

MASWCD Policy Positions 2011

updated August 30, 2011



**A Compilation of All Standing Resolutions
Along with Policies Developed by the MASWCD Board
of Directors**



Minnesota Association of Soil and Water Conservation Districts
www.maswcd.org

MASWCD POLICY DEVELOPMENT

Each year, MASWCD membership utilizes the resolutions process as a means for members to voice concerns or opinions to influence change within the organization.

Resolutions are initiated at the local, grassroots level and must be approved by a member SWCD to move forward to the Area level. At the Area level, a resolution must pass by a majority vote to be considered at the state level.

The eight Area Directors then forward resolutions that passed at the Area level to the MASWCD Board of Directors, the board on which they serve. The MASWCD Board directs the Resolutions/Policy Committee to review the resolutions in order to consolidate identical resolutions, clarify intent when necessary and identify those which are already MASWCD policy. The Committee then presents its recommendations to the Board.

Upon the Board's review, the resolutions go out to member districts for statewide pre-convention balloting. This process is a means to limit debate on the floor of the convention on resolutions for which the membership is in strong agreement for or against. Through pre-convention balloting, each supervisor of a member-SWCD is eligible to vote once on each resolution to approve, disapprove or bring to the floor of the Annual Convention for discussion or amendment. One ballot is used per district to tally supervisor votes. The ballots are sent back to the MASWCD office to be tallied. The following rules apply to the pre-balloting process:

- **APPROVE:** If 66 percent of all supervisors whose ballots are received vote to APPROVE a resolution, the resolution will be deemed as moved and seconded for adoption at the annual meeting.
- **DISAPPROVE:** If 66 percent of all supervisors whose ballots are received vote to DISAPPROVE a resolution, it will automatically be rejected, with no further action at the annual meeting.
- **DISCUSSION, AMENDMENT:** If 34% of all supervisors whose ballots are received vote to BRING THE RESOLUTION TO THE CONVENTION FLOOR FOR FURTHER DISCUSSION OR AMENDMENT, it will be brought to the MASWCD annual meeting for further action. This provision overrides the first two, in the event that this condition and one of the above conditions are both met.

Resolutions which move forward as a result of pre-convention balloting are addressed during the business meeting portion of the MASWCD Annual Convention. Resolutions voted on from the convention floor require a majority vote for passage. MASWCD provides a parliamentarian to address questions of amendment procedure, etc. When a resolution passes, either through pre-balloting or on the convention floor, it then becomes MASWCD policy to support that resolution.

What follows is a compilation of all standing MASWCD resolutions. Also included are policies developed by the MASWCD Board of Directors.

* during appropriate legislative session – biennial budget odd years, capital budget (bonding) even years

** if federal program or issue involved

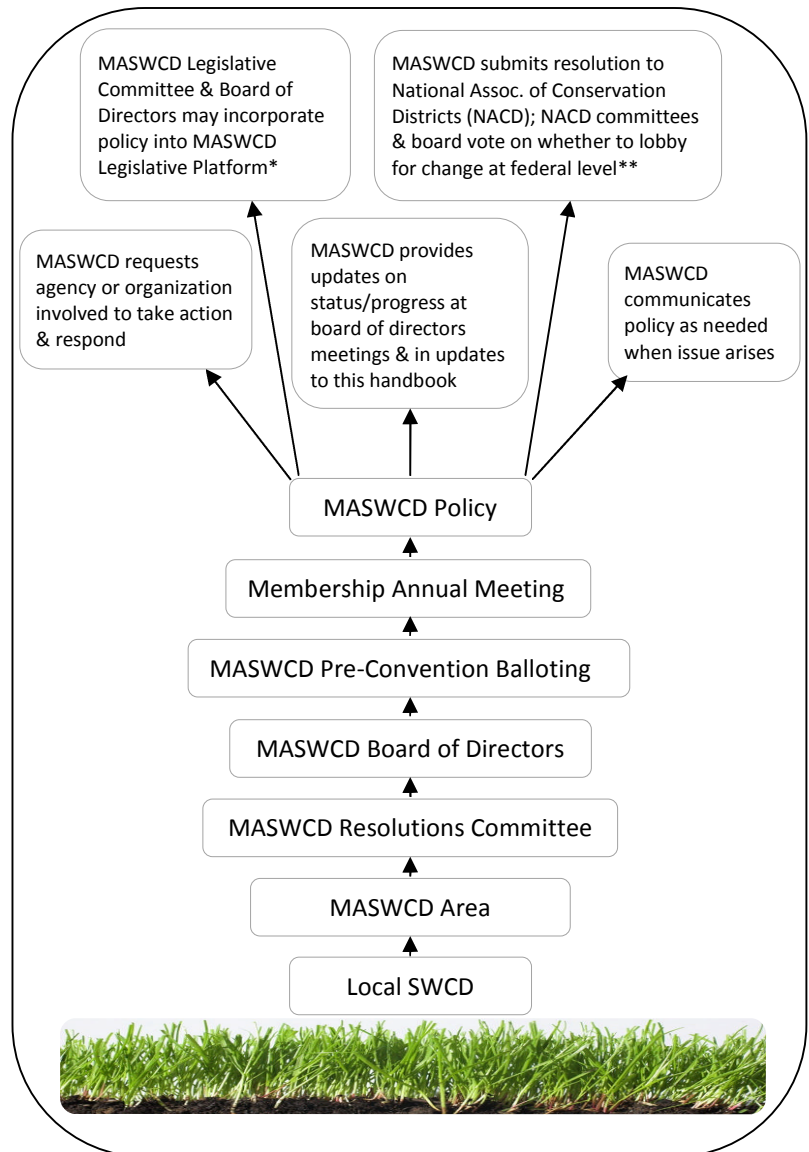


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Section 1 – MASWCD Operations

ANNUAL CONVENTION

28-2010

Policy goal: Begin the MASWCD Annual Convention on Sunday evening and end after the Outstanding Conservationist Luncheon on Tuesday.

Background: Many SWCDs need to travel Sunday to attend Monday morning convention meetings. There are limited activities for Sunday evening. A majority of the SWCDs leave after the Tuesday Outstanding Conservationists Luncheon. Attendance is low at the Tuesday afternoon session and evening banquet. The Tuesday evening banquet requires some SWCDs to spend an extra night at the convention and the next day traveling.

Approved: December 7, 2010

Sunset Date: December, 2014

Status: Because MASWCD signs facility contracts two-years in advance of the convention, and is already contractually obligated to hold certain functions for the 2011 and 2012 conventions, this may require an incremental transition, phased in over a period of a couple years.

MASWCD DISTRICT CAPACITY PROGRAM MODIFICATION

29-2010

Policy goal: Modify the District Capacity Awards program to focus on the capacity of districts to provide services needed by the public in their area, removing agricultural bias and reducing the penalty for not participating in MASWCD sponsored activities.

Background: MASWCD encourages and acknowledges superior service to the public by its members through the District Capacity Awards program. The current MASWCD District Capacity Awards program favors agricultural conservation practices over other forms of conservation and presumes co-location and a close partnership with NRCS. Many districts are not co-located with NRCS and/or do not work in primarily agricultural areas and so do not have the demand for agricultural conservation practices presumed to exist when the awards criteria were established. Many of the criteria are focused on encouraging members to participate in MASWCD sponsored activities, which is not necessarily reflective of the level of service provided to the public, i.e. 'District Capacity.'

Approved: December 7, 2010

Sunset Date: December, 2014

Status: MASWCD is reviewing the District Capacity Score Sheet and may develop a District Self Assessment as a district capacity tool for our members. The process for selecting the "district of the year" is also being reviewed.

POSTER, MURAL, VIDEO CONTESTS

19-2009

Policy goal: Discontinue the youth contests for posters, murals and videos at the State level, and investigate new ways to support educational efforts at the local level.

Background: Participation in the Poster, Mural and Video Contests has steadily declined for many years to the point where many Districts and Areas don't have them. Most Districts already hold field days or classroom instruction that they feel are more successful at educating youth than the Poster, Mural and Video Contests. The Envirothon and Jr. Envirothon are gaining strength, visibility and participation as tools to educate our youth about conservation.

Approved: December 8, 2009

Sunset Date: December, 2013

Status: MASWCD continues to offer the materials (contest rules templates, study guides, and other resources) on-line via the MASWCD web site for SWCDs to use as they see fit at the local and Area level.

AWARD FOR SWCD SUPPORT STAFF AT MASWCD ANNUAL CONVENTION

20-2009

Policy goal: A new award be developed, by the Board of Water and Soil Resources and/or MASWCD, to recognize Outstanding District Employee support staff at the MASWCD Annual Convention.

Background: Currently, BWSR recognizes an Outstanding District Employee at the MASWCD Annual Convention - this award is typically awarded to SWCD District Managers, Coordinators, Administrators, and Technicians. SWCD Secretaries, Administrative Assistants, etc, play a major role in the success of the local SWCD and have not been recognized for their role in implementing conservation practices at the local level.

Approved: December 8, 2009

Sunset Date: December, 2013

Status: MASWCD staff has discussed this resolution with BWSR and with the Minnesota Association of Conservation District Employees. No funding is currently available for a new award; however options will continue to be pursued.

Section 1 – MASWCD Operations (*continued*)

CHANGING MASWCD AREA BOUNDARIES TO MATCH TSA BOUNDARIES

01-2008

Policy goal: Revise the current MASWCD Areas to be in conformity with the Technical Service Areas (TSA) boundaries no later than March 1st, 2009.

Background: The change in boundaries will improve the focus of MASWCD areas demographically and ecologically. Having the boundaries the same will increase the efficiency and communication between the TSA representatives of SWCDs. Meetings and communication can occur during areas meetings which could decrease the number of TSA meetings that are needed and save SWCD operating funds.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: All MASWCD Area boundaries now coincide with Technical Service Area boundaries. MASWCD Areas have revised their area bylaws to conform to their member SWCDs.

SUPERVISOR LEARNING OPPORTUNITIES

37-2007

Policy goal: Designate and direct either a committee or a task force to gather, sort and report ideas to provide effective learning opportunities especially for supervisors at the district level.

Background: Our effective conservation delivery system depends on mutual respect and cooperation. Respect is often a result of recognized competence and passion of stakeholders who know what should be done to promote soil and water quality. A certain level of understanding is the personal duty of elected officials. Supervisors can be more effective in the conservation delivery system if they recognize possibilities and limitations of their positions.

Approved: December 4, 2007

Sunset Date: December, 2011

Status: MASWCD continues to recognize the importance of learning opportunities for supervisors through orientation and refresher conferences and as part of Area meetings.

PROMOTION OF SOIL & WATER CONSERVATION DISTRICTS AT CAREER FAIRS

39-2007

Policy goal: Organize a program that sponsors a booth at career fairs held at colleges and universities, and adequately fund costs associated with attending a career fair including, but not limited to, registration and travel.

Background: SWCDs are always looking for well-qualified individuals to fill positions across the state. It would be beneficial for colleges and students to know what is available in the future job market. Career fairs held at colleges and universities are a good way to expose the organization to the types of jobs available with SWCDs. By attending a career fair, all positions available for employment at the time could be advertised.

Approved: December 4, 2007

Sunset Date: December, 2011

Status: MASWCD has provided support for efforts by the Conservation Corps and the Board of Water and Soil Resources in the development of a conservation apprenticeship academy. The program introduces the next generation of conservation leaders to the field of conservation. For 2011, over 30 SWCDs will have a college student working in their SWCD over the summer months.

MASWCD STATE OFFICERS SERVING ON NACD COMMITTEES

40-2007

Policy goal: Fully budget for current board members serving on national committees to complete their responsibilities on national committees even if his/her term has expired.

Background: MASWCD state officers may serve on committees of the National Association of Conservation Districts. Some of these committee assignments extend into the year following the expiration of the state term of office. These committee responsibilities benefit the MASWCD and all districts.

Approved: December 4, 2007

Sunset Date: December, 2011

MASWCD SPONSORED EVENTS

Board Policy, ratified March 22, 2005

MASWCD events are benefits of dues paying membership into the Association, and as such, only supervisors and staff of dues paying SWCDs are eligible to register for and attend those events. The exception to this would be the annual meeting, where all SWCD supervisors and staff are eligible to pay registration and attend, but only supervisors of dues paying districts are eligible to vote during the business meeting, as specified in the MASWCD bylaws.

Section 2 – SWCD Operations

STATEWIDE DIALOGUE ABOUT SWCD STRUCTURE FOR FUTURE CONSERVATION DELIVERY IN MN

1-2009

Policy goal: Develop and conduct a statewide dialogue about the future structure of SWCDs across Minnesota. When consensus has been reached, the MASWCD shall develop a strategy to strengthen each SWCDs technical, financial and political status to effectively lead conservation efforts across Minnesota in the future. This task shall be completed by the 2013 MASWCD convention.

Approved: December 8, 2009

Sunset Date: December, 2013

Status: MASWCD has been an integral member of the Local Government Roundtable, discussing the delivery of water management in Minnesota, along with the Association of Minnesota Counties and the Minnesota Association of Watershed Districts, with support from BWSR. A Water Management Summit for local government was held in July, 2010 to engage the membership on ways to enhance and improve the delivery system. The Local Government Roundtable evaluated input from the Summit and continues working collaboratively to provide consensus recommendations to members and state policy makers on how to deliver water management in Minnesota to be more efficient and effective in accordance with economic realities of our state and nation and the accompanying pressures on state and local resources. A report was provided at the 2010 MASWCD Annual Convention.

CONSOLIDATION OF SWCD FINANCIAL REPORTING

18-2009

Policy goal: Work with the Office of the State Auditor and the Board of Water and Soil Resources to coordinate a streamlined financial reporting process to limit duplication for SWCD staff.

Background: SWCDs submit Annual Financial Statements to the Board of Water and Soil Resources (BWSR) and the Office of State Auditor. The SWCD Annual Financial Statements include: Statement of Net Assets and Governmental Fund Balance Sheet, Statement of Activities and Governmental Revenues, Expenditures and Changes in Fund Balance, Budgetary Comparison Statement, Notes to the Financial Statement, Management's Discussion and Analysis Notes, and Fixed Assets List. Under Minnesota State Statute Section 6.74, adopted in 2008, SWCDs are required to complete a "Special District Financial Reporting Form" annually for the Office of the State Auditor. The majority of information requested in the "Special District Financial Reporting Form" is already submitted to the Office of the State Auditor in the SWCD's Annual Financial Statements.

Approved: December 8, 2009

Sunset Date: December, 2013

Status: MASWCD submitted the resolution to the Office of the State Auditor, seeking a way to address the apparent reporting redundancy. In correspondence dated April 27, 2010, David R. Kazeck from the Government Information Division of the Office of the State Auditor replied as follows:

"The requirements for Soil and Water Conservation Districts to complete the Financial Reporting Form, along with sending in a copy of the financial statements, are the same as for cities, counties, towns and other local governments. By completing the form, local governments may provide the additional detail we need that is not shown in the financial statements. The completion of this reporting form also provides the uniform data we use to report the financial activities of local governments to the public, local government officials, and other policy makers."

Section 2 – SWCD Operations (*continued*)

ANNUAL FINANCIAL REPORTING REQUIREMENTS FOR SWCDs

04-2008

Policy goal: Work with BWSR financial oversight staff and State Auditor’s staff to develop reports within existing accounting programs to reduce SWCD staff time required for meeting state reporting requirements.

Background: The State requires SWCDs to complete annual financial reports in addition to regular independent audits. Completing these annual financial reports creates a significant workload for SWCDs that have high administrative turnover or inadequate administrative support. Most SWCDs use accounting software that could be utilized to create the needed financial information for submission “as-is” to the State Auditor, without transferring data to forms that meet State Auditor requirements.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: MASWCD forwarded the resolution to BWSR for their consideration. BWSR response dated November, 2009 states: “The Office of State Auditor developed a “Special District Financial Reporting” form in response to new legislation in 2008 aimed at getting more timely financial reporting information from “smaller” LGU types. BWSR did not know in advance about the form, but once we did, we developed a help sheet and sent that to SWCDs. The new form takes almost all of its information directly from the financial statements that districts already prepare. There was only some data about number of employees that was not in the financial statements. The accounting programs used by most districts provide most if not all the information required by the Government Accounting Standards Board (GASB), but they do not always provide it in a form that meets all the requirements. Format is set by GASB and entities such as the Office of State Auditor. (The only thing BWSR adds to the financial statement package beyond GASB is the breakdown of deferred and county revenue.) BWSR does not support any change in the current requirements because they provided needed data that is in a form that not only meets BWSR needs but also meets citizen needs to understand financial statements of government entities.”

STATE AUDITOR’S OFFICE CHARGING FOR AUDIT REVIEW

05-2008

Policy goal: Look into the removal of the fee assessed to SWCDs from the Office of the State Auditor and work toward any rule or legislative change necessary for the removal of the fee.

Background: All SWCDs in the state are required to hire a private auditor to audit their financial statements. These private auditors are Certified Public Accountants and audits are conducted by accepted practices. These audits are to be full scope in nature, resulting in audited financial statements, the auditor’s opinion on the financial statements, and reports on internal control and compliance. These audits will be conducted in accordance with general accepted auditing standards and the Minnesota Legal Compliance Guide for Local Government. The audits are forwarded to the State Auditor’s Office for review and assessed a fee for their audit review of up to 15% of the audit.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: During the 2011 state legislative session, bills were introduced in both the House and Senate that would permit counties to perform private audits meeting the standards of the state auditor. MASWCD requested that SWCDs be included in the legislation to address the issue on removal of the statute auditors’ fee for review. Due to the slightly different focus of the two issues, and the different areas of statute that would need to be changed, efforts to include SWCDs were unsuccessful. In addition, the legislation received considerable push-back from the State Auditor, who believes review of private audits is a necessary function of the Office of the State auditor. Further, from the perspective of the Office of the State Auditor, the inadequate funding their office receives from the state requires them to charge the local government entities to conduct such reviews. The legislation stalled in committee.

Section 2 – SWCD Operations (*continued*)

REMOVE STATEMENT OF ECONOMIC INTEREST REQUIREMENT

24-2008

Policy goal: Work with State Legislators to remove SWCD supervisors from the requirement of completing and filing Economic Interest Statements (EIS).

Background: In 2007, the Legislature enacted law which added SWCD supervisors to the definition of public official in MS 10A.01. This new designation carries with it the requirement of filing an EIS upon election or appointment. These documents require SWCD supervisors to provide a vast amount of information on personal finances. Yet supervisors receive relatively small per diem reimbursements for their service on SWCD boards. SWCD boards are local units of government that do not establish or collect taxes as compared to county commissioners or state legislators. This additional requirement for SWCD supervisors will hinder the interest of candidates to run for these positions. For 69 years, SWCD supervisors have shown a track record of getting conservation on the ground without conflicts due to personal economic interest.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: During the 2011 state legislative session, bills were introduced in both the House and Senate that would remove watershed districts, and watershed management organizations, from the definition of “public official” in state statute. This would remove the requirement for these entities to file economic interest statements with the Campaign Finance and Public Disclosure Board. The Senate bill stalled in committee, where there was resistance from members toward removing these positions from conflict of interest law. Because of MASWCD standing policy on this issue, MASWCD worked with Rep. McFarlane and testified in committee in support of also including the removal of SWCDs in the legislation. The House bill passed out of the Government Operations and Elections Committee in amended form, including SWCDs. It is expected that discussions on this issue will continue during the summer and fall of 2011, prior to the next regular legislative session.

ELECTION OF SWCD SUPERVISORS

Board Policy, ratified February 22, 2005

MASWCD supports current SWCD statute which provides for local SWCD determinations of supervisor nominating districts for elections of SWCD supervisors. Further, MASWCD would oppose legislation to make it mandatory to change the SWCD statute regarding elections.

Background: SWCD statute provides for supervisors to be elected on a county-wide basis. In 2003, the MASWCD updated the SWCD statute to also allow SWCDs the option to be elected by nomination districts. The SWCD statute allows discretionary authority for SWCDs, with the approval of the Board of Water and Soil Resources, to change from the current county-wide election of supervisors to election by a nominating district. If an SWCD chooses to move to election by a district it requires that the supervisor districts must align with county commissioner districts. It also allows the number of supervisors to be greater than 5 in counties with more than 5 county commissioner districts such as Dakota, Ramsey, Hennepin, and St. Louis. SWCD supervisors are elected on the general ballot and work with private landowners to implement conservation projects throughout their local district. SWCDs benefit by having local elected supervisors familiar with the landscape, land-use, soil type and other natural resources issues in their district.

Section 3 – State Conservation Programs and Issues

SWCD FUNDING ISSUES

REDUCE NUMBER OF CLEAN WATER FUND COMPETITIVE GRANT CATEGORIES, CHANGE RANKING PROCESS 02-2010

Policy goal: Seek legislative change to reduce and combine the number of categories and/or make districts eligible for more categories that exist in the Clean Water Fund Competitive Grant process. Work to implore the Board of Water and Soil Resources (BWSR) to change the ranking process to appropriately recognize the importance of preservation of water resources for the state of Minnesota.

Background: In the current round of Clean Water Fund Competitive Grant allocations it became apparent that preservation projects do not score as well as restoration applications. The multiple categories left many districts bewildered as to where their application would fit into these categories. The Northeast and North Central areas found that their proposed projects were almost uniformly unfunded in the granting process.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: BWSR and the Clean Water Council have worked to decrease the number of grant categories going forward. The proposal for Clean Water Funds was approved by the legislature and signed into law by the Governor during the 2011 special legislative session. Ranking criteria provide equal points toward protection and restoration projects.

REDUCE LOCAL MATCH ON CLEAN WATER FUND COMPETITIVE GRANT APPLICATIONS

04-2010

Policy goal: Seek changes in the granting process to reduce the matching percentage on Clean Water grants to 10%.

Background: Of the local entities that are eligible to apply for Clean Water funds from the Board of Water and Soil Resources, local SWCDs are the only governmental units that have no power to tax to raise the necessary local match. Since the funds to finance these activities are raised by taxing all citizens throughout the state through the Legacy Amendment which means that local citizens are forced to pay twice for these grants. In time of budget reductions Districts find themselves at a disadvantage in finding dollars to keep staff in place to complete projects.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: MASWCD submitted the resolution to BWSR, where it was taken up as an agenda item by the BWSR grants committee on June 13, 2001. There was interest in exploring options, but still concern about the risks inherent with letting grants go out to recipients without an adequate match. The Committee may consider alternatives for future years' allocations, however, for the FY 2012 grants, the required match will stay at 25%, unless specified differently in the RFP document. Note however, that the matching cash or in-kind cash value provided by a landowner, land occupier, local government or other non-state source may be used to match CWF grants.

NATURAL RESOURCES BLOCK GRANT FLEXIBILITY

05-2010

Policy goal: Support and encourage the Comprehensive Local Water Management (CLWM) and Wetland Conservation Act (WCA) allocation of the NRBG be spent as needed each year.

Background: The Natural Resources Block Grant (NRBG) consists of five different grants: Comprehensive Local Water Management (CLWM), Wetland Conservation Act (WCA), Subsurface Sewage Treatment Systems (SSTS), Shoreland, and Feedlots. The CLWM and WCA grants are from BWSR, the others are from other state agencies. Each program takes a different amount of work and staff time each year. Some years there are insufficient funds in one program or the other. There is currently no flexibility to move funds between programs.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: BWSR has adopted a policy to allow flexibility in the use of NRBG funds across grant categories.

Section 3 – State Conservation Programs and Issues *(continued)*

SWCD FUNDING ISSUES *(continued)*

BWSR RUNOFF REDUCTION GRANTS

07-2010

Policy goal: Support and encourage SWCDs eligibility for BWSR Runoff Reduction Grants through the Competitive Clean Water Grant process for FY2012 and FY2013 if funds are allocated to the program.

Background: The FY2010 Competitive Clean Water Grants offered a BWSR Runoff Reduction Grant. These grants were designed to target structural and vegetative practices to reduce storm water runoff and retain water on the land to reduce the movement of sediment, nutrients and pollutants. Practices should accomplish restoration, protection or enhancement of water quality in lakes, rivers and streams and/or protect groundwater and drinking water. SWCDs implement many of these types of practices. SWCDs are not eligible to apply for these grants for FY2010 or FY2011.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: This category was created by the legislature for the 2010-2011 funds. The legislature did not include this as a category for 2012-2013 funds.

INCREASE SWCD TECHNICAL ASSISTANCE FUNDING

12-2010

Policy goal: Develop a strategy to request and acquire additional Technical Assistance funding for SWCD staff from the State. At a minimum, funding should be requested to annually support one staff person per District, across the state, at a suggested level of at least \$45,000 per district.

Background: Minnesota has a strong natural resource base to preserve and protect. No publicly funded conservation project is completed in Minnesota without someone qualified to work with the landowner and provide technical assistance. Minnesota SWCDs have been a leader in providing technical assistance to landowners and effectively implementing multiple conservation programs. SWCDs have a strong working relationship with other governmental units-such as cities, schools and townships-, private industry, local conservation groups and other nonprofit organizations. Minnesota SWCDs have been significantly impacted by budget reductions and cuts to staffing across the state. With the passage of the Clean Water Land and Legacy Amendment in 2008 significant new funds for conservation related project implementation will be available across the state and will require qualified technical assistance.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: State budget deficits and cuts - not increases - to funding for SWCD programs have precluded MASWCD from seeking additional technical assistance funding.

INCREASE WCA FUNDING FOR COUNTIES OUTSIDE OF THE ELEVEN COUNTY METRO AREA

22-2009

Policy goal: Work with the Minnesota State Legislature, Minnesota Board of Water and Soil Resources (BWSR) and Association of Minnesota Counties (AMC) to lobby for enhanced funding for SWCDs and LGUs outside of the 11 county metropolitan area experiencing increased workloads related to WCA enforcement issues.

Background: In 2007 through 2009, the 11 county metropolitan area received an increase in Wetland Conservation Act (WCA) funding for enforcement related violations. Baseline funding for SWCDs and LGUs outside of the 11 county metropolitan area has not increased since 2004. Producer participation in the USDA Farm Program is no longer a valid exemption under the WCA. Agricultural drainage activity on cropland in greater Minnesota has increased significantly due to many factors. DNR wetland enforcement flights are being conducted on a regular basis in greater Minnesota, leading to an increase in enforcement issues for LGUs and SWCDs.

Approved: December 8, 2009

Sunset Date: **December, 2013**

Status: State budget deficits and cuts - not increases - to funding for SWCD programs have precluded MASWCD from seeking additional WCA funds.

Section 3 – State Conservation Programs and Issues *(continued)*

SWCD FUNDING ISSUES *(continued)*

INCREASING BASE FUNDING OF EXISTING STATE PROGRAMS

02-2008

Policy goal: Work with the Board of Water and Soil Resources (BWSR) to pull together resources to increase SWCD base funding through existing state programs or by developing a new funding source specifically for SWCD/JPA staff.

Background: The Non-Point Engineering Assistance (NPEA) Program, State General Services Grant and Comprehensive Local Water Management Plan (CLWMP) are all administered and overseen by BWSR. The NPEA program funding has not been increased since it was established in 1995. The General Services grant has only had approximately a 7% increase in the last decade. The CLWMP was permanently cut by 43% in FY 2004. Consequently, most SWCDs have experienced budget cuts, reduced staff hours and/or reduced positions during the last 5 years. Yet during the last 5 years, BWSR Full Time Equivalent (FTE) staff increased from 65 in FY 2004 (43 FTE funded by general fund and 22 FTE from other sources such as bonding, grants, agreements) to a current total of 78.8 (additional 7.8 FTE staff from general fund and 6 FTE from other sources; as of summer, 2008). If the State Legislature identifies a need for BWSR administrative funding to maintain and increase staff positions, it should logically follow that the SWCDs implementing the programs administered by BWSR should receive administrative increases as well. Further, when the state determines inflation and cost of living increases for BWSR, those increases should also be applied to the state programs implemented by SWCDs.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: MASWCD forwarded the resolution to BWSR for their consideration. BWSR response dated November, 2009 states: *“In spite of our collective efforts last session, Cost Share Grants decreased 17%, Natural Resource Block Grants decreased 5%, and SWCD General Service Grants decreased 1.8%. We worked to protect the grant programs that provide the most support to SWCD operations. However, given the chronic deficits the state is running and a very high potential for unallotments in the coming year it is an uphill battle to be sure. We hope increased coordination with the Associations of Minnesota Counties and Watershed Districts will add needed visibility in upcoming sessions. Key to this will be the efforts of your members between sessions.”* Continuing state budget deficits, and cuts - not increases - to funding for SWCD programs, have precluded MASWCD from seeking additional funding for SWCDs. During the 2011 legislative session and special legislative session, BWSR and MASWCD support for SWCD funding helped protect districts from drastic cuts that were originally proposed by the legislature, however, cuts did occur: Cost Share Grants decreased 31.5%, Natural Resource Block Grants decreased 2.92%, and SWCD Conservation Delivery Grants decreased 2.17%.

TECHNICAL AND ADMINISTRATIVE ALLOCATION FOR BWSR GRANTS

03-2008

Policy goal: Work with the Board of Water and Soil Resources (BWSR) to change grant program rules to allow half of the technical and administrative assistance funding to be counted as income to SWCDs once the grant agreement is approved and the other half when the practices are complete.

Background: There are a number of BWSR grants available to provide technical assistance to landowners installing conservation practices. These grants are made available to landowners through the local SWCD that provides the technical and administrative assistance to the landowner. A certain percentage of the grant allocation to the local SWCD is dedicated for technical and administrative assistance. SWCDs are not allowed to count technical and administrative dollars as income until the practices are complete. Costs are incurred for SWCD staff to promote programs through advertising, establishing landowner contacts, and correspondence. Conservation practices also involve technical assistance to determine program eligibility; if it is determined the landowner, property or practice is ineligible there is no compensation for the time spent on that project.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: MASWCD forwarded the resolution to BWSR for their consideration. BWSR response dated November, 2009 states: *“Current practice allows districts to claim TA as income only after a practice is completed. Making half of the TA amount available upon the signing of an agreement would help offset real costs incurred by districts when landowners pull out prior to construction. BWSR is undertaking revisions to state cost-share rule in 2010 and will examine the advantages and disadvantages of this approach as well as the probable statutory barrier.”* As of August, 2011, revisions to cost-share rule are still in progress and SWCDs had opportunity for input. Proposed changes moving through the rulemaking process and the planned Board adopted policy is for the 20% technical assistance allowance to be available when the funds are received.

Section 3 – State Conservation Programs and Issues *(continued)*

SWCD FUNDING ISSUES *(continued)*

WCA FUNDING DIRECTLY TO SWCDS

06-2008

Policy goal: Work with the Board of Water and Soil Resources (BWSR) to make any necessary changes to allow payment of Wetland Conservation Act (WCA) funds directly to SWCDs without first going through a county, and without requiring that SWCDs match the WCA funds.

Background: SWCDs have many responsibilities with WCA. SWCDs receive funding from the state through BWSR as compensation for some WCA workload. This funding is in the form of Natural Resources Block Grants, received by counties, with a portion required to be passed-through by the county to the SWCD(s) in the county. BWSR has an existing relationship with SWCDs where grants (General Service, Cost-share, etc) are paid directly to SWCDs. BWSR allocating funds first to counties to pass-through to SWCDs is a step that has caused delays in WCA payments being made to SWCDs.

Approved: December 9, 2008

Sunset Date: **December, 2012**

Status: MASWCD forwarded the resolution to BWSR for their consideration. BWSR's biggest concern is trying to maintain funding levels more so than examining how the money is distributed. BWSR is currently approaching districts for very preliminary comments on concepts they are using to change how grants of all types are distributed in the future. These early comments were to be compiled in April of 2011. BWSR's senior management team is using the information to check on their work team's progress on devising a new, more efficient granting process.

LEVY AUTHORITY FOR DISTRICTS

05-2007

Policy goal: Support changes to Minnesota Statutes 2006, Section 103C.331, Subd. 16, to be amended as follows:

Minn.Stat. 103C.331, Subd. 16:

Subd. 16. Budget. The district board shall annually present a budget consisting of an itemized statement of district expenses for the ensuing calendar year to the boards of county commissioners of the counties in which the district is located. The county boards [DELETE "may"] [INSERT "shall"] shall levy an annual tax on all taxable real property in the district for the amount that the boards determine is necessary to meet the requirements of the district. The amount levied shall be collected and distributed to the district as prescribed by chapter 276. The amount may be spent by the district board for a district purpose authorized by law.

Background: The original concept for funding of districts was for the state government to pay the administrative costs and the federal government to pay the operating costs. When Minnesota law was passed in 1937, it provided for the state to pay grants to the districts, the federal government to assist the district directly and through in-kind support, and for districts to submit annual budget requests to the county. Based on previous resolutions and the New Century Initiative, expanded funding options have been reviewed and proposed to improve conservation incentive programs and technical service delivery. Authorizing levy authority for districts would provide funding options and budget flexibility for districts.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: MASWCD adopted the levy options as part of the Association's legislative platform for 2003, 2004, 2005 and 2006. Most recently, MASWCD worked with the 2007 Legislature to promote project levy authority for SWCDs. This authority could be used to match CWL funding, EQIP, feedlot and other grant programs, and it would allow targeting of local resources to solve local problems in cooperation with counties. However, the legislature was focused on property tax relief following several years of state deficits and was not receptive to any legislation that included possible increases to local property taxes. MASWCD will continue to address the issue.

Section 3 – State Conservation Programs and Issues *(continued)*

SWCD FUNDING ISSUES *(continued)*

NATURAL RESOURCE BLOCK GRANT TIMELINESS

16-2007

Policy goal: Request that the Board of Water and Soil Resources (BWSR) develop a timeline in getting funding out to the Counties, SWCDs and other entities in a timely manner.

Background: BWSR receives funding from the State to provide funding to Counties, SWCDs and other entities through the Natural Resource Block Grant (NRBG). The NRBG provides funding for Local Comprehensive Water Planning, the Feedlot Program, the Wetland Conservation Act Program, the Individual Septic Treatment Systems Program and the DNR Shoreland Program. It is very important to the state of Minnesota that these programs be completed in a timely manner. The NRBG applications are due on October 30th each year. Entities doing the NRBG work are in need of those funds to keep the programs staffed.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: MASWCD forwarded the resolution to BWSR for consideration. May 2008 response from BWSR states the following:

State agencies are proposing two changes to expedite the NRBG granting process. These recommendations were approved by the Senior Management Team on May 14, 2008, and will be looked at by the Grants Committee later this month. The changes are:

- 1. Beginning in FY 09 – The application process for the NRBG will be discontinued. No agency application approvals will be needed. Grant agreements with Feedlot Base Grants will be sent out around mid-August 2008. Grant Agreements without Feedlot Base Grants will be sent out around mid-July 2008.*
- 2. Beginning in FY 10 – MPCA will have transitioned to calendar year reporting (previously fiscal year). All Grant Agreements sent out mid-July of 2009.*

COST-SHARE

RAINGARDEN SPECIFICATION REVISION

09-2009

Policy goal: Work with the Board of Water and Soil Resources to develop a cost share rain garden standard similar to the “Blue Thumb” design that is environmentally sound, practical and cost effective. Technical Approval Authority and training should be made available to staff for this approved cost share practice.

Background: MASWCD and BWSR approved the addition of rain gardens as a cost share best management practice. Rain gardens slow storm water control runoff, help prevent erosion, provide wildlife habitat, create beautiful landscaping and remove pollutants in the process. The design specifications for this practice were added to the Bio-Engineering Retention Specification (712) and this design specification is neither feasible nor cost effective for rain gardens. The installation of rain gardens offers a unique opportunity for SWCDs to reach urban dwellers and partner with them to promote conservation.

Approved: December 8, 2009

Sunset Date: **December, 2013**

Status: MASWCD has communicated with both NRCS and BWSR about the potential for revisions to the NRCS Interim Practice Standard 712, Bioretention Basin. NRCS will involve experienced rain garden designers in discussions on how the standard might be improved, as they have in the past. They will be looking to streamline the standard to focus on the minimum design criteria, and remove the “how to” information, or design guidance, from the standard. They may also include terminology definitions to promote more common understanding about types of bioretention basins, and a category (e.g. residential raingarden) that better enables limited scope, design criteria, cost and technical approval authority, where applicable.

Section 3 – State Conservation Programs and Issues (*continued*)

COST-SHARE (*continued*)

STORMWATER INFILTRATION COST-SHARE ELIGIBILITY

07-2008

Policy goal: Support the development of practice standards and the eligibility of infiltration techniques as a practice eligible under the State Cost Share Program. Encourage BWSR to include stormwater infiltration techniques as a practice eligible for State Cost Share Program assistance.

Background: Stormwater runoff conveys nutrients, sediments and a capacity for erosion which holds the potential to degrade downstream waters as volumes increase. By 2030, the seven county metropolitan area alone is expected to add over one million new residents and 470,000 new households. Other major metropolitan areas within the State will experience similar growth and development over the next 25 years. New development increases impervious surface which produces increased stormwater runoff volumes that impact our shared water resources. Stormwater infiltration can reduce the burden on stormwater infrastructure, provide recharge to groundwater aquifers, and abstract stormwater runoff volumes to downstream waters to the benefit of the environment. Raingardens, porous road surfaces, vegetated swales and other such low impact development techniques have a history of use and effectiveness in stormwater infiltration and management. Technologies exist to implement stormwater infiltration techniques as best management practices on residential, but are often cost prohibitive.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: MASWCD forwarded the resolution to BWSR for their consideration. BWSR response dated November, 2009 states: "BWSR acted on this resolution this summer. The cost-share program now provides the opportunity to cost-share on stormwater infiltration types of practices. This is specifically noted as bioretention basins (712) under practice categories D.7 Filter Strips and D.8 Sediment Basins."

STORMWATER RE-USE COST-SHARE ELIGIBILITY

08-2008

Policy goal: Support and encourage BWSR to include stormwater re-use as a technique eligible for State Cost Share Program assistance.

Background: Stormwater runoff is often viewed as a liability conveyed away from residential and agricultural sites to area waters. Stormwater runoff conveys nutrients, sediments and a capacity for erosion which holds the potential to degrade downstream waters as volumes increase. Stormwater detention and reuse at the site of runoff can: reduce the use of potable water for activities such as irrigation, livestock applications, household consumption in toilets and laundry; reduce the burden of potable water harvesting on groundwater aquifers and surface waters; and abstract stormwater runoff volumes to downstream waters to the benefit of the environment. Detention basins, cisterns, constructed wetlands, and other such engineered devices have a long history of use and effectiveness in stormwater re-use. Technologies exist to implement stormwater reuse techniques as best management practices on residential and agricultural sites, but are often cost prohibitive.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: MASWCD forwarded the resolution to BWSR for their consideration. BWSR response dated November, 2009 states: "The cost-share program is intended to establish enduring water quality projects. Much of this resolution appears to address water quantity issues (e.g. cistern). The rain garden and infiltration practices addressed in resolution 7 above also would seem to address the primary water quality practices mentioned in resolution 8."

Section 3 – State Conservation Programs and Issues *(continued)*

COST-SHARE *(continued)*

EXPAND STATE COST-SHARE PROGRAM TO INCLUDE SOIL QUALITY IMPROVEMENT, IRRIGATION WATER MANAGEMENT, AND LIVESTOCK WATER PRACTICES

09-2008

Policy goal: Work with the BWSR Grant Committee to expand the State Cost Share Program to add soil quality improvement, irrigation water management, and livestock watering as approved conservation practices utilizing applicable existing practice standards in the USDA Field Office Technical Guide.

Background: Protecting soil quality is as vital for the soil resource as prevention of soil erosion. Improving soil quality can: increase the capture of excess nutrients in the soil profile, alleviate soil compaction, reduce agricultural demands on water resources by increasing efficiency of natural precipitation and Irrigation water use. Efficient irrigation water management can reduce demand on water resources, reduce leaching of nutrients and pesticides from the soil to groundwater, and reduce soil erosion and sedimentation. The State of MN has deemed ensuring adequate livestock watering a priority via the drought disaster assistance emergency program. A regular livestock watering cost share assistance program would allow the time needed to get the most efficient and effective practice in place before drought periods occur and protect water quality by reducing the need for livestock access to surface water. Expansion of the State Cost share program could allow SWCDs to make better choices in allocating funds to local high priority projects.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: MASWCD forwarded the resolution to BWSR for their consideration. BWSR response dated November, 2009 states: "... the cost-share program is geared to water quality projects. Irrigation and livestock water supplies are considered more of a quantity issue that we are not interested in pursuing. Soil quality efforts—though necessary and desirable—have difficulty in meeting the program’s requirement for “enduring” practices. The depletion of organic matter or nutrients is constant and maintenance is needed. This is similar to BWSR’s position on not funding nutrient management plans through the cost-share program.”

CONTROL OF INVASIVE SPECIES AS A COST -SHARE PRACTICE

10-2007

Policy goal: Encourage BWSR to develop a State Cost Share Program practice for control of invasive species on the private lands of Minnesota.

Background: Invasive species such as Buckthorn, Prickly Ash and Garlic Mustard are adversely affecting ecosystems throughout the state. These species left undisturbed tend to develop into monocultures that negate the effects of the diversity of ecosystems including the degradation of water quality. Both the Federal EQIP (Environmental Quality Incentive Program) and WHIP (Wildlife Habitat Incentive Program) have control of such species as a cost share practice under these respective programs. Not every landowner can qualify for participation in these programs and/or there is lack of funding to adequately meet the need. The State Legislature has recently recognized this need and called upon BWSR to “develop forest ecological restoration standards and policies.”

Approved: December 4, 2007

Sunset Date: December, 2011

Status: MASWCD forwarded the resolution to the Board of Water and Soil Resources for consideration. Their response of May, 2008 indicates that two new eligible components of D.1 Critical Stabilization now allow cost-sharing on the control of invasive species:

1. Restoration and Management of Declining Habitats (643), *added March '08*
2. Establishment of Cooperative Weed Management Areas, *added May '08*
(May be used only for the establishment of cooperative weed management area programs)

Section 3 – State Conservation Programs and Issues (*continued*)

DRAINAGE

SUBSURFACE (TILE) DRAINAGE TO REDUCE TURBIDITY AND PROVIDE FLOOD CONTROL

17-2010

Policy goal: Support and encourage BWSR, NRCS, and watershed districts to explore subsurface drainage as a means of reducing sediment to waters of the State and also as a potential flood control measure.

Background: The federal Clean Water Act (CWA) requires states to adopt water-quality standards to protect waters from a wide range of pollutants. Yearly, many waters of the State are added to Minnesota Pollution Control Agency's Impaired Waters List due to sediment loading (turbidity). Flooding has and continues to be a serious problem throughout the State. Artificial drainage systems have supported agricultural production in Minnesota for over a hundred years. Open field ditch drainage systems contribute to sedimentation problems during heavy rainfall, flood events, and to some extent spring runoff. Subsurface (tile) drainage promotes better percolation, slowing water delivery from the landscape thus reducing surface runoff pollutants, lowers the water table allowing greater water infiltration and increased storage during heavy rainfall or flood events. Proper soil drainage improves agricultural production by ensuring timely planting and field operations (such as harvesting) as well as improving the opportunity to employ other conservation practices such as minimum tillage. Poorly drained soils increase risks to agricultural production from excess water and high water tables. State and federal lawmakers look for ways to reduce crop damage payments due to emergency/disaster declarations.

Since 1993 parts of the state have been enduring a severe wet cycle. Local government units are looking at options to not only reduce flood damages and prevent sedimentation problems, but also maintain a profitable crop production system. Naturally, avoiding any wetland impacts would be paramount and all subsurface drainage requests would need to follow present permit procedures. Numerous studies by Minnesota Extension Service and Minnesota Department of Agriculture have been and are being conducted to explore the positive side of subsurface drainage systems. Potentially, surface drainage systems could be filled in and replaced by subsurface drains.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: This resolution will be submitted to the Drainage Work Group for consideration and follow-up. The Drainage Work Group is led by the Board of Water and Soil Resources and consists of stakeholders, including representation by MASWCD.

FEEDLOTS

FEEDLOT COST-SHARE SIZE LIMITATION

E1-2009

Policy goal: Support a change in legislation to allow cost-share funds to be utilized on all non-NPDES feedlots.

Background: The Board of Water and Soil Resources (BWSR) accepts, processes and awards legislative appropriated dollars as cost share to address feedlot runoff issues. Cost-share contracts are approved, and prioritized at the local level. Funding sources may include state cost-share, clean water legacy, and clean water amendment. Current legislation only allows funds to be utilized on feedlot sites which are less than 300 animal units. Feedlot sites larger than 300 animal units have runoff issues, and are in need of assistance. Feedlot producers are having to increase to more than 300 animal units to stay economically viable. National Pollutant Discharge Elimination System permit" or "NPDES permit" means a permit issued by the Minnesota Pollution Control Agency for the purpose of regulating the discharge of pollutants from point sources including concentrated animal feeding operations (CAFOs). Confined Animal Feeding Operation (CAFO) as defined in the Code of Federal Regulations, title 40, section 122.23. Minnesota Association of County Feedlot Officers (MACFO) has made a motion supporting the use of cost-share funds on all Non-NPDES feedlots.

Approved: December 8, 2009

Sunset Date: **December, 2013**

Status: During the 2010 and 2011 legislative sessions, MASWCD monitored the issue. MASWCD communicated this policy goal to BWSR and other organizations, including Minnesota State Cattlemen's Association and Minnesota Farm Bureau Federation. The issue is also supported by the Minnesota Association of County Feedlot Officers.

Section 3 – State Conservation Programs and Issues (*continued*)

ENERGY

SUPPORT OF CLEAN, RENEWABLE ENERGY

22-2007

Policy goal: Support conservation treatment of land and waters in any clean, renewable energy initiatives.

Background: Minnesota has established itself as a leader in supporting clean, renewable energy. Initiatives that support cellulosic ethanol production from sources such as prairie grass, woody biomass and other cellulosic materials build on the ongoing success of Minnesota's ethanol industry. Production of clean, renewable energy has the potential to support cropping systems that protect and enhance land and water resources. The resulting economic development will enable landowners to reinvest in soil and water conservation practices on land they own or manage. A RIM Clean Energy program and related initiatives can support landowner efforts to participate in renewable energy production while protecting land and water resources.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: (see status listed for 23-2007, below)

PERENNIAL GRASS AS ALTERNATIVE FUEL

23-2007

Policy goal: Urge legislators to adopt a bill to subsidize alternative fuel production utilizing perennial vegetation as a viable alternative fuel option.

Background: Current subsidies for alternative fuels are being provided for the corn to ethanol production. Southeast Minnesota is a vast area of karst topography and loess soils prone to very high rates of erosion. The production of row crops as feed has been known to be a contributing factor in soil erosion, and pollution of area streams and drinking water. Research has shown that a mixture of prairie grasses and forbs that were originally growing here naturally is more economically feasible per acre for alternative fuel production and carbon sequestration.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: In allocating bonding dollars toward the Re-invest in Minnesota program, the 2008 Legislature authorized BWSR to enter into new agreements and amend past agreements with landowners as required by Minnesota Statutes, Section 103F.515, Subdivision 5, to allow for restoration, including overseeding and harvesting, of native prairie vegetation for use for energy production in a manner that does not devalue the natural habitat, water quality benefits, or carbon sequestration functions of the area enrolled in the easement. This shall occur after seed production and minimize impacts on wildlife.

BIOMASS FOR ETHANOL PRODUCTION

24-2007

Policy goal: Launch, with assistance and cooperation of local SWCDs, BWSR, RC&D Councils, the University of Minnesota (U of M), the Department of Natural Resources (DNR) and the private sector, a cooperative effort to support the development of a cellulosic ethanol and bioenergy industry.

Background: This would help to protect soil, water and air quality for future generations. Increasing energy needs are occurring throughout the world, and there is movement away from petroleum based energy. East Central and Northern Minnesota have thousands of acres of low quality mixed hardwoods forest and wetland areas that support considerable vegetative growth. Also found in these regions are large acreages of farmland that presently are producing small grains, hay and low quality forage grasses. The U of M is doing considerable research on bioenergy plants that could provide large quantities of renewable energy for the future. The planting of mixed grasses and forbs will greatly reduce erosion and improve water quality of our lakes, streams and wetlands. There are resource development agencies such as BWSR, the Onanogozie RC&D, DNR and the SWCDs found in this region that could provide technical assistance, leadership, education and organizational skills. There is a very strong need to improve alternative economic opportunities for people and landowners in these regions.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Section 3 – State Conservation Programs and Issues (*continued*)

NATIONAL POLLUTANT DISCHARGE ELLIMINATION SYSTEM (NPDES)

EXEMPTION OF NPDES PERMITS FOR NRCS/SWCD STREAMBANK STABILIZATION & DRAINAGE DITCH CLEANOUT PROJECTS

20-2007

Policy goal: Work with the Natural Resources Conservation Service (NRCS) and the Minnesota Pollution Control Agency (MPCA) to allow an exemption from NPDES permits on all ditch and streambank stabilization projects that are engineered and overseen by an SWCD or NRCS employee with proper technical approval authority.

Background: The removal of sediment in drainage ditches is an agricultural practice that reduces soil erosion and improves water quality. Stabilizing ditch banks by reducing the slope of the bank and establishing it with grasses is an accepted means of erosion control. SWCDs and NRCS work to reduce soil erosion and improve the quality of our surface waters. The Environmental Protection Agency exempts agricultural activities from NPDES permits. The MPCA interprets cleaning and stabilizing drainage ditches as a non-agricultural activity. NRCS and SWCDs are involved in these types of projects for the sole purpose of improving water quality.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: The BWSR, NRCS and MASWCD worked with MPCA in 2007 to clarify policy regarding NPDES stormwater construction permit requirements for agricultural conservation projects, as well as for drainage ditch projects. The following fact sheets address these topics. Both are available on the MPCA web site.

- *Agricultural Conservation Practice Projects, Guidance Regarding Construction Stormwater Permit Requirements, June 2007 (wq-strm2-16)*
- *Drainage Ditch Projects, Guidance Regarding Construction Stormwater Permit Requirements, June 2007 (wq-strm2-17)*

NONPOINT ENGINEERING ASSISTANCE PROGRAM

NONPOINT ENGINEERING ASSISTANCE PROGRAM: MOVING FORWARD

E1-2007

Policy goal: Urge the Conservation Technical Assistance Committee (CTAC), which includes representation from all eleven technical service areas, MASWCD, MACDE and BWSR, to forward a recommendation to the BWSR Board to address the structure and financial resources of the eleven joint power boards and the non-point engineering assistance program (NPEA). The CTAC should review the resolutions submitted by local SWCDs as well as all additional factors impacting the non-point engineering assistance program in developing a recommendation. The CTAC recommendation should be forwarded to the BWSR board by June 1, 2008 for consideration for future fiscal years' grant allocations and to create a long term resilient delivery system for SWCD technical assistance. Several resolutions have been submitted by local SWCDs requesting changes to the non point engineering assistance program and technical assistance areas to address the future delivery of SWCD engineering services.

Background: *At a meeting on September 5, 2007 the CTAC determined that none of the solutions contained in the three resolutions, as written, completely addressed the challenges faced by this program. It was recommended that the CTAC develop an appropriate solution, based on current realities and the vision for a resilient delivery system for shared technical services. The alternative resolution language (listed above) was agreed to at a CTAC meeting on November 1, 2007. The CTAC was assembled in January 2004 to address the financial and service delivery for the Nonpoint Engineering Assistance Program. The stated purpose of this effort was to ensure long-term viability and relevance of the NPEA program, on a statewide basis. The CTAC includes representation from all eleven technical service areas, MASWCD, MACDE, and BWSR.*

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: Currently, the Technical Service Areas for the NPEA program are aligned along the boundaries of the eight MASWCD Areas, addressing the structure of the program, and helping alleviate some funding issues.

Section 3 – State Conservation Programs and Issues (*continued*)

PLANT MATERIALS

GARLIC MUSTARD AWARENESS NEEDED AT DISTRICT LEVEL

16-2010

Policy goal: Encourage the Department of Agriculture and MN DNR to ensure reporting, via a web site, of populations of Garlic Mustard by district, county and township. Collaborate with the Minnesota Department of Agriculture and Minnesota DNR to provide information, education, and advice to districts and counties on control of Garlic Mustard. MASWCD encourages the Minnesota Department of Natural Resources and the Minnesota Department of Agriculture to explore and promote biologic control agents for this problematic plant.

Background: Garlic Mustard (*Alliaria petiolata*) is known to be widely distributed (especially in the southeastern portion of the state). It is an introduced species of European origin. Garlic Mustard is a Minnesota prohibited noxious weed (Minnesota Rules 1505.0730) that must be controlled or eradicated as required in Minnesota statutes, section 18.78. Garlic Mustard tends to aggressively invade a woodland community and cause a decline of native grasses, herbs and tree seedlings within ten years. For a County Board to control Garlic Mustard it must be widely recognized in counties where present, and control measures formulated and implemented.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: MASWCD forwarded the resolution to the MN Department of Agriculture (MDA) and received the following information: **Regarding on-line reporting...** MDA has taken its own initiative to provide a mapping resource for reporting locations through a partnership with EDDMapS. This service can be located on-line at: <http://gis.mda.state.mn.us/maps/earlydetection.htm>. Due to several factors – primarily budgetary - mapping of widespread noxious weeds like garlic mustard is not an objective of the MDA’s Noxious and Invasive Weed Program at this time. MDA’s intent is to use mapping for early detection of species that are limited in population and can still be eradicated when/if located. MDA’s view is to encourage those entities concerned with management of widespread noxious weeds to use EDDMapS to report and map species infestations in their jurisdictions for future management efforts. Records can then be retrieved and used for management or reporting purposes. Furthermore, because MDA is primarily associated with enforcement of the noxious weed law, posting sites of noxious weeds from private property on “public websites” where active enforcement cases are occurring would also not be advisable from our perspective for legal reasons. **Regarding information, education and advice...** The MDA Noxious and Invasive Weed Program already has an extensive network of cooperators collaborating on management and research projects for listed noxious weeds and other invasive species, outreach and education (both to the general public and professional land managers), ID and training resources, etc. MDA is also working with the Noxious Weed Advisory Committee to develop “best management practices” for listed noxious weeds and other species of concern. MASWCD is represented on this committee by Kerry Saxton from Wright SWCD (DNR is also represented) and MDA is hoping to begin developing materials over the next few years to be posted on-line and also available for printing. **Regarding exploration and promotion of biologic control agents...** Biological control of garlic mustard is currently being studied by the MN DNR, MDA and the University of Minnesota. A lot of MN dollars have been put into this effort over the past 8 years. As a result of this financial commitment, several potential garlic mustard biological control agents have been selected from native European habitats and are currently residing in the MDA/U of M quarantine facility on the St. Paul Campus. Due to rigorous testing and other requirements prior to approving the release of any weed feeding insect for biological control, these bioagents still require further testing before they will be released. Additionally, MDA and DNR have a formal Memorandum of Understanding regarding which agency takes the lead on a particular weed biological control project. At this time, MDA has taken the lead on leafy spurge, spotted knapweed, thistles, and common tansy biological efforts currently in place or underway. DNR has taken the lead on purple loosestrife (because of it being associated with aquatic habitats), European buckthorn (due to the number of infested state forests), and garlic mustard (also due to the number of infested state forests). DNR is hoping that at least one of the garlic mustard agents will be available for release within the next couple of years. Approval by USDA and a Technical Advisory Panel will determine when these agents are ready to be released.

Section 3 – State Conservation Programs and Issues (*continued*)

PLANT MATERIALS (*continued*)

WILD PARSNIP PLACED ON MINNESOTA'S NOXIOUS WEED LIST

08-2009

Policy goal: Work with the Department of Agriculture to have Wild Parsnip added to Minnesota's Secondary Noxious Weed List so that a County Board using procedures in MN Rule 1505.0750 would have the ability to place it on the County's Noxious Weed list to control if it desires. Enter into conversations with the Department of Agriculture and others to explore the possibility of finding and promoting a biologic control agent for this dangerous plant.

Background: Wild Parsnip is spreading rapidly throughout Minnesota and into counties where it was not previously found. It is a danger to people as the sap, if absorbed into the skin in the presence of sunlight will cause a severe burning reaction followed by blistering and discoloration of the skin. The plant tends to invade and infest open grass fields, which has a detrimental effect on the wildlife potential of these areas. Wild Parsnip can severely affect recreational activities in grasslands especially during the summer months when the plant is the most dangerous. Currently, a County Board cannot add it to the County's list of noxious weeds due to the fact that it is not on Minnesota's Secondary Noxious Weed list.

Approved: December 8, 2009

Sunset Date: December 2013

Status: MASWCD forwarded the resolution to the Commissioner of the MN Dept. of Agriculture (MDA). MASWCD has a representative on the Noxious Weed Advisory Committee, which is coordinated by MDA, and held its first meeting in December of 2009. Wright SWCD manager, Kerry Saxton, is the representative. Among other things, the group has discussed the authority of the MDA commissioner regarding Noxious Weed Law and issues regarding listing of species by counties. As of September, 2010, the Noxious Weed Advisory Committee elected to add wild parsnip to the Prohibited –Control Noxious Weed List. However, this needs to go through a rule making before it is official, which could take a year or two.

STATE NURSERIES TO REMAIN OPEN

15-2009

Policy goal: Work with partnering agencies to encourage the continuing operation, and oppose any bills recommending the sale or closure, of the state-owned (General Andrews Nursery) and operated (Badoura Nursery) nurseries in Minnesota.

Background: The Minnesota State Nurseries support themselves on sales of their tree stock as a not for profit entity. Many SWCDs continue to sell seedlings purchased from the state nurseries for the purpose of conservation and wildlife habitat development. Privately owned nurseries would have a difficult time supplying the thousands of bare root seedlings needed to meet the demand created by the SWCDs through their tree programs and the USDA-NRCS through the conservation programs in which landowners have enrolled. The closing of the state nurseries would result in significant shortages for reforestation and riparian buffer practices for the reduction of sedimentation and improvement of water quality state-wide.

Approved: December 8, 2009

Sunset Date: December, 2013

Status: The resolution was forwarded to the Commissioner of the Department of Natural Resources. In addition, during the 2011 state legislative session, MASWCD communicated this position to legislators in response to legislative efforts to close the nurseries. In the bill approved during the special legislative session and signed by the Governor, DNR is required to restructure the operations of the nurseries and report back to the legislature as follows: 1) Beginning July 1, 2011, the commissioner of natural resources shall limit all new plantings at the Baudora State Nursery to the planting of stock for research or use on public lands or private conservation lands with permanent protection. Excess plant material may be sold or traded to private wholesale nurseries; and 2) By January 15, 2012, the commissioner of natural resources shall submit a budget and financial plan for the state nurseries to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources policy and finance. The plan shall include a long-term business plan to operate the Baudora State Nursery in a manner that is self-sufficient. The plan shall also include options for the General C.C. Andrews State Nursery.

Section 3 – State Conservation Programs and Issues (*continued*)

PLANT MATERIALS (*continued*)

USE OF NATIVE SPECIES

08-2007

Policy goal: Encourage the use of native species in tree sales and conservation plans, supports policy to that effect, and encourages the Natural Resources Conservation Service (NRCS) to continue efforts to develop, promote, and require the use of native plant alternatives.

Background: SWCDs facilitate the distribution of millions of bare root tree and shrub seedlings and thousands of pounds of seed annually for the purposes of conservation and wildlife habitat development. Invasive and exotic tree, shrub and herbaceous species compromise wildlife habitat productivity by reducing ecological diversity. There are many species native to Minnesota that can be substituted for invasive and exotic species while still providing the same function.

Approved: December 4, 2007

Sunset Date: December, 2011

Status: MASWCD annually reminds SWCDs and partner agencies of this policy and encourages the use of native plant alternatives.

NON-INVASIVE & NATIVE PLANTS

09-2007

Policy goal: Encourage the use of non-invasive plant material in tree sales and conservation plans with emphasis on using native species and support policy to that effect and encourages the Natural Resources Conservation Service to continue efforts to develop and promote the use of non-invasive native plant alternatives.

Background: SWCDs facilitate the distribution of millions of bare root tree and shrub seedlings and thousands of pounds of seed annually for the purposes of conservation and wildlife habitat development. Minnesota is graced with a diverse landscape of prairies, forests, waters, and agricultural areas that have high social, economic, and ecological value, and, a long tradition of resource-related recreational activities such as fishing and hunting, commercial activities (agriculture, forestry) and tourism. Invasive species, not native to Minnesota, harm our valuable state resources, and displace native species, thus threatening outdoor recreation opportunities, increase costs for industry, and diminish the natural heritage of significant sites in the state such as parks and natural areas. There are many species native to Minnesota that can be substituted for species known to be invasive while still providing the same function.

Approved: December 4, 2007

Sunset Date: December, 2011

Status: MASWCD annually reminds SWCDs and partner agencies of this policy and encourages the use of non-invasive, native plant alternatives.

SEWAGE MANAGEMENT

SEWAGE DISCHARGE NOTICE

21-2007

Policy goal: Partner with the Association of Minnesota Counties (AMC) and the Minnesota Pollution Control Agency (MPCA) to encourage wastewater treatment facility operators to provide adequate notice to the public 24 hours before any regular or bypass discharge takes place.

Background: Wastewater Treatment Facilities are given specific discharge guidelines through the MPCA permitting process and Total Maximum Daily Load (TMDL) loading allocations in water bodies where the study has been completed, for regular wastewater discharges. Due to unusual circumstances relating to weather, capacity, or equipment problems, it is becoming more frequent for facilities to find it necessary to release untreated or partially treated wastewater to water bodies. This is known as a sewage bypass and has the potential to contribute a large amount of pollution to surface waters, far exceeding most non-point sources attributed to agricultural practices. The public use of these Minnesota waters is growing in frequency and concentration. The public has the right to know the potential of high nutrient or contamination levels in the waters they are using.

Approved: December 4, 2007

Sunset Date: December, 2011

Section 3 – State Conservation Programs and Issues (*continued*)

WETLANDS

WETLAND IMPACT MITIGATION

07-2009

Policy goal: Support the creation of a wetland mitigation fund, of which 50% of said fund will be used to create or purchase wetland easements or create wetlands within the affected wetland banking service area, and where the remaining 50% would be used to create meaningful wetlands in areas of the state where they are most needed. This would be funded through payments from landowners/project coordinators for the purpose of wetland mitigation. This fund should be managed by BWSR. This program would be made available to all LGU's but participation in it would be voluntary. If wetland credits are available within the county, they would be directed to utilize them.

Approved: December 8, 2009

Sunset Date: December, 2013

Status: Summary from BWSR review and response from May, 2010: "In March 2010, the BWSR Board accepted the Northeast Minnesota Wetland Mitigation Inventory and Assessment Project. This project identified and analyzed potential wetland mitigation opportunities in the greater than 80% area. In addition to making several recommendations intended to address specific concerns over wetland mitigation in this part of the state, it also estimated that the likely potential credits in the study area ranges from 4,950 to 27,400 credits. This amount varies based on landowner interest, a GIS model that analyzed credit potential, and the most likely mitigation method that would be employed on these sites. This estimate did not, however, take into consideration local land use priorities. One recommendation contained in this report is to develop a Northeast Minnesota Interagency Wetland Mitigation Committee. A key purpose of this Committee, when established, is to evaluate and provide recommendations to address wetland regulatory concerns in this wetland rich area of the state. The purview of the Committee could include exploring in greater detail wetland mitigation options such as in lieu fee programs. BWSR will be evaluating initiating this Committee. BWSR will be looking for participation by SWCD's on this Committee."

WETLAND ACTIVITY PERMIT CARDS

18-2007

Policy goal: Support the requirement of a wetland permit card, to be obtained from the Local Government Unit (LGU) and conspicuously displayed onsite, with said card to have allowed activities and impacts clearly defined.

Background: While some activities in wetlands are exempt, the exemption status of a project is very difficult for most landowners to determine. Failure to properly identify wetlands and comply with the associated regulations can have severe implications for the landowner and contractor. SWCDs have technical expertise in wetland resource management, delineation and have knowledge of local; and state and federal regulations. The landowner and contractor responsibility form is rarely being used. The issuance of this permit card would be an acknowledgement by the LGU that the described activities are in compliance with the Wetland Conservation Act (WCA) regulations. The absence of this displayed permit should cause contractors, and enforcement agencies to stop and ask questions regarding WCA compliance prior to allowing work to continue.

Approved: December 4, 2007

Sunset Date: December, 2011

Status: MASWCD submitted this resolution to BWSR and for consideration during the 2008-2009 stakeholder process in the revision of the Wetland Conservation Act Rule 8420. It was not included in the final rule revisions.

SHORELAND WETLAND AREAS NON-BUILDABLE CLASSIFICATION

19-2007

Policy goal: Support development of a new land classification to help protect shoreland wetland from development.

Background: Certain shoreland properties have substantial near-shore wetlands. These wetlands are critical to maintaining the quality of the associated waters. Current classifications may allow impacts to these wetlands and tax said area as buildable. A new classification could provide land owners a break from the current tax structure and therefore provide an incentive for not developing these near shore wetlands. SWCDs have technical expertise in water resource management, wetland delineation and have knowledge of local pollution sources and problems. This activity is contrary to the actual health of the wetland or adjacent lake. By creating a new land classification to these areas it may provide a tax incentive not to develop or impact these wetlands.

Approved: December 4, 2007

Sunset Date: December, 2011

Status: Same as above for 18-2007.

Section 3 – State Conservation Programs and Issues (*continued*)

WOODLAND RESOURCES

FOREST CONSERVATION EASEMENTS

16-2009

Policy goal: Pursue a Forestry RIM program to be established through BWSR to protect forested land with priority and landowner compensation based on sensitivity of the landscape.

Background: Permanent conservation easements are a recognized method of open space protection with well established legal precedent. Family forest landowners play a vital role in Minnesota's forests and their associated values. Family forest lands are increasingly under development pressure, which leads to forest fragmentation and the loss of essential ecological functions provided by these lands. SWCDs, working with the Board of Water and Soil Resources (BWSR), have a history of efficiently establishing and monitoring conservation easement programs. A RIM conservation easement program dedicated to preventing forest fragmentation will cost effectively help to protect Minnesota's natural water quality infrastructure in perpetuity.

Approved: December 8, 2009

Sunset Date: December, 2013

Status: MASWCD has supported a group of SWCDs in the development of a new easement program. Recent proposals have been focused on wild rice lake habitat. The current wild rice lake habitat program being funded through the Lessard-Sams Outdoor Heritage Council could be expanded upon the future to include other forested easements.

FOREST LAND ESSENTIAL FOR ECONOMIC AND ENVIRONMENTAL HEALTH AND SAFETY

17-2009

Policy goal: Request the Legislature of the State of Minnesota commission a study which will advise the State as to 1) the economic and environmental value of such tracts, 2) the identity of such tracts which should be maintained and preserved for their economic and environmental value, 3) the uses other than forestry which may be implemented in such tracts which will not adversely impact their economic and environmental value; and 4) the identification of such tracts which may be converted, fragmented or suffer intrusion without adverse impact to the local or state economy and environmental well being. The study should be completed within three years.

Background: Large tracts of privately owned forest lands provide an essential economic and environmental resource necessary for the health, safety and future economic security and well being of the residents of Minnesota. The following uses or practices in forest lands may adversely impact the health, safety and future economic security and well-being of the residents of Minnesota, and may increase the cost of public services more than the tax benefits realized from such uses or practices: conversion of large tracts of privately owned forest lands to uses other than forestry; fragmentation of large tracts of privately owned forest lands into multiple ownerships; and intrusion of uses other than forestry into large tracts of privately owned forest lands.

Approved: December 8, 2009

Sunset Date: December 2013

Status: MASWCD has been meeting with staff from the Minnesota Forest Resources Council to explore what types of information may be available through MFRC or other resources, and what future partnership opportunities might exist for developing a plan to provide permanent protection for high value private forest lands. MASWCD will also be gathering information about the Minnesota Forests for the Future program which was established by the 2008 Minnesota Legislature and is coordinated by the DNR. The Minnesota Forests for the Future Program aims to conserve private forestlands throughout the state that, in combination with public forestlands, provide: 1. public recreational access; 2. timber production and other economic opportunities; and 3. ecological values including habitat protection. The program defines a comprehensive set of goals, strategies, and targets that respond to land development and fragmentation, climate change, recreational access, and changes in the forest economy. And it builds on past efforts that used federal, state, and private funds to acquire easements on over 65,000 acres of private forestland in the past 9 years.

Section 3 – State Conservation Programs and Issues (*continued*)

WOODLAND RESOURCES

CONTINUE BWSR STATE FORESTER POSITION

14-2008

Policy goal: Encourage BWSR to hire a qualified full time forester, in a timely manner, to continue to provide vital forestry assistance to SWCDs and the citizens of the State of Minnesota.

Background: Forests are a vital natural resource in Minnesota. BWSR has become an important contributor to forest management in Minnesota. SWCDs have built strong forestry programs and continue to expand those programs BWSR has provided valuable forestry assistance and coordination to SWCDs through its state forester.

Approved: December 9, 2008

Sunset Date: **December, 2012**

Status: BWSR has designated Board Conservationist Dan Steward as the primary staff contact for working with the SWCD Forestry Association and the 'tree team' (of SWCD staff). Active coordination of proposals for LSOHC and CWF proposals is occurring. Coordination with MN Forest Resources Council also has been greatly increased.

FOREST STEWARDSHIP PLANS

15-2008

Policy goal: Support lifting the "cap" on Forest Stewardship Plan Proposals, in order to make it more affordable for SWCDs to continue participating in the delivery of Forest Stewardship Plans to private landowners.

Background: SWCDs have participated in private forest land management through Forest Stewardship Plan contracts with the Department of Natural Resources. Private forest lands consist of more than 40% of Minnesota's 14.8 million acres of timberland. Demands for technical assistance to private landowners for Forest Stewardship Planning are increasing. SWCDs are in a position to provide a wide variety of technical assistance to landowners that address forest management and other practices such as erosion control, wetlands protection and water quality issues. Beginning with the FY 2005 Forest Stewardship Grant – "Request for Proposals" from the State Forest Stewardship Committee placed a "cap" on Grant Proposal for Local Government Units at \$1.50 per acre, plus \$200 per plan. The cap was raised to \$200 per plan and \$2 per acre for current contracts. In past years, grants were awarded to participating SWCDs on a competitive basis at rates that may have been higher than current rates.

Approved: December 9, 2008

Sunset Date: **December, 2012**

Status: MASWCD forwarded the resolution to the Department of Natural Resources. In March, 2009, the FY 2010 Forest Stewardship Grant RFP included not to exceed reimbursement rates for plan writing at \$250 + \$5.50 per acre for non-government and \$250 + \$2.75 per acre for units of government. In April, 2010, the FY 2011 grant RFP included not to exceed reimbursement rates for plan writing at \$250 + \$5.50 per acre for non-government and \$250 + \$3.75 per acre for units of government. Currently, however, due to funding cuts at the federal and state level, DNR is no longer offering contracts for writing forest stewardship plans. The plans are now all cash plans where the plan writer and landowner agree on a price and the payment goes to the plan writer.

EMERALD ASH BORER PROTECTION

07-2007

Policy goal: Encourage a strong partnership between state and federal agencies to prepare for and respond effectively to a potential infestation of the Emerald Ash Borer (EAB).

Background: Since the late 1990's, EAB has killed over 20 million ash trees throughout Michigan, Ohio, Illinois, Indiana and Southeastern Ontario. Minnesota has the third highest population of ash trees in the nation. Larvae feed just under the bark of ash trees, killing them by preventing the flow of water and nutrients in the tree. Movement of firewood has been linked to the spread of EAB from its initial infestation of Detroit. The state legislature enacted legislation to control the movement of firewood into land administered by the MN DNR. Failure to protect Minnesota from an infestation of EAB could cost millions of dollars not only in trees, but industry, tourism and aesthetics.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: Minnesota Department of Agriculture and other state and federal agencies have conducted planning and response efforts for addressing EAB, including quarantine areas for the Twin Cities and Houston County. Because odds of an ash tree surviving to the average age of 70 - 100 years is extremely unlikely, SWCDs are encouraged to work with alternative species in their conservation plantings. At a minimum, species diversity should be achieved. MASWCD provided information and resources from MDA to SWCDs.

Section 3 – State Conservation Programs and Issues (*continued*)

WOODLAND RESOURCES (*continued*)

RESOURCE PLANNING FOR SMALL TRACT FORESTRY COST-SHARE

11-2007

Policy goal: Request that BWSR include Resource Management Planning as a cost-share practice, using the model formulated by the MN SWCD Forestry Assn, for those landowners who do not qualify for assistance under Forest Stewardship Program.

Background: Minnesota's 14.4 million acres of forestland make up 27% of the land use in the state. Ownership of less than 20 acres is the fastest growing category of forest ownership. A recent U.S. Forest Service analysis shows there are more than 125,000 landowners in the 0-20 acre category. Many of these parcels are in sensitive areas adjacent to lakes, streams, and rivers. Many of these owners are not interested or able to manage their property for timber/fiber production; they are far more interested in other recreational uses of their property, as information from the Non-industrial Private Forest Landowner survey has shown. The State Legislature has recently recognized this need and called upon BWSR to develop a "forestry cost share docket."

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: The MASWCD Board designated Area 3 Director Merrill Loy to participate in the "forestry cost-share docket" work group. The Forestry Practices Cost Share standard was reviewed in March, 2008 by BWSR's Grants Program & Policy Committee, approved at the April, 2008 BWSR Board meeting, and effective July 1, 2008. The new practice – D. 13 Forestry Conservation Practice – allows for cost-sharing of non-SWCD technical assistance necessary for the installation of eligible components of the practice. Depending on site-conditions and needs, this may include resource management planning.

OTHER STATE CONSERVATION PROGRAMS AND ISSUES

SUPPORT OF MINIMAL IMPACT DESIGN STANDARDS PROJECT

09-2010

Policy goal: Support the participation of SWCDs as members of a work group for the development of Minimal Impact Design Standards.

Background: The concept of Low Impact Design is emerging as a preferential development approach. The concept of Low Impact Design has as one of its principles the preservation of predevelopment hydrology. The recognized practices supported through Low Impact Design are generally those supported by the conservation community. There is resistance on the part of the development community to adopt Low Impact Design concepts due to the lack of defined standards associated with the recognized practices. The Minnesota Legislature acted to address the lack of design standards by providing funding to the Minnesota Pollution Control Agency for completion of the Minimal Impact Design Standards Project, the purpose of which is to develop standards for practices supporting Low Impact Design (such as rain gardens) to a level acceptable to the professional design community (similar to the level of the Natural Resource Conservation Service Field Office Technical Guide).

Approved: December 7, 2010

Sunset Date: **December, 2014**

Section 3 – State Conservation Programs and Issues *(continued)*

OTHER STATE CONSERVATION PROGRAMS AND ISSUES *(continued)*

MODIFICATION TO MN STATUTE REGARDING REPLACEMENT OF NON-CONFORMING SHORELAND USES 10-2010

Policy goal: Work with BWSR, DNR and others to modify Minnesota Statute 394.36 Subd. 4, regarding shoreland non-conforming uses to preserve shoreland areas; and explore all options when a non-conformity is being considered for reconstruction. Specifically, retaining walls, sand blankets and other non-conforming uses in shoreland areas shall be examined for possible negative effects on water quality, aesthetics, fish and wildlife habitat, using other natural resource conserving options. SWCDs should be the lead local governmental organization in providing technical assistance and cost-share assistance in the establishment of vegetative buffers and restoration of topography in shoreland areas.

Background: The agencies within the state of MN should recognize the importance of restoring shoreland areas and planting native vegetative buffers, and develop an aggressive promotional and awareness campaign for establishing, maintaining, and restoring these ecologically sensitive areas. Soil and Water Conservation Districts (SWCD) provide technical and financial assistance to private landowners in restoring native buffers and topography adjacent to lakes, watercourses, and wetland areas. The number of lakes and streams identified as impaired is increasing in MN, and vegetative buffers and natural topography provide water quality benefits by reducing nutrient and sediment loading to Minnesota's water resources. Minnesota allows retaining walls, sand blankets and other non-conforming uses in shoreland areas to be replaced without giving consideration to alternatives, thereby having a negative effect on water quality, aesthetics, and fish and wildlife habitat.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: While not addressing statutory language, there have been ongoing efforts on the part of many partner entities to make changes to shoreland laws through the state rulemaking process. Last year, then Governor Pawlenty stopped the shoreland rulemaking process just before the process was to be concluded. In May, 2011, at the Minnesota Waters' Conference, DNR Commissioner, Tom Landwehr, explained that the DNR supports moving forward with the shoreland rule update. But because the DNR's legislative authority to revise the shoreland rules has expired, they cannot continue the rulemaking process unless the legislature re-authorizes them to do so. Legislation was not approved during the 2011 session, so the next opportunity for the legislature to re-authorize the rulemaking process will be in 2012.

STATE ACQUISITION OF PRIVATE LAND

13-2010

Policy goal: Support and encourage assisting private landowners and local governments with the restoration, protection and enhancement of Minnesota's wetlands, prairies, forests and habitat for fish, game and wildlife as opposed to the state acquiring and managing more public land.

Background: The Outdoor Heritage Fund was created to "...restore, protect, and enhance Minnesota's wetlands, prairies, forests and habitat for fish, game and wildlife.... The Lessard-Sams Outdoor Heritage Council (LSOHC) is responsible for recommending how funds should be used from the Outdoor Heritage Fund. The LSOHC has recommended some state acquisition of land in order to fulfill the goals of the program and is getting pressure from sportsman's groups and other organizations to focus more effort into public access than achieve habitat goals. Public access is not required for easements that restore, protect, and enhance Minnesota's wetlands, prairies, forests and habitat. According to the OLA, "about one-fourth of the land in Minnesota is already owned by government agencies." The Office of the Legislative Auditor (OLA) submitted an evaluation report summary stating "While its long range plans propose significant future acquisitions of land, the DNR appears to lack adequate resources to manage and maintain its current land holdings." Another concern of private land being acquired by the DNR is the possible impact of reduced property tax revenue.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: MASWCD continues to support, via legislative platform, proposals through the Lessard-Sams Outdoor Heritage Council (LSOHC) for the Reinvest in Minnesota (RIM) reserve program, a program SWCDs use with willing landowners to enroll land into permanent easements, while maintaining the land as private property.

Section 3 – State Conservation Programs and Issues *(continued)*

OTHER STATE CONSERVATION PROGRAMS AND ISSUES *(continued)*

SUPPORT OF A BAN ON COAL TAR-BASED SEALCOATINGS

14-2010

Policy goal: Support legislation affecting the statewide ban of the sale and use of coal tar-based sealants. Coal tar-based sealants contain high levels of polycyclic aromatic hydrocarbons (PAHs).

Background: The application of coal tar-based sealants to driveways, parking lots or roadways leads to their being carried by runoff to water resources. The PAHs cause tumors in some fish and disrupt the reproduction of aquatic organisms. PAHs bind to sediment and those sediments become expensive to manage when removed, as they may be considered hazardous materials, and the costs of their management falls to the public, especially when it comes to management/maintenance of stormwater treatment ponds by cities, towns or townships. Legislation banning the sale or use of coal tar-based sealants was introduced in the 2010 session of the Minnesota House of Representatives.

Approved: December 7, 2010

Sunset Date: [December, 2014](#)

Status: Legislation has not been introduced for a statewide ban on coal tar sealants. However, Clean Water Funds have been appropriated to the Pollution Control Agency to address this issue. PCA was allocated \$155,000 for fiscal year 2010 to **provide notification of the potential for coal tar contamination**, establish a storm water pond inventory schedule, and **develop best management practices** for treating and cleaning up contaminated sediments as required in this article. For fiscal year 2011, PCA was allocated \$490,000 **to provide grants to local units of government for up to 50 percent of the costs to implement best management practices to treat or clean up contaminated sediments in storm water ponds and other waters as defined under this article. Local governments must have adopted an ordinance for the restricted use of undiluted coal tar sealants in order to be eligible for a grant, unless a statewide restriction has been implemented.** The 2011 legislature carried forward these appropriations, making the funds available until June 30, 2013, to continue research and testing on the potential for coal tar contamination of waters, on the study of treatment and disposal options, and for grants to local units of government.

UPLAND BUFFERS

15-2010

Policy goal: Support upland buffers on all water resources areas, the establishment and maintenance of native vegetation in upland buffer areas, and harvestable options for upland buffers on drainage ditches.

Background: Upland buffers on water resources provide multiple conservation benefits, i.e. reduction of soil loss, improved water quality, improved wildlife habitat, improved aesthetics. Upland buffers on water resources also provide direct economic benefits of reduced maintenance costs and reduced need for restoration activities.

Approved: December 7, 2010

Sunset Date: [December, 2014](#)

INCENTIVE PROGRAM FOR WIDE HEADLAND BUFFERS

23-2010

Policy goal: Encourage the Board of Water and Soil Resources to create a State Buffer Incentive Program that can be either independent of or complimentary to CCRP Headland buffers; and provide cost share and limited term (10-15 year) acreage payments to landowners willing to establish adequate width Headland Buffers.

Background: Modern farm equipment has generally increased in size and complexity; and requires more than a 15 feet wide buffer to turn around on field ends which are commonly referred to as 'Headlands'. These headlands often follow property lines, roads, or other features that do not fit well with contour farming practices. This results in either end rows that are highly erosive due to lack of contouring or the abandonment of this cropland area to allow turning of farming equipment. Current Continuous Conservation Reserve Programs (CCRP) only allow the enrollment of headlands where required for drainage of no more than 15 feet in width. The former Conservation Reserve Enhancement Program (CREP) allowed an enrollment of headlands up to 60 foot wide, which is a more reasonable and popular buffer width for most farm equipment.

Approved: December 7, 2010

Sunset Date: [December, 2014](#)

Section 3 – State Conservation Programs and Issues (*continued*)

OTHER STATE CONSERVATION PROGRAMS AND ISSUES (*continued*)

NO NET-LOSS OF PUBLIC LAND

05-2009

Policy goal: Endorse and support changes in state law to provide the following:

- no net loss of public land acreage or value for all state land which has value for natural resources, including but not limited to forestry, or value for conservation of the environment and soil and water resources, or value for other public use and enjoyment
- proceeds from State land sales of such resource or conservation or public use lands be deposited in a special fund to be used for acquisition and protection of high priority resource or conservation lands in the county from which the proceeds of land sales were realized
- before the State sells any lands with natural resource or conservation or public use value, all county and other interested local units of government be given the opportunity to comment as to the resource or conservation or public use value of the lands and as to any high priority resource or conservation lands within the jurisdiction of said local units of government which should be acquired in the event that the State sells any lands with natural resource or conservation value
- the State and its agencies give fair and reasonable consideration and weight to the comments of county and other interested local units of government before selling any such lands and before acquiring or protecting replacement high priority resource or conservation lands.

Approved: December 8, 2009

Sunset Date: **December, 2013**

STATE SUPPORT FOR LIDAR

06-2009

Policy goal: Support statewide LiDAR data coverage for Minnesota and seek legislative authorization and funding to achieve this goal.

Background: LiDAR is an acronym for Light Detection and Ranging. It is a remote sensing technology used to collect high resolution digital elevation data in a cost effective way for creating contours and 3 dimensional digital maps as accurate as 1 foot in elevation, using lasers mounted on small aircraft. The cost has rapidly diminished since the year 2000 due to changes in technology, but has stabilized due to non-technology constraints such as flight and ground calibration expenses. Large scale projects are much more efficient than small projects due to set up costs. High resolution elevation data is an essential part of SWCD programs including conservation planning, wetland delineation, sinkhole mapping, soil mapping, and stream bank and bluff erosion measurement, often allowing this data to substitute for much more expensive on the ground survey work for pre-design work. Currently, LiDAR data is available in only a few parts of the State. A 2008 MN DNR LiDAR project was completed in the 7 Counties identified as federal disaster areas after the August 2007 floods in Southeastern Minnesota (Dodge, Fillmore, Houston, Olmsted, Steele, Wabasha, Winona), and the State is now proposing Statewide coverage. State projects are paid by State funds, meaning that the data is now Public Data; whereas some of the first LiDAR coverage was paid by local or private funds and is only available to other entities for a significant fee. Older LiDAR data was collected with less reliable technology resulting in areas with unreliable data which does not allow for LiDAR model creations, lower resolution, and does not show land changes since it was collected. Expected payback in reduced costs for all use, including transportation planning, floodplain mapping, TMDL studies and mitigation, and conservation planning will be rapid.

Approved: December 8, 2009

Sunset Date: **December, 2013**

Status: The resolution was forwarded to the DNR and USGS co-chairs of Minnesota's digital elevation committee. Data will be available for most of the state by February 2012 and likely for all of the state by February 2013.

Section 3 – State Conservation Programs and Issues *(continued)*

OTHER STATE CONSERVATION PROGRAMS AND ISSUES *(continued)*

APPROPRIATION OF MN GROUND AND SURFACE WATER TO PROJECTS OUTSIDE THE STATE 10-2008

Policy goal: Support development of legislation that protects the State's groundwater and surface water resources from being appropriated outside the State of Minnesota.

Background: Water of the State of Minnesota is a public resource owned by the citizens of Minnesota. Landowners within Minnesota can appropriate water for domestic use, industrial use and irrigation through a permit process with the Minnesota Department of Natural Resources (DNR). The DNR has expressed concern about expanded use of water for ethanol plants, irrigation and other high capacity wells. International waters are protected through agreements between Minnesota and Canada.

Approved: December 9, 2008

Sunset Date: December, 2012

CONSERVATION EASEMENTS FOR DRINKING WATER SUPPLY MANAGEMENT AREAS (DWSMA) 11-2008

Policy goal: Work with Minnesota Department of Health, Minnesota Board of Water and Soil Resources, Minnesota Department of Agriculture, Minnesota Rural Water Association, and USDA in developing a conservation easement program that leverages local, state and federal resources (similar to CREP) to protect drinking water supplies.

Background: The conservation easement program would target community water suppliers with elevated contamination, especially suppliers approaching or exceeding health standards. Groundwater is an important source of drinking water in Minnesota. Fifteen to twenty agricultural communities are currently struggling with elevated nitrates. Seventy percent of Minnesota's residents rely on groundwater for drinking water supplies. A drinking water supply management area (DWSMA) is the geographic area, including the wellhead protection area, which is to be protected and managed by the wellhead protection plan. Nitrate removal systems on community water supplies often cost \$1-\$3 million plus annual maintenance costs. Perennial crops and/or native vegetation can reduce nitrate leaching losses by a factor of 30 to 50 times less than conventional row crop systems.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: MASWCD communicated this policy to BWSR and to the SWCD representative on the Clean Water Council. After considering recommendations from the Clean Water Council for the 2010-2011 biennium, the state legislature provided \$2 million from the Clean Water Fund for permanent RIM reserve wellhead protection easements (appropriated to BWSR). For the 2012-2013 biennium, the legislature approved \$2.6 million for this purpose.

INCENTIVE PROGRAM FOR VEGETATIVE BUFFERS ALONG LAKES AND STREAMS 12-2008

Policy goal: Work with BWSR, DNR and others to explore the opportunity for establishing a buffer incentive program in the state.

Background: Such a program would have SWCDs as the lead local governmental organization in providing technical assistance in the establishment of vegetative buffers. The agencies within Minnesota should recognize the importance of vegetative buffers and develop an aggressive promotional and awareness campaign for establishing, maintaining, and restoring these ecologically sensitive areas. SWCDs provide technical assistance to private landowners in establishing vegetative buffers adjacent to lakes, riparian, and wetland areas. The number of lakes and streams identified as impaired is increasing in the state and vegetative buffers can reduce loading to water resources. Vegetative buffers provide water quality benefits to water resources. Greater landowner participation can be achieved with incentives for establishing and maintaining vegetative buffers.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: No incentive program was created in the 2009 session. However, BWSR received Clean Water Funding totaling \$3.25 million in FY 2010 and \$3.69 million in FY 2011 to acquire permanent Reinvest In Minnesota (RIM) Reserve conservation easements on riparian lands adjacent to public waters, except wetlands. SWCDs administer the program at the local level. For the 2012-2013 biennium, additional funding was secured.

Section 3 – State Conservation Programs and Issues *(continued)*

OTHER STATE CONSERVATION PROGRAMS AND ISSUES *(continued)*

LCCMR CONSERVATION AND PRESERVATION PLAN

19-2008

Policy goal: Be an active participant in the implementation of the **Statewide** Conservation and Preservation Plan to ensure SWCDs are recognized as a pivotal partner for successfully accomplishing the goals and strategies outlined in the Plan.

Background: The Legislative Citizen Commission on Minnesota Resources (LCCMR) has prepared a Statewide Conservation and Preservation Plan (www.mnconservationplan.net). The purpose of the Plan is to offer a long term vision and serve as a guide for natural resource conservation and preservation efforts for the next 50 years. As local units of government dedicated to assisting land occupiers with the protection of soil and water resources, SWCDs have a long history of building effective conservation partnerships throughout the state

Approved: December 9, 2008

Sunset Date: **December, 2012**

Status: MASWCD forwarded the resolution to BWSR for their consideration. BWSR response dated November, 2009 states: "The resolution calls for MASWCD and BWSR to be active in implementing the SCPP. BWSR is aligning initiatives and applications to the LCCMR process that recognize SWCD roles and abilities. An early success appears to be the LCCMR recommendation to fund the SWCD Apprentice Program. This program will put 30 university interns in SWCD offices nearly paper and financially free beginning in 2011."

GREEN ACRES PROGRAM & CONSERVATION EASEMENTS

E1-2008

Policy goal: Work with Minnesota Department of Revenue, state legislators, and other interested parties in developing a solution to the problems with the "Green Acres" program.

Background: The "Green Acres" program is a tax deferral program for agricultural property. "Green Acres" farmland is valued for tax purposes on its agricultural value, rather than its future development potential or highest and best use value. These "Green Acres" are entitled to valuation and tax deferments; otherwise, taxes on potential development land could get so high they would force farmers off the land prematurely. Recent modifications resulted in confusion over "Green Acres" program eligibility for land in conservation easements, such as, the Conservation Reserve Program (CRP), Re-Invest in Minnesota (RIM), Conservation Reserve Enhancement Program (CREP). This confusion will reduce landowner participation in conservation easement programs.

Approved: December 9, 2008

Sunset Date: **December, 2012**

Status: The 2009 Minnesota Legislature created the Rural Preserve Property Tax Program (RPPTP) under Minnesota Statutes Section 273.114. In general, this program provides tax relief for preserving undeveloped class 2b rural vacant lands that may be subject to a higher valuation for development or recreational purposes. It also provides a "fix" for 2008 modifications to the Green Acres program that rendered class 2b rural vacant lands ineligible for Green Acres. SWCDs and BWSR were identified in legislation to be involved in the Conservation Management Plan development and approval process. Legislative changes to the program in 2011, including removal of the Rural Preserve component and accompanying conservation plan, were signed into law by Governor Dayton.

Section 3 – State Conservation Programs and Issues *(continued)*

OTHER STATE CONSERVATION PROGRAMS AND ISSUES *(continued)*

WATER QUALITY TRADING AND SWCDS

04-2007

Policy goal: Cooperate with the Board of Soil and Water Resources (BWSR), Minnesota Pollution Control Agency (MPCA) and the Minnesota Legislature in developing and implementing a Water Quality Trading program for Minnesota, using SWCDs as a technical resource. Seek to be an active participant in development and review of the Water Quality Trading rule being developed by MPCA, to assure the role of SWCDs is clearly established.

Background: Minnesota's rivers, streams and lakes are a valuable resource for the state. Many of Minnesota's water resources cannot currently meet their designated uses because of pollution problems from a combination of point and nonpoint sources. Water Quality Trading is a market-based tool for water quality improvements where one pollutant source with high treatment costs pays another to make a voluntary, yet quantifiable pollutant reduction for a lower cost. Water Quality Trading many times requires the implementation of nonpoint source pollution best management practices (BMPs) to reduce pollutant loadings. SWCDs are the optimum local units of government to provide the necessary state-wide technical assistance to private landowners in the protection of natural resources. SWCDs have been a vital tool in leveraging additional USDA and other federal technical and financial assistance dollars for conservation practices in MN. SWCDs can assist with the promotion, design, implementation, inspection and tracking of installed BMPs as part of a future Water Quality Trading program. SWCDs believe that market-driven approaches such as water quality trading provide greater flexibility and have potential to achieve water quality and environmental benefits greater than would otherwise be achieved under more traditional regulatory approaches.

Approved: December 4, 2007

Sunset Date: **December, 2011**

LOCAL PROPERTY TAX VALUATIONS ON PERPETUAL RIM & PERPETUAL CREP LANDS

06-2007

Policy goal: Support legislation to keep property valuation on these lands at the rate in effect during initial enrollment, for the original landowners and heirs.

Background: There are landowners who enrolled in these programs with the intention of using the land for their own purposes, with no intent to sell the property. Sales of RIM and CREP land across Minnesota have caused property tax valuations on these lands to increase dramatically. These lands are in perpetual easements and cannot be developed, built upon or produce commodity crops and will remain in the RIM and CREP programs permanently. These tax payments could become a burden on the original owners or the heirs of the original owners.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Section 4 – Federal Conservation Programs and Issues

CONSERVATION RESERVE PROGRAM – RATES AND INCENTIVES

INCENTIVE PAYMENT FOR CRP LIVING SNOWFENCE PRACTICE

20-2010

Policy goal: Request that the Farm Service Agency (FSA) consider giving the 20% incentive payment to land that is enrolled into the CRP CP17A Living Snow Fence Practice.

Background: The USDA Farm Service Agency (FSA) administers the Conservation Reserve Program (CRP). The CP5A Field Windbreak Establishment Practice is eligible for the 20% incentive payment. The CP5A Field Windbreak Establishment eligibility for cost share shall improve environmental benefits to less than the soil loss tolerance, and prevent degradation of environmental benefits from recurring after establishment. The CP17A Living Snow Fence Practice eligibility for cost share shall improve environmental benefits to below the soil loss tolerance, and prevent degradation of environmental benefits from recurring after establishment; which is virtually the same as CP5A eligibility requirements. The CP17A Living Snow Fence Practice currently is not eligible for the 20% incentive payment.

Approved: December 7, 2010

Sunset Date: December, 2014

Status: MASWCD forwarded the resolution to the national level for consideration. At the 2011 convention of the National Association of Conservation Districts (NACD), it was passed 9-0 out the Legislative Committee to the consent calendar, and later adopted by the NACD board. NACD will request that the Farm Service Agency (FSA) consider giving the 20% incentive payment to land that is enrolled into the CRP CP17A Living Snow Fence Practice.

INCREASE CRP COST-SHARE NOT TO EXCEED RATE FOR ANCHORED MULCH

11-2009

Policy goal: Encourage the State FSA Committee to consider increasing the not to exceed rate for anchored mulch.

Background: It is very important that landowners and contractors who work on conservation practices to use appropriate best management practices during construction for erosion prevention and sediment control. Failure to apply proper construction site erosion control practices can damage local soil and water resources. Mulching is an important best management practice that is critical to the establishment of vegetation on many conservation practices. Proper mulching requires special equipment to spread and anchor mulch; local contractors are charging from \$500.00 to over \$1000.00 an acre to apply and crimp straw mulch. The current CRP not to exceed rate is \$135.00 per acre and places a burden on landowners that are required to mulch their waterways.

Approved: December 8, 2009

Sunset Date: December, 2013

Status: The resolution was forwarded to the state FSA office in April, 2010. No response has been received to date.

CRP RENTAL RATES

27-2007

Policy goal: Support changes to current USDA Conservation Reserve Program (CRP) payment rates, which would add a 20% bonus to soils with an Erodibility Index greater than 15, in addition to the current rate.

Background: CRP rates are based on soil types and current rental rates, with higher rates paid for soils with higher productivity potential. However, while environmental benefits such as erosion control and improved water quality are primary goals of CRP, the most highly erosive soils generally receive the lowest CRP rates. Increasing CRP rental rates on these most highly erodible soils would provide an incentive for producers to enroll these environmentally sensitive soils resulting in greater environmental benefits than more productive, less erodible soils.

Approved: December 4, 2007

Sunset Date: December, 2011

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD) the resolution passed committee 9-1 and passed the full board meeting. This now joins NACD policy that already fully supported this concept but had other formulas and soil loss rates. The resolution was assigned to NACD's Natural Resource Policy Committee for further action.

Section 4 – Federal Conservation Programs and Issues (*continued*)

CONSERVATION RESERVE PROGRAM – HAYING AND GRAZING

MANAGED HAYING AND GRAZING FOR CRP

22-2008

Policy goal: Work with USDA Farm Service Agency and Natural Resources Conservation Service to **eliminate the 25% reduction in payment and make all practices with grass vegetation eligible for haying and grazing**; basically, to make the critical feed use program an annual program including all conservation practices with grass vegetation.

Background: Prices for most field crops have advanced to record or near record levels recently, reflecting strong demand, tight supplies and competition for acres. Rental rates under the Conservation Reserve Program (CRP) are not competitive with other uses such as raising commodity crops. The increased demand for commodities and resulting higher prices has impacted the livestock industry, in particular. The “critical feed use program” initiated for 2008 will provide much needed feed and forage while maintaining the conservation benefits of CRP by haying and grazing after the nesting period and only charging a \$75 administrative fee. Haying and grazing are beneficial management practices that improve habitat for wildlife, similar to burning, by increasing diversity of the stand and provide long term benefits for wildlife. The Farm Bill also authorizes limited haying and grazing CRP contracts. Rules allow haying and grazing of CRP contracts with a 25% reduction in the annual payment only after the end of the primary nesting period. The primary nesting period has been determined to end August 1 in Minnesota. The value of such forage is not worth a 25% reduction in payment. Under the present rules, this practice will not be utilized to the extent Congress intended, which is to improve habitat while providing forage to livestock producers. Not all CRP practices are eligible to be hayed and grazed (such as CP23 & CP25). Mid contract management is mandatory in all new CRP contracts, calling for some sort of disturbance, whether it is mowing, burning, haying, etc. Ultimately it is better to have CRP that is hayed and grazed with a management plan rather than lose it to raising commodity crops.

Approved: December 9, 2008

Sunset Date: **December, 2012**

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD), the resolution failed and it was stated that CRP is intended to be a land retirement program, while this resolution would take the land back out of retirement without a corresponding reduction in program payments.

CRP ELIGIBILITY

28-2007

Policy goal: Support changes to current laws, policies, regulations and/or interpretations of the same which would **allow rotational hay land to be eligible** for the federal Conservation Reserve Program (CRP).

Background: Eligibility in the program is based in part on crop history. Consequently, certain land in a crop rotation including hay land may be ineligible for CRP depending on the year of establishment of the hay land, while other land with the same rotation may be eligible. Much of the highly erodible land (HEL) acres may have a crop rotation containing hay land. Crop records are generally readily available to determine crop rotations.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD) the resolution failed 1-8 in committee. There is current NACD policy that supports the eligibility of hay and pasture for CRP cropping history. The Food, Conservation, and Energy Act of 2008 states that with regard to highly erodible land, in general, “alfalfa and other multi-year grasses and legumes in a rotation practice approved by the Secretary of USDA shall be considered agricultural commodities.” The Act further states that “[a]lfalfa, when grown as part of a rotation practice, as determined by the Secretary of USDA, is an agricultural commodity subject to the cropping history criteria for the purpose of determining whether highly erodible cropland has been planted or considered planted for 4 of the 6 years.”

Section 4 – Federal Conservation Programs and Issues (*continued*)

CONSERVATION RESERVE PROGRAM – HAYING AND GRAZING (*continued*)

EMERGENCY HAYING AND GRAZING OF CRP

31-2007

Policy goal: Work with USDA Farm Service Agency, Natural Resources Conservation Service and the State Technical Committee (STC) to **determine for the Conservation Reserve Program (CRP) an appropriate timeline to respond to requests of emergency situations** and to treat all requests the same. In emergency situations, certain practices such as CP-23 should be included on the list of practices eligible to be hayed and grazed.

Background: While drought conditions in 2006 met the requirements of the STC to release CRP for emergency haying and grazing, two weeks passed before some requests were approved. During this time, livestock producers were in desperate need of relief from the drought. At the same time, many requests were approved in two or three days. Failure to act on a request in an appropriate matter of time can be perceived by some that the request may not be taken seriously.

Approved: December 4, 2007

Sunset Date: **December, 2011**

CONSERVATION RESERVE PROGRAM – BIOMASS/ENERGY RELATED

CRP AND BIO-MASS USAGE

25-2010

Policy goal: Seek creation of a policy whereby bio-mass crops are allowed to be planted on CRP acres and can be harvested and sold to off-set the difference in rent and CRP and still help control erosion not to exceed one-third using a three-year contract.

Background: CRP rates and rental rates are far apart. There is a need for bio-mass to produce needed energy.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: MASWCD forwarded the resolution to the national level for consideration. At the 2011 convention of the National Association of Conservation Districts (NACD), it failed 0-9 in the Legislative Committee.

CELLULOSIC ETHANOL PRODUCTION UTILIZING CRP NATIVE PRAIRIE GRASSES

25-2007

Policy goal: Encourage USDA Farm Service Agency (FSA) to allow a percentage of CRP native prairie grass acres to be harvested for the purpose of supplying cellulosic biomass to a prototype cellulosic refinery.

Background: The CRP contract holders supplying cellulosic biomass to a cellulosic facility should not see a reduction in their CRP payments and should be eligible to receive a reimbursement payment from a cellulosic plant for costs incurred in harvesting and transporting of the cellulosic biomass to a cellulosic facility. Energy policies both at the federal and state levels indicate there is a future to cellulosic ethanol production by utilizing biomass. There are millions of CRP acres planted to native prairie grasses that can be utilized as a Cellulosic Biomass Crop for ethanol production. CRP contract holders are required to perform a mid-management practice activity as part of their approved conservation plan. The mid-management practices, such as light disking, prescribed burning or mowing, are the only acceptable management practice activities allowed to be performed on these CRP acres. Burning creates potential liability, and mowing without removal of residual vegetation can cause more problems.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD) the resolution failed in committee 3-6. Currently some harvest is allowed with a CRP payment reduction. NACD policy is if Congress creates an energy crop production program, NACD will support a stand-alone energy program with conservation compliance and technical assistance.

Section 4 – Federal Conservation Programs and Issues (*continued*)

CONSERVATION RESERVE PROGRAM – WINDBREAKS

WIND EROSION EQUATION FOR ELIGIBILITY FOR CP5A FIELD WINDBREAK ESTABLISHMENT

21-2010

Policy goal: Request that the Natural Resources Conservation Service (NRCS) **relook at the wind erosion equation** and include an unsheltered distance in the calculation.

Background: The USDA Farm Service Agency (FSA) administers the Conservation Reserve Program (CRP) and the Natural Resources Conservation Service (NRCS) administers the technical aspects of CRP. Land must meet wind erodibility equal to or greater than T in order to be eligible for the CP5A Field Windbreak Establishment. In the past the potential soil loss was determined for a single field windbreak using the wind erosion equation which included an unsheltered distance length that was to be shortened by the establishment of the Field Windbreak. The current potential erodibility equation developed by Natural Resources Conservation Service in 2007 does not include an unsheltered distance length in the calculation. The current equation under predicts soil loss to the point that few if any sites in southwest Minnesota are eligible for Field Windbreaks regardless of the length of the unsheltered distance that exists.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: NRCS State Conservationist, Don Baloun, sent the following, CRP Note 122, on January 7, 2011: “Changes were made to the eligibility criteria for CP5A, Field Windbreaks due to changes in the 2-CRP. For eligibility requirements, the practice shall improve environmental benefits to less than the soil loss tolerance in the area affected by the practice; not necessarily the entire field. By definition, every windbreak has zero wind erosion in the downwind area protected by the windbreak. There is no requirement that the location of the CP5A practice need to be above ‘T’ before establishing this practice; the requirement is below ‘T’ after establishment.”

FEDERAL FIELD WINDBREAK COST-SHARE ELIGIBILITY

36-2007

Policy goal: Take appropriate action to encourage the USDA Farm Service Agency (FSA) and the Natural Resources Conservation Service (NRCS) to change their policy and **allow cost-share on field windbreaks planted on any site deemed appropriate, without regard to wind erosion rates.** In the event this cannot be changed for FSA Cost-Sharing under provisions of the Continuous Conservation Reserve Program (CCRP), changes should be sought to State Cost-Sharing Policy to allow field windbreaks on appropriate sites, without regard to wind erosion rates.

Background: FSA and NRCS jointly prepared eligibility rules for field windbreaks (Practice CP5A) that state “documented potential wind erosion must be equal to or greater than tolerable soil loss (T) in order for the practice to be eligible for cost-share.” However, in many areas of the southern part of the state it’s difficult to find locations that have soils eroding at levels greater than T from wind alone. Even though soil erosion may not exceed T on a site, soil erosion reduction benefits will be realized on all sites. Field windbreaks provide many other benefits including protecting nearby crops from wind related damage, managing snow deposition, increasing carbon storage and enhancing wildlife habitat.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Section 4 – Federal Conservation Programs and Issues (*continued*)

CONSERVATION RESERVE PROGRAM - OTHER

INCREASE CCRP HEADLAND BUFFER WIDTH

22-2010

Policy goal: Encourage the State FSA Committee to **increase the CCRP Headland Buffer width to a maximum of 60 feet.**

Background: Modern farm equipment has generally increased in size and complexity; and requires more than a 15 feet wide buffer to turn around on field ends which are commonly referred to as 'Headlands'. These headlands often follow property lines, roads, or other features that do not fit well with contour farming practices. This results in either end rows that are highly erosive due to lack of contouring or the abandonment of this cropland area to allow turning of farming equipment. Current Continuous Conservation Reserve Programs (CCRP) only allow the enrollment of headlands where required for drainage of no more than 15 feet in width. The former Conservation Reserve Enhancement Program (CREP) allowed an enrollment of headlands up to 60 foot wide, which is a more reasonable and popular buffer width for most farm equipment.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: MASWCD forwarded the resolution to the national level for consideration. At the 2011 convention of the National Association of Conservation Districts (NACD), it was passed 9-0 out the Legislative Committee to the consent calendar, and later adopted by the NACD board. NACD believes that the Continuous CRP Program should allow wide enough end-row buffers to turn equipment around on and not have to be associated with contour buffer strips.

CONSTRUCTION OF CONSERVATION PRACTICES ON LAND ENROLLED IN GENERAL CRP

26-2007

Policy goal: Work through the National Association of Conservation Districts (NACD) to encourage USDA to **allow the construction of conservation practices on lands currently enrolled in CRP**, if approved by the SWCD board and the corresponding Farm Service Agency County Committee.

Background: Due to the changing farm economy and farm bill, many expiring CRP contracts will not be renewed and the land will be put back into production. Many of the lands enrolled in CRP did not have adequate conservation practices, such as waterways, sediment basins and terraces before being enrolled in CRP. Permanent vegetation upslope from conservation practices reduces the erosive effects of precipitation. Installing conservation practices before the grasses are removed would reduce the risk of damage to newly-constructed and seeded conservation practices.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD) the resolution passed in committee 10-0 and was adopted by the full board on the consent calendar. It is now NACD policy. It was stated that this practice is already allowed in some states on a limited basis. The resolution was assigned to NACD's Natural Resource Policy Committee for further action.

PLASTIC MULCH ELIGIBILITY FOR FEDERAL COST-SHARE

35-2007

Policy goal: **Pursue statewide cost-share of funding of tree fabric through the USDA Farm Service Agency (FSA).**

Background: FSA rule which makes Minnesota townships with an annual precipitation of 25 inches or more ineligible for tree fabric is not practical. SWCDs continue to sell and plant trees for their environmental benefits and beauty to the landscape. It also helps districts earn income to sustain their districts operations. This directive is limiting the planting of new plots. Tree fabric is so important to weed control and survivability of newly planted trees. The loss of cost-sharing dollars is decreasing new or added tree plantings which are so critical to our environment.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Section 4 – Federal Conservation Programs and Issues (*continued*)

ENVIRONMENTAL QUALITY INCENTIVES PROGRAM (EQIP)

NRCS EQIP DOCKET

18-2010

Policy goal: Encourage NRCS to release its updated EQIP docket prior to the Local Work Group meetings.

Background: NRCS has conducted an EQIP sign up each year since 2003. The Local Work Group in each SWCD meets annually to determine local priority resource concerns and ranking. Each year NRCS updates and changes the EQIP docket. The Local Work Group needs this updated information to aid in their establishment of local priority resource concerns and ranking.

Approved: December 7, 2010

Sunset Date: December, 2014

Status: MASWCD forwarded this resolution to the national level. At the 2011 convention of the National Association of Conservation Districts (NACD), it passed 10-0 in committee (District Operations and Member Services) after amending “SWCD” to “conservation district”. It is now NACD policy to encourage NRCS to release its updated EQIP docket prior to the Local Work Group meetings.

EQIP COST-SHARE RATE

21-2008

Policy goal: Request that the USDA Natural Resources Conservation Service (NRCS) consider reviewing their practice payment rates under the Environmental Quality Incentives Program (EQIP) for both terraces and a water and sediment control basins. The payments should be based on a formula which includes the cost per foot with ridge break points at two feet, four feet, and six feet and above six feet. The payment rate should reflect 50% of the cost.

Background: NRCS administers EQIP to assist landowners with implementing practices that protect and improve soil, water, air, plant, and animal resources on their farms. Many landowners rely on practice payments in order to commit to installing needed practices. NRCS has established practice payment rates for all practices. Terrace practice payment rate covers only about 25% of construction costs. The water and sediment control basin practice payment rate is based on a number instead of feet. Both terrace and water and sediment control basin ridge heights most often vary between two and four feet. The current break point for water and sediment control basin’s practice payment rates are based on break points at three feet, six feet and greater than six feet. The costs for terraces and water and sediment control basins are virtually identical when comparing the cost per foot with consideration of ridge height.

Approved: December 9, 2008

Sunset Date: December, 2012

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD), the resolution failed and it was stated that most states resolve this issue with their NRCS State Technical Committee. MASWCD also submitted the resolution to NRCS in Minnesota. The April 13, 2009 response from Minnesota NRCS State Conservationist states the following:

A few points need to be made and clarified about the “EQIP Cost Share Rates,” and the ability to provide input to NRCS on costs related to the implementation of conservation practices.

- 1. In the past, including FY2009, practice payment rates were set annually based on data from actual contracts and from other sources.*
- 2. The payment schedules are statewide payment schedules and are not specific to a given county or NRCS area.*
- 3. NRCS no longer pays cost-share. We have a practice payment rate which is based on average costs of installation and a payment rate percentage, which for FY2009 for terraces and water and sediment control basins is 75 percent. Therefore, producers are not guaranteed to receive a given percentage of the cost to implement a practice. They receive a payment rate, which may reflect a range of “cost-share” percentages depending on the actual cost to the producer.*
- 4. The typical scenarios for terraces and water and sediment control basins were decided upon by the Area Engineers based on their knowledge of the typical practices being installed in their area. Since this is a statewide payment schedule, the typical scenarios may not specifically reflect exactly what is being installed in a given county.*
- 5. The payment rates are updated annually, given adequate data to support an increase/decrease in costs. The SWCDs can submit cost data for specific practices through their DC to the Area Office for submittal to the State Office. The FY2009 bulletin covering cost data collection states that, “If Area Offices have additional cost information that is important to the installation of conservation practices, such as information from SWCDs, custom rates, other federal programs (WRP) or information from other local sources, they can submit that information by scanning the document and saving it in the share point folder for the specific area.”*

I believe that by increasing the payment rate percentage to 75 percent, the majority of the concerns brought up in this resolution have been handled. I also encourage all SWCDs to provide comments and cost data through the local District Conservationist for future practice payment schedules.

Section 4 – Federal Conservation Programs and Issues (*continued*)

COMPLIANCE ISSUES

COMPLIANCE WITH BUFFER STRIPS FOR GOVERNMENT SUBSIDY PAYMENT

24-2010

Policy goal: Seek creation of a policy whereby any farmer, in order to receive government subsidy, will be required to have and maintain buffer strips and filter strips where needed.

Background: There is more and more land going into row crops and we need to reduce erosion run-off to help clean up our streams and rivers.

Approved: December 7, 2010

Sunset Date: December, 2014

Status: MASWCD forwarded the resolution to the national level for consideration. At the 2011 convention of the National Association of Conservation Districts (NACD), it failed 0-10 in the Legislative Committee.

HEL SOIL LOSS COMPLIANCE

33-2007

Policy goal: Request that the National Association of Conservation Districts (NACD) advocate for elimination of federal farm payments to producers who are not following a farm plan that lowers erosion to “T” or less. A system should be established that penalizes for failure to comply with the requirements of a conservation plan that is based on the severity of non-compliance.

Background: Many USDA programs require an approved conservation plan on all Highly Erodible Land (HEL) in order to stay eligible. SWCDs are asked to review and approve these plans. Failure to follow an approved conservation plan can make a producer ineligible for USDA programs, which may cause significant financial hardship for that producer. There is some apprehension by fellow producers and county committee members to enforce HEL planning provisions of the federal Farm Bill because of fear of causing catastrophic financial hardships. RUSLE2 has been adopted by the NRCS to determine soil loss for programmatic purposes. RUSLE2 soil loss tolerances do not seem to correspond to the same amount of soil savings on the land as RUSLE or USLE. A conservation plan that meets the “2T” standard of RUSLE2 may not meet the requirements of “2T” using the RUSLE criteria. A conservation plan for fields being sod busted is required to meet the “T” standard for allowable soil loss. More erosion would be prevented if USDA would require a conservation plan meet the standard of “T” using the RUSLE2 on all fields.

Approved: December 4, 2007

Sunset Date: December, 2011

Status: MASWCD forwarded the resolution to the national level. At the 2008 convention of the National Association of Conservation Districts (NACD) the resolution failed for lack of a motion to bring it forward; it already is NACD policy 8.J.7 and 8.C.1. NACD fully supports this policy.

The new Farm Bill (Food, Conservation, and Energy Act of 2008) includes a provision for graduated penalties. In the event a person has failed to comply with the provisions of their conservation plan but the person has acted in good faith and without intent to violate, there are opportunities to reduce program payments in lieu of applying ineligibility provisions. The same is true if the violation is technical and minor in nature and has a minimal effect on the erosion control purposes of the plan. The new Farm Bill states that in lieu of applying ineligibility provisions in these cases, the Secretary of USDA or a designee shall reduce program benefits “that the producer would otherwise be eligible to receive in a crop year by an amount commensurate with the seriousness of the violation.”

Section 4 – Federal Conservation Programs and Issues (*continued*)

OTHER FEDERAL CONSERVATION PROGRAMS AND ISSUES

TECHNICAL SERVICE PROVIDER (TSP) CONTRIBUTION AGREEMENTS

19-2010

Policy goal: Work through the National Association of Conservation District (NACD) and the USDA Department of Agriculture to amend language in the 2008 Farm Bill to allow for TSP reimbursement payment to SWCDs and TSAs for technical service costs incurred when landowners are not funded or pull out prior to construction of their conservation practice.

Background: Soil and Water Conservation Districts (SWCD), Technical Service Areas (TSA) and the Natural Resources Conservation Service (NRCS) have a common purpose of helping to bring about conservation and wise use of land, water, wildlife and related resources. The SWCDs, TSAs, and NRCS jointly share in the responsibility of providing technical assistance to those participating in USDA programs that are administered by NRCS. NRCS has the authority to enter into a Contribution Agreement with the SWCDs and TSAs to be the Technical Service Provider (TSP) to assist NRCS with the technical assistance workload. Any of the participants need a preliminary survey and design completed to establish a cost for the installation of the conservation practice before they can be considered for cost-share assistance. Technical assistance costs are incurred by SWCD and TSA Staff when determining eligibility of the conservation practice; if it is determined the landowner is ineligible or does not receive funding for the conservation practice there is no compensation for the time spent on that project.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Status: MASWCD forwarded this resolution to the national level. At the 2011 convention of the National Association of Conservation Districts (NACD), it failed 4-5 in committee (District Operations and Member Services).

WAIVER OF U.S. FISH AND WILDLIFE EASEMENT REQUIREMENTS FOR EROSION CONTROL PRACTICES

27-2010

Policy goal: Work with the Minnesota Board of Water and Soil Resources and the U.S. Fish and Wildlife Service to create an exemption or waiver for the installation of underground outlets (drain tile) for the purpose of erosion control practices on land that has a U.S. Fish and Wildlife Easement.

Background: In 1937 the Minnesota State legislature passed legislation to create Soil and Water Conservation Districts. Minnesota Statutes 103C directs Soil and Water Conservation Districts to maintain and enhance the quality of soil and water resource of the state of Minnesota. Soil and Water Conservation Districts work with landowners to install conservation practices on their land to reduce and prevent soil erosion and improve water quality. Soil erosion practices installed by Soil and Water Conservation Districts are sediment blocks, terraces, and grassed waterway. These conservation practices require the installation of underground outlets (drain tile) to carry runoff water underground to a suitable outlet to prevent soil erosion. These conservation practices reduce soil erosion and reduce sediment reaching wetlands, streams, and lakes. The U.S. Fish and Wildlife Service have easements with landowners to protect wetlands from drainage and being degraded. Landowners who have U.S. Fish and Wildlife Service easements on their property are restricted in placing any underground outlets on their property because of the easement. The underground outlet installed with the erosion control practice is not intended to drain wetlands, but is prohibited because of easements on landowner's property.

Approved: December 7, 2010

Sunset Date: **December, 2014**

Section 4 – Federal Conservation Programs and Issues (*continued*)

OTHER FEDERAL CONSERVATION PROGRAMS AND ISSUES (*continued*)

INCLUDE HAY AS PART OF “BASE ACRES”

32-2007

Policy goal: Through the National Association of Conservation Districts (NACD), encourage USDA to consider acres planted to hay as part of a producer’s “base acres.”

Background: A producer’s eligibility for Farm Bill Assistance payments is determined from his/her “base acres.” “Base acres” are determined by the number of acres seeded to corn, soybean or small grains. Acres planted to hay can only be counted if during the Farm Bill program years, the area is planted to corn soybeans or small grains. Hay rotations are part of a producer’s conservation plan to manage operations to prevent excessive erosion. By not allowing acres planted to hay as part of a producer’s base acres, the Farm Bill programs encourage less perennial vegetation on the landscape and make the landscape more susceptible to erosion. Using hay as part of “base acres” determinations will encourage more perennial vegetation in conservation planning and increase the economic vitality of producers.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD) the resolution failed for lack of a motion to bring it forward for a vote. There was strong opposition from all states, except Midwest states. There was very strong opposition from California representatives who stated that they are the number-one agricultural state and have very little commodity crops grown there and have no desire to see any added. Most stated that this is a commodity issue and not a conservation issue. *Note, however, that if the land in question is highly erodible, “alfalfa and other multi-year grasses and legumes in a rotation practice approved by the Secretary of USDA shall be considered agricultural commodities” and will count toward “base acres.” See above policy 28-2007.*

FSA AERIAL PHOTOGRAPHY

34-2007

Policy goal: Work with the National Association of Conservation Districts (NACD) to acquire, at the national level, adequate funding for aerial photos for crop compliance to be completed annually. Regardless of which agency is handed the responsibility of acquiring this information, all public natural resource agencies should be allowed access.

Background: The USDA Farm Service Agency (FSA) has taken aerial photos annually for crop compliance since the late 1970’s. This collection of annual records has become a valuable tool for all natural resource agencies. However, limited funding has forced FSA to eliminate aerial photography for 2007. If funding does not become available, all natural resource agencies may lose a valuable tool for assisting landowners to implement conservation practices.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD) the resolution was amended so that the last paragraph reads: “NACD will work to (strike acquire) encourage adequate funding”. The reason for the change was that NACD does not acquire funds. The resolution failed 1-10 in committee. The reasons given were that current NACD policy already recognizes the importance of the aerial photos but adequate funding is hard to define in these times of funding shortages.

Section 4 – Federal Conservation Programs and Issues (*continued*)

INFORMATION AND EDUCATION

ADVANCE NACD MEETING LOCATION NOTICE

26-2009

Policy goal: Support having the National Association of Conservation Districts (NACD) announce the location of the NACD Annual Meeting a minimum of two years in advance to facilitate District budgeting and participation.

Background: NACD is a non-profit organization that represents Conservation Districts by providing a unified voice for natural resource conservation. The NACD Annual Meeting, held in various locations throughout the nation, is the platform for approving resolutions and setting policy for resource concerns of SWCDs. SWCDs throughout the nation annually contribute to support the NACD. The NACD, until 1995, announced the location of the Annual Meeting three years in advance allowing Districts to budget and plan for participation.

Approved: December 9, 2008

Sunset Date: **December, 2012**

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD), the resolution was taken under advisement by the board of directors and is current NACD practice.

NATIONAL PUBLIC SERVICE MESSAGES

38-2007

Policy goal: Work through the National Association of Conservation Districts (NACD) to create a national message about the need for conservation practices and implementation of Best Management Practices (BMPs) and apply to be selected as an Ad Council campaign.

Background: SWCDs need to do more to increase their exposure to the general public and get their message encouraging the adoption of conservation practices to a national audience. Many people are not aware of the existence of SWCDs and the services that they provide. The Ad Council is a non-profit group that produces, distributes and promotes thousands of public service campaigns on behalf of non-profit organizations and government agencies in issue areas such as environmental preservation. The mission of the Ad Council is to identify a select number of significant public issues and stimulate action on those issues through communication programs that make a measurable difference in our society. NACD is an organization that is national in scope and has a formal network of local chapters, affiliates and other ties throughout the country. NACD meets the eligibility requirements for consideration for selection as an Ad Council campaign.

Approved: December 4, 2007

Sunset Date: **December, 2011**

Status: MASWCD forwarded this resolution to the national level for action. At the 2008 annual convention of the National Association of Conservation Districts (NACD) the resolution failed 2-5 in committee. NACD policy already supports all media coverage. While Public Service Announcements (PSAs) are not specifically mentioned, it is part of the process. The MN delegates brought in Randy Koenen, the President of the National Farm Broadcasters and a MN native, to explain how PSAs worked, were made, and the cost. Randy did an excellent job of explaining how radio selects PSAs whether they come from the Ad Council or individual organizations. It was discussed that this resolution was a good reminder to the new NACD communications committee.

Section 5 – Conservation Programs and Issues Related to Both State and Federal Levels of Government

FOREST STEWARDSHIP PLANS

11-2010

Policy goal: Work with the Board of Water and Soil Resources (BWSR) and Department of Natural Resources to support legislation for state and federal funding for the forest stewardship program in Minnesota.

Background: Soil and Water Conservation Districts (SWCDs) have developed partnerships with landowners and the Department of Natural Resources – Division of Forestry in writing forest stewardship plans for non-industrial, private forest lands. The forest stewardship program supports and compliments SWCD programs, the “Wildlife Habitat Incentive Program” (WHIP) program and the “Environmental Quality Incentive Program” (EQIP) program through the Natural Resources Conservation Service (NRCS). Landowners who have registered forest stewardship plans can receive tax reduction incentives for managing their forests. Annual “requests for proposals” can be submitted to the DNR - Forest Stewardship Committee by local units of government and private consultants to write forest stewardship plans. The forest stewardship program has provided technical assistance to landowners through the Department of Natural Resources foresters and local partners since 1992 and DNR foresters have provided forestry plans since the 1940’s. It is estimated that 1.6 million acres of private forest lands have management plans written statewide and approximately 36% of forest lands in the state are family owned forests. State and federal funding for the forest stewardship program has decreased in recent years, therefore a fee system was recently established to charge landowners a fee for this service ranging from \$230 to \$1,000 per plan, to help cover the costs of the program.

Approved: December 7, 2010

Sunset Date: December, 2014

Status: State and federal budget deficits and consequent cuts to program funding have precluded MASWCD from pursuing new funds for forest stewardship planning. However, MASWCD did forward the resolution to the national level for consideration. At the 2011 convention of the National Association of Conservation Districts (NACD), the resolution was approved 10-0 in the Natural Resource Policy Committee for placement on the consent calendar. It was adopted by the NACD board and it is now NACD policy to support legislation and appropriations for increased state and federal funding for the forest stewardship program.

EDUCATION ON BENEFITS OF GRAZING ANIMALS FOR EROSION CONTROL

14-2009

Policy goal: Seek appropriate funding to launch a statewide education/awareness campaign on the importance of grazing animals for soil conservation.

Background: Grazing animals are an important component in soil conservation, allowing sensitive lands to be utilized for hay land and pasture instead of corn and soybeans.

Approved: December 8, 2009

Sunset Date: December, 2013



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