

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

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MEMORANDUM

2011-023

DATE: May 19, 2011

TO: All Soil and Water Conservation Districts

FROM: Ken Struempfl, District Operations Section
Soil and Water Conservation Program

SUBJECT: **WQ10 Stream Protection Practice Policy**

During the Soil and Water Districts Commission meeting on Wednesday, May 11, 2011, the commission approved the new WQ10 Stream Protection Practice Policy to be implemented for fiscal year (FY) 2013 contracts. Even though the policy in the current Cost-Share Handbook will be in effect until the end of FY12 contracts, the new policy should be used as a guide for the remainder of FY12. The new policy is attached to this memo.

Changes to the existing policy include redefining streams in the applicability statement and removal of the out-of-production incentive for heavily wooded tracts of land. Other changes include the clarification of policy, the addition of a figure to assist in performing buffer calculations, and a figure showing examples of out-of-production incentive eligible buffers.

Program staff will be providing training in regional locations for district staff. Program staff may be contacting districts about the possibility of hosting locations for training and on farm training opportunities. If your district would be interested in hosting a regional training, please contact Alan Freeman by **Wednesday, June 1, 2011**.

Program staff would like to express their appreciation to districts for the comments submitted during the WQ10 policy review process. If you have any questions, please contact your district coordinator or Alan Freeman at the Soil and Water Conservation Program, P.O. Box 176, Jefferson City, MO 65102-0176, or by phone at 573-751-1373.

KS:afd

Attachment

WQ10 Stream Protection

Purpose

Reduce excess amounts of sediment, organic material, nutrients, and pesticides in surface runoff and reduce excess nutrients and other chemicals in shallow groundwater flow with a secondary benefit of streambank stabilization.

Applicability

Applies to areas immediately adjacent to permanent, losing, or intermittent streams that have a defined streambed where livestock have uncontrolled access for watering purposes.

Erosion Requirements

This practice has no erosion requirements.

Specifications

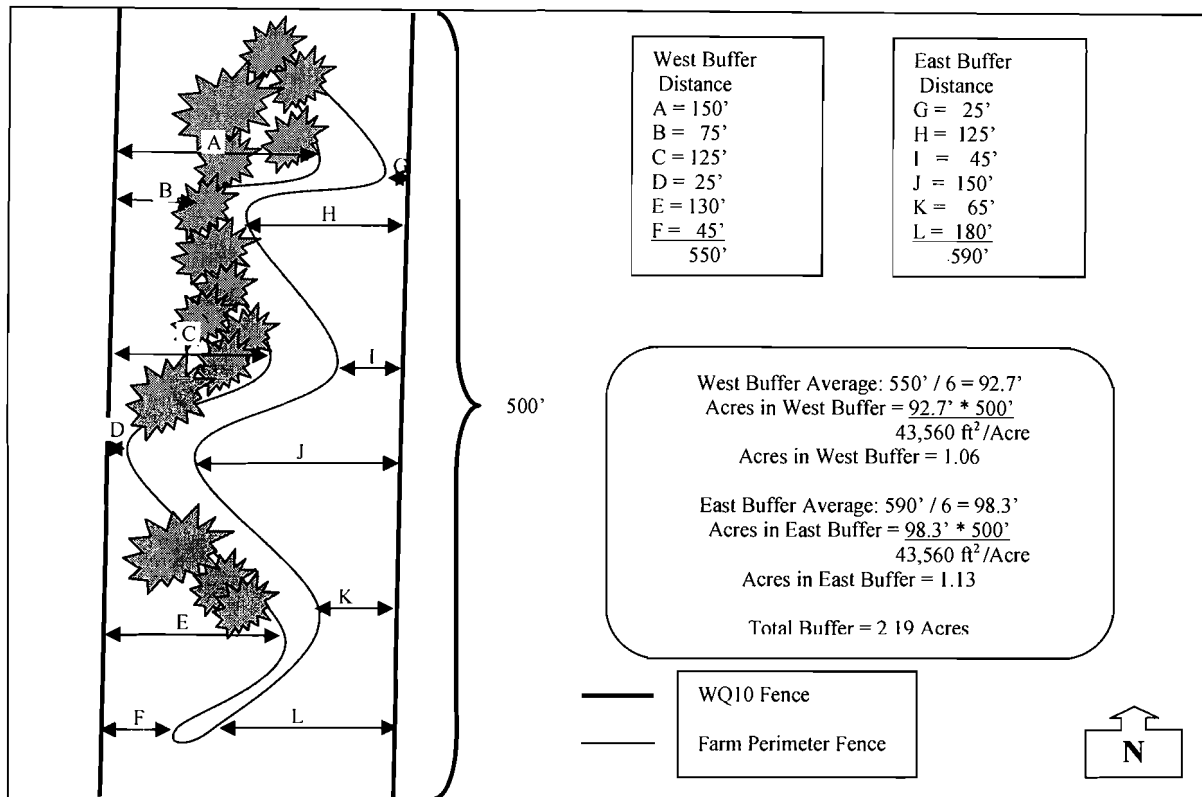
The completed practice must meet the NRCS Standards and Specifications for Critical Area Planting (342), Pond (378), Access Control (472), Pipeline (516), Stream Crossing (578), Watering Facility (614), Water Well (642), and Fence (382) contained in the Field Office Technical Guide.

The Soil and Water Conservation Program strongly encourages the construction of High-Tensile Electric (HTE) exclusionary fence due to the flood prone nature of this practice's applicable location(s).

Policies

1. The area where the practice will be applied must currently have livestock to qualify.
2. The area excluded must have adequate boundary fence prior to installing exclusion fence.
3. A one-time, out-of-production incentive for livestock exclusion is available for landowners who allow the riparian area to regenerate naturally or maintain it as a conservation buffer. Buffer acres will be measured from the high-flow bank of the qualifying stream to the completed fence using the measurement criteria in 3a and 3b of this section.
 - a. Excluded area on each side of the qualifying stream must be a minimum of 25 feet. The incentive may be paid up to a maximum of a 150-foot average from the high bank. Incentive is available for both sides of the qualifying streams.
 - b. The maximum area the incentive may be paid on cannot exceed a 150 foot average, with 180 feet as the maximum allowed in the averaging calculation (See Figure 1).

Figure 1



4. Both sides of the qualifying stream must be excluded from livestock access.
5. The excluded area may be flash grazed beginning one year after contract payment. Note: Livestock access to the excluded area outside of the approved dates is a violation of the maintenance agreement, except for designated stream crossing points.
6. Grazing should not occur under wet weather conditions to prevent manure from being carried to the streams by runoff or floodwaters.
 - a. Cool-season grasses (CSG) may be grazed for a single three (3) day period between April 15th and May 7th, and again for a single three (3) day period between September 1st and October 1st. The average minimum grazing height is six (6) inches for CSG. Strip grazing of the excluded area using temporary fence may be utilized during the above spring and fall periods as long as livestock graze each strip only one time for 3 days or less, and maintain a 6 inch average minimum grazing height.
 - b. Warm-season grasses (WSG) may be grazed for a single three (3) day period between July 15th and August 15th. The average minimum grazing height is eight (8) inches for WSG. Strip grazing as indicated above may also be carried out for WSG.

Sensitive Areas Resource Concern

- c. Grazing dates may be restricted further due to establishment of a planted buffer. Consideration should be given to wildlife when flash grazing is practiced.
 - d. Livestock stocking rates should be reevaluated based upon the grazing area remaining after exclusion of the riparian area. The upland acres remaining will be under greater grazing pressure. Reducing livestock numbers, and/or implementation of a grazing system is recommended to prevent upland erosion.
7. Spraying is allowed to control noxious weeds; along fence lines for maintenance purposes, and for suppression of fescue and/or weeds in a WSG or tree/shrub planting for erosion control or wildlife benefit. Chemicals utilized for maintenance are not eligible for cost-share.
 8. Mowing within the excluded area is prohibited except for fence maintenance.
 9. **Cost-share is authorized for:**
 - a. Water Source

Development of a watering source(s) for livestock when the qualifying stream is fenced to exclude livestock. More than one watering source may be developed on farms where pipeline and trenching costs would exceed \$3,500; or when crossing roads or streams with pipeline is not recommended. Development of watering sources may not exceed \$3,500 each for a pond or a well. Designated stream crossings for livestock are authorized. All water supplies should be a minimum of 25 feet from the exclusion fence and a minimum of 100 feet from the high bank of the qualifying stream.

 - 1) Pond(s). This may include placement of a water line through an impoundment dam of an existing pond or reconstruction of ponds that no longer provide adequate livestock water.
 - 2) Well(s) (New and Existing). The following are procedures and guidelines that must be followed if a new or existing well is to be used for livestock watering purposes:
 - a) The components that will be allowed for the upgrade and use of an existing well or construction of each new well is limited to \$3,500, which include(s) the well drilling, casing, grout, liner, electrical lines from the pump control box to the pump, or upgrading the pump, and miscellaneous well components. Miscellaneous well components include the well cap, drive shoe, inverted bell, cement, fittings, and seals for the well itself.
 - b) All wells must be constructed or upgraded and registered according to state requirements. Any type of state certification fee is not eligible for cost-share.
 - b. Permanent Water Distribution
 - 1.) Standard Cost-Share reimbursement applies for the pipeline from existing/new well(s) and ponds to tanks.

- 2.) Tanks are limited to one per field adjacent to the qualifying stream, excluded by the WQ10 practice.
- c. Limited access. If it is the least cost alternative, limited access may be authorized to allow controlled access to a qualifying stream or pond per landowner request.
 - d. Stream crossing(s).
 - e. Exclusion fence to protect from livestock.
 - f. Critical Area Planting component. Fertility must be applied according to a soil test.
 - g. Buffer Exclusion – Out of Production
 - 1) Grazable grassland areas adjacent to the qualifying stream within the buffer are eligible for the out-of-production incentive (See Figure 2).
 - 2) Grassland fields and narrowly wooded riparian corridor adjacent to the excluded qualifying stream are eligible for the incentive (See Figure 3).
 - 3) Incentives are not authorized for stream segments within heavily wooded areas exceeding ten acres (See Figure 4). Heavily wooded areas exceeding ten acres should be evaluated for a use exclusion practice such as the DFR-5 Woodland Protection Through Livestock Exclusion or N472 Use Exclusion.
 - 4) Incentives CANNOT be used in conjunction with other incentive practices for the same fenced area. The least-cost practice should be utilized ONLY. (Ex. N472 fencing of an area that includes a stream may not receive the WQ10 out-of-production incentive and the N472-livestock exclusion incentive and vice-versa.)

Figure 2

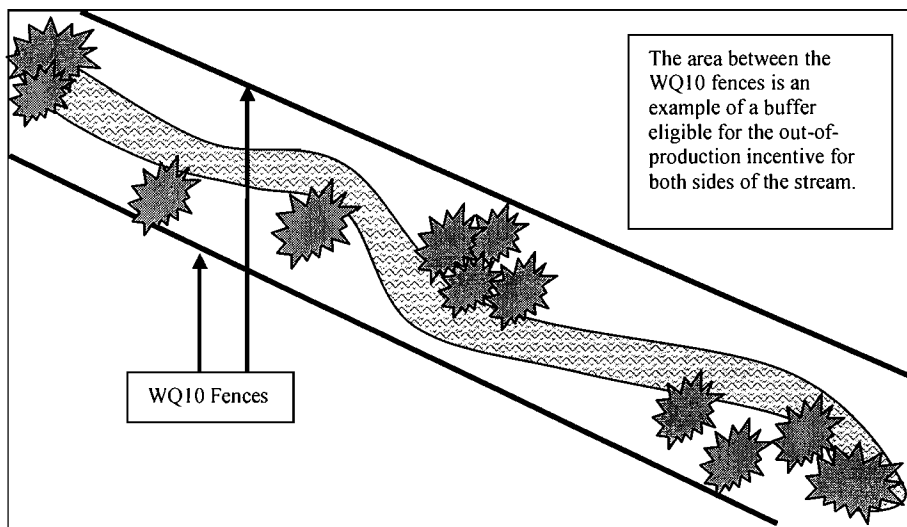


Figure 3

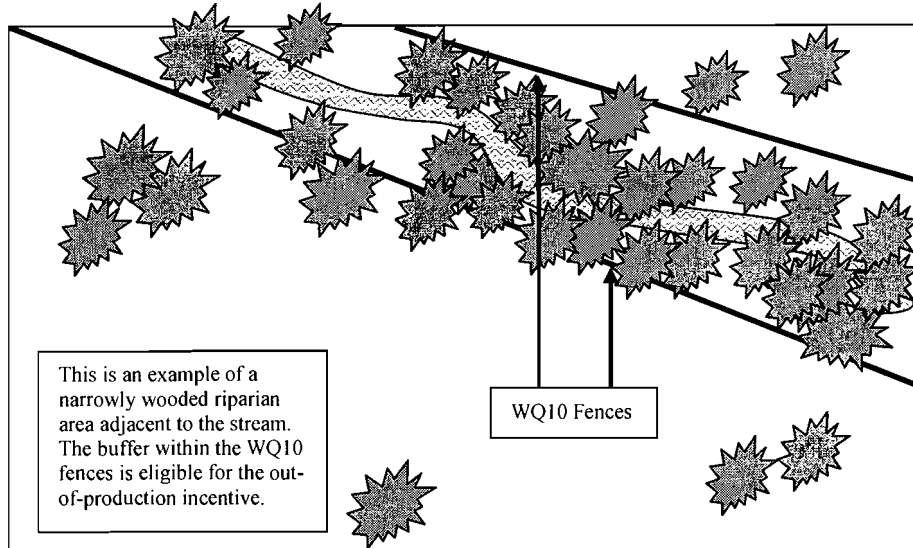
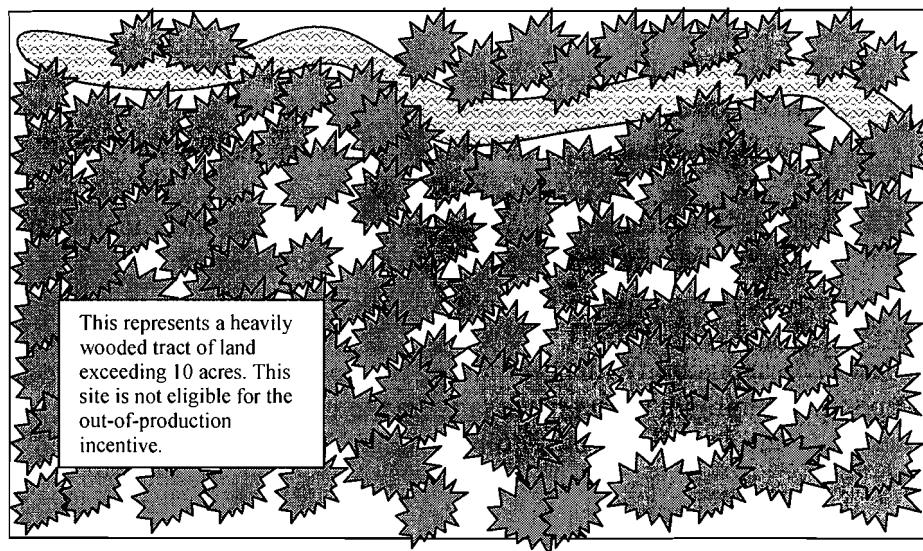


Figure 4



10. Cost-share is not authorized for:

- a. Spring Development. Cost-share is authorized under N574 Spring Development practice.
- b. Exclusion costs for fields dedicated to the harvest of crops or forage production.
- c. Reconstruction: The Soil and Water Conservation Program will not pay for the rebuilding of fence. High Tensile Electric (HTE) is recommended to lower landowner costs if a rebuild is necessary.

Maximum State Cost-Share

1. Assistance for components is limited to 75% of the county average cost, not to exceed the state average cost. Each watering source is limited to \$3,500.
2. The out-of-production incentive cannot exceed \$500.00 per acre of buffer exclusion as described in 9g.

Map Requirements

1. A CMT Map must be entered prior to contract approval. The map must show the following information that pertains to the contract:
 - Farm Perimeter
 - Existing Fence, including existing perimeter and cross fences
 - Existing Water Source
 - Existing Water Supply
 - Planned Fence
 - Planned Water Source
 - Planned Water Supply
 - Planned Pipeline
 - Area Treated with Practice
 - Location of Power Source
 - Any other feature that may affect the practice, including the losing stream layer
2. A map that displays the completed practice must be scanned and attached as a “Map Document” in MoSWIMS prior to contract payment submission.

Technical Responsibilities

Technical staff has the responsibility for determining the need for the practice, for design of the practice based upon the minimum extent necessary, and to certify that the completed practice meets NRCS standards and specifications within commission policy.

Acres Served

Acres on which the incentive was paid.

Extent Installed

Linear Feet of fence excluded on each side of the qualifying stream.

Maintenance Life

10 years.