



MASWCD Area Meetings Overview of BWSR 2009 Legislative Summary June 1, 2009

Go to BWSR.state.mn.us for full details and links to legislation

New laws present opportunities for flexibility ...

Changes to **conservation cost share program** will allow BWSR to streamline the administration of the program as the Board may adopt policy to cover many of the current provisions provided in the rule, such as practices. Look for information on a rule, policy, and manual update process to be announced soon with completion and launch in early 2011.

Counties are now provided flexibility to derive their match for the **local water planning program grant** from a local source other than a dedicated levy.

RIM Reserve changes provide flexibility to better collaborate with federal, local and non-government partners. The law repeals obsolete statute and rule provisions for consistent but adaptable framework for easement acquisition program.

Native seed definitions in MS 84.02 changed to provide greater flexibility, replacing the 25-mile radius requirement with language like "*To the extent possible,*" and "*preferably of the local ecotype, using a high diversity of species originating from as close to the restoration site as possible.*"

... and increased requirements for accountability and reporting ...

BWSR grant recipients will need to display detailed information on their websites that shows how grant funds are spent, including measurable outcomes as a result of the expenditure of funds. SWCDs and other LGUs will need to submit this information to the board by June 30 each year. The information will also be posted on the BWSR website.

Speaking of websites ...

The Legislative Coordinating Commission (LCC) will develop and maintain a website that informs, educates and demonstrates how the Constitutional Amendment dedicated funds are being expended to meet the requirements of the Constitution. Must include proposed measurable outcomes, the plan for measuring outcomes, and the measured outcomes and evaluation of the projects.

BWSR Board will expand by adding city and township members ...

BWSR Board membership expanded by three board members: Two are representatives of cities, with at least one representing the metropolitan area, and one is a representative of townships.

It's back! Carbon sequestration will be added to the functions of wetlands ...

It was there, then taken out. Now it is back. This will not substantively change the application of the law, and will be incorporated into the first WCA rulemaking initiated after August 2009 (not the current process).

SWCDs will have new role in approving conservation plans ...

Green Acres/Rural Preserves – SWCDs have new role in approving conservation plans for land being considered for future enrollment. SWCDs may charge fees for plan approval and for development of the plans if that is a service they choose to offer. Guidance is being developed and training will be provided by BWSR along with MN Dept. of Revenue.

Following the money ...

RIM Wetlands Reserve Program partnership with SWCDs, NRCS and others received **\$9.058M through the Outdoor Heritage Fund** and **\$500,000 in bonding** dollars.

LCCMR (Legislative-Citizen Commission on Minnesota Resources) Bill provides:

- **\$400,000** for continuation of the county soil survey program (Greg Larson, BWSR lead staff)
- **\$275,000** total for Statewide Ecological Ranking of CRP and other Critical Lands in cooperation with the U of M, to better target conservation program efforts (Greg Larson/Julie Klocker, BWSR lead staff)
- **\$1.0M** for MN Farm Bill Assistance Program for funding technical staff (Tabor Hoek, BWSR lead staff)

Clean Water Fund provides new dollars for specific types of projects ... (in biennial allocation)

Please note that due to revenue collection and distribution requirements, these funds will not be available until late fall/early 2010. BWSR is currently in the planning phases of developing these programs.

Buffer easements \$6.5M for permanent conservation easements to establish 50-100 ft buffers on riparian lands adjacent to public waters, except wetlands. May be used for restoration of riparian buffers and stream banks.

Wellhead Protection Conservation Easements \$2.0M for permanent conservation easements on wellhead protection areas under MS 103F.515 Subd 2, paragraph (d). Must be in drinking water supply management areas designated as high or very high by the Commissioner of Health.

WD/WMO BMPs \$5.924M in grants to WDs and WMOs for: 1) structural or vegetative practices that reduce storm water runoff or 2) to leverage federal funds for restoration, protection or enhancement of water quality in surface waters and to protect groundwater. Must have lasting benefit, include local match, and be consistent with TMDL implementation plans or local water plans.

Non-point implementation grants \$6.0M in grants to WDs, WMOs, Counties and SWCDs to keep water on the land and to protect, enhance, and restore water quality in lakes, rivers and streams and to protect groundwater and drinking water. Must have lasting benefit, include local match, and be consistent with TMDL implementation plans or local water plans.

Feedlot Water Quality Improvement Grants \$4.0M for feedlots <300 animal units on riparian land, to include water quality assessment to determine water quality outcomes in lakes, rivers and streams and in protecting groundwater from degradation.

Stream bank, stream channel, and shoreline \$3.0M to implement projects to protect water quality.

Conservation Drainage: \$0.6M for technical assistance and grants for a conservation drainage program in consultation with the DWG, to retrofit existing drainage systems with water quality practices, evaluate outcomes, and provide outreach.

Oversight, support, accountability reporting \$0.59M to prepare an annual report to the legislature. Grantees will provide to BWSR: anticipated water quality benefits; relationship of restoration projects to TMDL load allocations; relationship of protection projects to monitored water quality trends; and county progress in implementing SSTS programs and upgrading open lot feedlots <300 AU in shoreland areas. Applicants will need to specify outcomes *prior* to any grant awards.

Technical Assistance and Engineering \$2.75M for targeted nonpoint restoration technical assistance and engineering.

SSTS Programs \$3.5M in grants to counties that have adopted SSTS ordinances and can demonstrate enforcement of the ordinances for SSTS inventories, enforcement, development of databases, and systems to insure SSTS maintenance reporting program results to BWSR and MPCA and base grants.

And, imminent health threat systems \$1.8M in grants to address imminent health threat and failing SSTS

... while BWSR General Fund will see a 10.8% Decrease *Note: Unallotment could further reduce the BWSR budget.*

- Cost Share Grants: decrease by 17% from \$6.3M in 2008-09 to \$5.2M for 2010-2011. At least \$900K per year is for riparian buffers which allows for no more than \$1.1M per year for regular cost-share. CWMA program is funded at \$100K / year. Feedlot Cost Share is funded at \$500K / year.
- Natural Resource Block Grants: decrease of 5% from \$8.2M in 2008-09 to \$7.8M for 2010-2011.
- SWCD General Service Grants: decrease of 1.8% from \$7.1M in 2008-09 to \$7.0M for 2010-2011.
- Basins: Red River Basin Board and MN River JBP funding decreased from \$200K each in 2008-09 to \$180K each on 2010-11. The Area II Flood Plain Mgmt Board decreased 7% from \$280K in 2008-09 to \$260K in 2010-11.
- BWSR Administration: decrease of 8.8% from \$10.4M in 2008-09 to \$9.4M for 2010-2011.

We need your help! The Outdoor Heritage appropriation was only for 2010. And it's possible that the Clean Water Fund appropriation for 2011 will be reviewed and possibly reallocated by the legislature next year. We strongly urge you now, *this summer*, to schedule some one-on-one time with your local legislators and your county commissioners to learn more about you: your programs, practices and efforts at improving water quality and habitat. Hearing your story while in their backyard in their off-season goes a long way during the legislative session!