Practice</u>	<u>NC – 8</u>	<p><u>Constructing Water-and-Sediment-Control Basins</u> Purpose: <i>To reduce on-site erosion, reduce sediment, reduce sediment content in water, intercept and conduct surface runoff through subsurface conduits to stable outlets, reduce peak rate or volume of flow at downslope locations, reduce flooding, prevent gully development, reform the land surface, and improve farmability.</i></p>

(MORE)

<u>IDENTIFICATION</u>		<u>PRACTICE</u>
<u>Practice</u>	<u>NC – 8</u>	<u>Constructing Water-and-Sediment-Control Basins</u> (CONTINUED)
	A	Excavation
	B	Earth Fill - Class A compaction (moisture controlled)
	C	Earth Fill - Class C compaction
	D	Seed (critical area)
	(1)	Common
	(2)	Certified
	E	Other Construction Items (see Exhibit 1)
	F	Mulching
<u>Practice</u>	<u>NC – 9</u>	<u>Constructing Dugouts for Livestock Water</u> <u>(runoff collection only)</u> Purpose: <i>To create an impoundment for livestock water use by excavating to collect runoff in grassland.</i>
	A	Earth Moved - excavation
	B	Seed (critical area)
	(1)	Common
	(2)	Certified
	C	Seeding
	(1)	Standard Drill
	(2)	Grassland Drill
	D	Fencing
<u>Practice</u>	<u>NC – 10</u>	<u>Pasture Planting or Range Seeding (land use conversions)</u> Purpose: <i>To establish grass on land being converted from other uses or the renovation of existing pasture or range.</i>
	A	Seed
	(1)	Common
	(2)	Certified
	B	Seeding
	(1)	Standard Drill
	(2)	Grassland Drill
	(3)	Range Interseeder
	C	Chemicals for seedbed preparation when seeding in existing cover.
<u>Practice</u>	<u>NC – 11</u>	<u>Critical Area Planting (grass)</u> Purpose: <i>To stabilize the soil, reduce damage from sediment and runoff to downstream areas.</i>
	A	Seed (critical area)
	(1)	Common
	(2)	Certified
	B	Seeding
	(1)	Standard Drill
	(2)	Grassland Drill
	(3)	Hydroseeder
	C	Mulching
	D	Fencing
	E	Shaping and Filling

(MORE)

IDENTIFICATION

Practice

NC – 12

A

B

C

D

E

F

G

(1)

(a)

(b)

(c)

H

PRACTICE

Windbreaks

Purpose: *To establish a stand of trees to conserve soil and moisture and to prevent erosion.*

Trees, including planting and chemical weed control the first year.

Trees, including planting

Chemical Weed Control, first year

Trees, including replanting

Drip Irrigation System, all appurtenances beginning with in-line screen and pressure regulator (see Exhibit 1)

Fencing, where necessary to provide protection from livestock

Rodent Control

Pocket Gophers

Hand Probe

Hand Poisoning

Burrow Builder

Fabric Weed Barrier

(not to be used in conjunction with C or E above)

LIMITATIONS SPECIFIC TO TRI-BASIN NRD:

- Tri-Basin NRD cost-share applications for windbreaks should be submitted to the NRD Office no later than March 20. Requests for windbreaks after March 20, are subject to availability of trees and planting crew schedules.
- Items A,C,E and F are exclusive of each other for cost-share purposes.
- Tri-Basin will provide cost-share assistance for tree plantings in sod.
- Fabric Weed Barrier can be used in conjunction with sub-surface drip tape.

Practice

NC – 13

Constructing Underground Return Pipe from Irrigation Tailwater Recovery Pits

Purpose: *To provide a permanent conveyance facility for water impounded by an approved Tailwater Recovery Pit to the water supply that created the tailwater.*

A

B

Cost-Share Rate: 50% of average or actual, whichever is less.

Other Construction Items (See Exhibit 1)

IDENTIFICATION

Practice **NC – 14**

PRACTICE

Planned Grazing Systems

Purpose: *To reduce erosion and improve water quality by maintaining or improving plant cover for increased forage production, enhanced wildlife habitat, grazing uniformity and water use efficiency.*

- A
 - (1) Standard
 - (2) Suspension
 - (3) Electric
 - (4) Perimeter Fencing (Restricted to: (a) lands remaining in grass for pasture within two years of completing enrollment in a Federal Conservation Program; or (b) cropland converted to grassland for pasture.)
- B
 - Water Supply
 - (1) Well
 - (a) Drilling and Casing Installation
 - (b) Cost of Casing
 - (c) Cost of Gravel Packing
 - (2) Pipeline Installed
 - (3) Tank Installed
 - (4) Spring Development
 - (5) Livestock Water Dugouts, high water table
 - (a) Earth Moved, excavation
 - (b) Seed (critical area)
 - (1) Common
 - (2) Certified
 - (c) Mulching
 - (6) Pumping Plants
 - (a) Electrical
 - (b) Solar
 - (c) Windmill
- C
 - Rodent Control
 - (1) Pocket Gophers
 - (a) Hand Probe
 - (b) Hand Poisoning
 - (c) Burrow Builder
 - (2) Prairie Dogs
 - (a) Zink Phosphide/Aluminum Phosphide

Practice **NC – 15**

Irrigation Surge Valves

☒ *Practice NC-15 RESCINDED as separate practice effective 7-1-94*

IDENTIFICATION

Practice

NC – 16

A

PRACTICE

Windbreak Renovation

Purpose: *To provide for the restoration of farmstead or field windbreaks that have been rendered substantially ineffective due to the death of trees or other windbreak plantings as a result of weather, disease, or other natural causes.*

Procedures: Specifications are to be based on NRCS (formerly SCS) Technical Guides. An additional requirement is that the windbreak renovation plan is to be based on a plan reviewed and approved by a forester of the Nebraska Forest Service. The forester is to certify that the windbreak has lost its effectiveness, should be renovated and, that they approve the plan of renovation. Costs are to be based on average unit costs, where they exist.

ADDITIONAL LIMITATIONS ARE AS FOLLOWS:

- (1) Each NRD is limited to approving no more than ten such practices in any given fiscal year (July 1 to June 30) and payments for no more than ten such practices in a given NRD will be authorized from the Soil & Water Conservation Fund in any fiscal year.
- (2) In no instance will payment from the Soil & Water Conservation Fund be based on a cost greater than the state-wide average unit cost adopted by the USDA-FSA (formerly USDA-ASCS) this practice.
- (3) This practice is not to include the replanting of the windbreak. Those costs could be, if approved by the NRD, included in the previously-approved windbreak practice or paid for from other sources.
- (4) No approval for a windbreak practice will be made by an NRD unless, and until, the landowner also agrees to replant the windbreak and no payment for a windbreak renovation practice will be made from the Soil & Water Conservation Fund until the windbreak has been replanted.

LIMITATIONS SPECIFIC TO TRI-BASIN NRD:

- (1) Windbreak Renovations will use Tri-Basin NRD or NSWCP funding, based upon availability of funds. Tri-Basin NRD limits the number of windbreak renovations approved for funding to five per year.
- (2) When renovating existing windbreaks, old trees must be removed at least six months before replacement trees are planted. The planting area must then be deep ripped and disked.
- (3) NRCS average unit cost may be used if it exceeds state-wide average unit cost.

- (4) Two separate Tri-Basin Resources Conservation Program Cost-share Assistance Applications shall be made for this practice: One for the renovation portion and another for the windbreak portion. The practice description on the renovation cost-share application shall be NC-16 Windbreak Renovation – Part A. The practice description on the windbreak cost-share application shall be NC-12 Windbreak – Part B.
- (5) NRCS shall complete Windbreak Renovation – Part A, to specifications and return to Tri-Basin NRD.
- (6) Tri-Basin NRD shall complete Windbreak NC-12– Part B.
- (7) Both cost-share applications can be submitted to Tri-Basin NRD at the same time. NC-16 Windbreak Renovation – Part A, will be approved and returned to the appropriate NRCS Office for completion following approval by the Board of Directors. Funding for NC-12 Windbreak – Part B, shall be allocated after NRD personnel have inspected the site and deemed it acceptable for planting.
- (8) Payment for Windbreak Renovation – Part A will be made upon completion of the renovation portion of the practice when paid from Tri-Basin funding.
- (9) Payment for Windbreak – Part B will be made upon completion of windbreak planting.
- (10) Planting sites will be inspected by NRD personnel prior to planting. Tri-Basin NRD reserves the right to decide whether a site is suitable for planting.

IDENTIFICATION

PRACTICE

Practice

NC – 17

A
B

C

- (1)
- (2)
- (3)
- (4)

D

Irrigation Water Management

Purpose: *To conserve groundwater and surface water by improving water use efficiency on irrigated lands.*

Cost-share Rate: 50% of average or actual, whichever is less.

Eligible Components: Surge valves, flow meters, goose necks, land leveling (on gravity systems only and on land that has been irrigated in four of the five years) drop pipes, conversion nozzles, rainfall auto-shutoff valves, reuse pits, return pipe, soil moisture sensors and data readers, and the necessary appurtenances to allow each of the components to function properly. Consultant fees are not cost-shareable items.

As an incentive to landowners to conserve water, cost-share on the cost of a buried pipeline from an existing irrigation well or surface water source now being operated as a gravity system to the pivot point of a new pivot system or the withdrawal point of an alternate efficient sprinkler system will be allowed as part of the Irrigation Water Management Practice of the Nebraska Soil and Water Conservation Program (NSWCP). Buried main pipelines to serve a surge valve system is also allowed. These installations and systems must meet Natural Resources Conservation Service (NRCS) technical specifications.

ADDITIONAL LIMITATIONS ARE AS FOLLOWS:

Maximum of 1400 feet of buried pipe;

Land must have been irrigated at least four out of the last five years. If, however, land was enrolled in a federal conservation program that required foregoing irrigation during any of the preceding five years, eligibility will be determined based on the years before and after the program period;

No more than 10% of land under the pivot system is to be newly irrigated land; and

Cost-share is not allowed for cost of electrical installation and equipment. As with the current irrigation water management practice, cost-share shall be limited to a maximum of 50%.

Subsurface drip irrigation systems: cost-share on systems installed in accordance with NRCS standards and specifications at a maximum of 50% of actual or average costs, whichever is less. Cost-share will be allowed on only those systems that utilize groundwater as their water source. **Eligible components would include:** filtration system(s), necessary valves and controllers, pipe and fittings for mains, sub-mains and manifold lines, flush lines, drip tape, chemical injection port, and other appurtenances necessary for meeting NRCS standards and specifications. Costs not included would be the pumping plant, fertilizer or chemical injection systems, and electrical installations.

LIMITATIONS SPECIFIC TO TRI-BASIN NRD:

- (1) All NC-17 practices must improve irrigation efficiency by at least 10%.
- (2) Only center pivot systems that are five years old or older are eligible for a nozzle conversion package.
- (3) Landowners are required to install or have in place working flowmeters on all irrigation systems approved for NSWCP NC-17 Practices. Any NC-17 NSWCP cost-share application without a flowmeter will be ineligible, EXCEPT for installation of reuse pits when a supplying well already has a flowmeter or when flowmeters are provided by Central Nebraska Public Power and Irrigation District. This does not apply to applications for soil moisture sensors.
- (4) The cost of flow meters paid with NSWCP funding and flow meter installation count toward the \$5000 per fiscal year funding limit for NSWCP cost-share. The cost-share rate on flowmeters and appurtenances is 50% with a maximum payout of \$750 of actual or average costs, whichever is less.
- (5) Water use and rainfall reporting on Irrigation Water Management Practices is required. Cost-share recipients must report end of season flowmeter readings annually on a form provided by the district for the lifespan of the practice. (10 years from completion of practice)
- (6) Tri-Basin NRD will provide cost-share assistance on flowmeter covers.
- (7) A well registration number must be provided on all flowmeter and irrigation applications (new wells must have an NRD well permit number). A Certification of Installation form must be completed for all flowmeter installations. The well registration information (landowner name and address) must match information in the Nebraska Department of Natural Resources registered well database. If the landowner information is incorrect, a change form must be completed and mailed to NDNR before payment can be made on the application.
- (8) Flowmeters included as part of the NC-17 practice must read in acre inches and have a non-resettable totalizer to receive cost-share.
- (9) NSWCP Cost-Share on Soil Moisture Sensors is limited to two sensor sets and related equipment per field, one field per landowner per year, by approval date at the rate of 50% cost-share with a maximum payout of \$750. The limitation of two sets of sensors per field does not apply to landowners in Phase II Groundwater Quantity Management Areas.
- (10) Cost-share on Rainfall Shut-off devices is cost-shared at a rate of 50% of actual or average, whichever is less, a maximum payout of \$750 and limited to one application per landowner per year by approval date.

<u>IDENTIFICATION</u>		<u>PRACTICE</u>
<u>Practice</u>	<u>NC – 18</u>	<u>Stream Bank Stabilization</u> Purpose: <i>Restoration and protection of stream banks and riparian areas adjacent to minor water courses. This practice can be done on a stand-alone basis or if needed, in conjunction with a grade stabilization structure or diversion.</i> Eligible Components: Grass seeding, earth fill, rock riprap, trees, fencing, underground outlets, pipes, sand and gravel, concrete, and other components included as part of practices utilized in compliance with NRCS technical specifications.
	A	
<u>Practice</u>	<u>NC – 19</u>	<u>Repair of Practices</u> Purpose: <i>Cost-share under the Nebraska Soil and Water Conservation Program (NSWCP) is authorized for the repair of the following practices or practice elements when the damage to the practice is due to natural cause(s) rather than improper or inadequate maintenance; terraces, dams, diversions, grade stabilization structures, and livestock water supply pipelines. Any repair work must return the practice to a condition that meets technical specifications of the Natural Resources Conservation Service.</i> Eligible Components: Listed under the eligible practice being repaired.
	A	
<u>Practice</u>	<u>NC – 20</u>	<u>Brush Management (mechanical and chemical means)</u> Purpose: <i>Removal or reduction of non-herbaceous plants to restore natural plant community balance, create the desired plant community, and reduce competition between desired and unwanted plants.</i> Practice to be planned in a manner that it will not adversely affect threatened or endangered species (plant or animal) or their habitat. Only chemicals approved by the Nebraska Department of Agriculture may be used, and in accordance with label directions Mechanical and chemical treatment methods at actual cost not to exceed NRCS established maximums.
	A	

Tri-Basin Natural Resources District

Policies for Administering the Nebraska Buffer Strip Program

I. BUFFER STRIP PROGRAM

The Nebraska Buffer Strip Program was created by the Nebraska Legislature in 1998. The program is intended to encourage landowners to establish buffer strips along vulnerable surface water resources. Buffer strips are an effective means of reducing levels of sediments and other pollutants in surface water. Funding for the program is derived from a fee assessed on all pesticides registered for use in Nebraska.

Land eligible for enrollment in this program is cropland adjacent to perennial streams, intermittent streams or permanent bodies of water or existing buffer strips established after January 1, 1996, along these areas according to the Nebraska Department of Agriculture Rules and Regulations.

II. NEBRASKA BUFFER STRIP PROGRAM DETERMINATION PROCESS

1. Initial Contact with Producer

- a) What does the tract of land qualify for?
 - NE Buffer Program
 - CRP
 - Both (if in CRP)
 - WHIP
- b) Is the proposed buffer along a Perennial or Intermittent Stream? (Check USGS map or use approved alternative determination method.)
- c) What Cost-Share does it Qualify For?
 - NSWCP NC-11 Critical Area Planting (grass)
 - Nebraska Buffer Program
 - WHIP (through NRCS and only if it also qualifies for Buffer Strip Program)
 - CRP Cost Share

2. Producer Must Decide:

- a) *If the producer chooses only the CRP Program or the land does not initially qualify for the buffer strip program, the buffer strip process stops here.*
- b) *If the producer chooses the buffer strip program, proceed to Step 3.*

3. NRCS Gets Information from Producer:

- a) Social Security Number or Federal ID Number
- b) W-9
- c) Citizen Attestation Form
- d) Address and Phone Number
- e) Legal Description of Property
- f) Irrigated or Dryland (on each property)
- g) Grassed or Riparian (on each property)
- h) Desired Contract Length (5 – 10 years)
- i) Is landowner receiving payments from another source and if so, who and how much
- j) Width of grass strips (NRCS tech guide requirements and producer preference)

4. NRCS Completes Application

- a) Visit Site with producer and confirm eligibility
- b) Determine acres
- c) Obtain aerial photo(s)
- d) Obtain USGS map
- e) Sign-up for NC-11 (if applicable)
- f) Sign up for WHIP (if applicable)

5. Landowner or POA Signs Application Form and Cost-Share Application

6. NRCS Sends Completed Application (with photo and USGS map) to NRD

7. NRD Board Approves/Disapproves Application

- ***If Disapproved:*** Notify NRCS and landowner
- ***If Approved:***
 - a) NRD General Manager Signs
 - b) Submit to State
 - c) Notify NRCS that they have been submitted to state

8. State Approves or Denies – State Sends Letter to NRD

If approved:

- a) NRD board approves NSWCP NC-11 cost-share – if applicable

9. NRD notifies Landowner and NRCS of approval or disapproval

10. If approved, NRCS Stakes Buffer Strip and Provides Seeding Specs to Landowner

- ***If acres are NOT the same as original application:***
 - a) NRCS notifies NRD of acre changes by submitting a revised application (noting on application that it has been previously approved and that it is a revised version, NRCS will put this in remarks on application and NRD will reiterate that it is a revised version when sending to the State Dept. of Agriculture) with new acres and new signature of landowner
 - b) NRD sends revised application to the State of Nebraska-Department of Agriculture
 - c) Department of Agriculture approves in writing or verbally
 - d) NRD notifies NRCS to confirm approval or disapproval of revised contract
 - 1. If revised application is approved, proceed with step 10.
 - 2. If revised application is disapproved, visit with producer/landowner to see if they want to go ahead with original acres, cancel, sign-up under another program, etc.
- ***If acres are the same as original application:***
 - a) NRCS provides producer with seeding specs, (NE-CPA-8 and aerial photo).
 - b) NRCS notifies NRD that flagging is completed and that seed sheet was provided to producer.

11. NRD Sends Contract to Landowner and Notifies Landowner that the NRD or Elwood NRCS Office has Grass Drills to Rent (Contract may be signed after planting, but must be signed before payment can be made)

12. Landowner Plants according to NRCS specs (schedule drill rental if necessary)
13. Landowner Returns Completed Seed Sheet to NRCS with Seedtags, Seed Bills and Drilling Bills
14. NRCS Checks Seed Sheet to Verify Seeding was Completed.
 - a) *If not seeded to specs, then NRCS works with producer to get it seeded to specs.*
 - b) *If seeded to specs, then proceed onward to Step 15*
15. NRCS notifies NRD that Seeding is complete by providing a copy of the seed sheet, tags, bills, etc.
16. NRCS reports Buffer Strip Practice applied and effects in appropriate Reporting Tools.
17. NRD Inspects Annually
18. NE Dept. of Agriculture inspects once during life of contract
19. NRD Makes Payment

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