Vegetative Filter Strips Act

Summary

The goal of this model bill is to encourage growers to voluntarily construct vegetative filter strips on land between a farm field and an area to be protected such as a stream, river, or sinkhole. This farming practice will greatly minimize movement of sediment, nutrients, and crop protection products out of the growers’ fields. Additionally, this bill will provide land owners with tax relief to mitigate the production losses incurred when taking valuable farm land out of production. Ultimately, this legislation provides the necessary flexibility, economic, and environmental factors to benefit the land owners, state soil and water conservation districts (SWCD) and the general public.

Model Legislation

Section 1. (Short Title) This act shall be known and cited as the Vegetative Filter Strips Act.

Section 2. (Statement of Purpose) The Property Tax Code is amended by addition {INSERT SECTION} as follows:

(A) Any land
(1) that is located between a farm field and an area to be protected, including but not limited to surface water, a stream, a river, or a sinkhole, and
(2) that meets the requirements of subsection (B) of this Section shall be considered a Vegetative Filter Strip and valued at 1/6th of its productivity index equalized assessed value as cropland.

(B) Vegetative Filter Strips must be at least 16 feet in width and contain vegetation that
(1) has a dense top growth;
(2) forms a uniform ground cover;
(3) has a heavy fibrous root system; and
(4) tolerates pesticides used in the farm field.

(C) The County’s soil and water conservation district shall assist the land owner in completing a uniform certified document as prescribed by the Department of Revenue in cooperation with the Soil and Water Conservation Districts that certifies
(1) that the property meets the requirements established under this Section for vegetative filter strips and
(2) the acreage or square footage of property that qualifies for assessment as a vegetative filter strip. The document shall be filed by the applicant with the Chief County Assessment Officer. The Chief County Assessment Officer shall promulgate rules concerning the filing of the document. The soil and water conservation district shall create a conservation plan for the creation of the filter strip. The Plan shall be kept on file in the soil and water conservation district office. Nothing in this Section shall be construed to require any land owner to have vegetative filter strips.

(D) The Department of Agriculture in consultation with the Soil and Water Conservation Districts shall file a report concerning the effect and impact of vegetative filter strips on soil and water quality improvements to the General Assembly by {INSERT DATE}

Section 3. (Severability clause)

Section 4. (Repealer clause)

Section 5. (Effective Date)