

Watershed Agricultural Program Guideline

2.1.06

BMPs ON RENTED PROPERTY

Program funding for BMPs to be installed on rented property will require approval of both the Landowner and Producer. Program funding for BMPs may be available on rented property as follows:

1. Landowner-Owned Facility (producer rents from landowner).
 - A. Landowner must sign all procurement forms and BMP implementation packages including O&M's
or
 - B. Landowner must sign WFP-0 & WFP-1 and the landowner & producer shall sign all procurement forms beyond a WFP-0 and WFP-1 including BMP implementation packages with O&M's.
 - C. If the land owner is absent or does not want control/involvement in the WFP and/or its implementation, then a Power of Attorney may be substituted for the landowner signature on procurement forms.
2. Producer rents only land from landowner, not the facilities.
 - A. If structural BMPs are to be planned/implemented on rented property, then a SA (Supplemental Agreement) will be developed (following/attached to) the producers WFP and must be agreed upon by the Landowner and Producer by signing the design and all applicable forms.
 - B. Management BMPs on rented property will be included in the producers WFP (actual property tracts #'s). No long term agreement by the landowner will be required unless the rented tract(s) are used in USDA program(s) which would require a Land Use Control form
 - C. If management BMPs are to be planned/implemented on rented Easement Program Participants properties, then a SA (Supplemental Agreement) will be developed (following/attached to) the producers WFP and must be agreed upon by the Landowner and producer by signing a WFP2(SA Form) WFP3 and O&M.