



# Non-Point Engineering Assistance Program

## Grant Administration Policy #11-40

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### 1.0 Program and Policy Purposes

The Non-Point Engineering Assistance Program (NPEAP) has been an important component of the local conservation delivery system in Minnesota since 1995. NPEAP delivery is implemented via eight Soil and Water Conservation District (SWCD) Technical Service Areas (TSAs) covering all of Minnesota, which are co-aligned with Minnesota Association of Soil and Water Conservation District (MASWCD) administrative areas. Each TSA is governed by a Joint Powers Organization (JPO) of SWCDs. NPEAP grants are used to help fund the costs of providing shared engineering and associated technical assistance for the implementation of soil and water conservation, water quality, and wildlife habitat practices and projects on private lands through member SWCDs and partners. Technical assistance and administrative activities necessary to implement this purpose are considered essential to the success of private lands conservation programs administered by BWSR and other state and federal agencies.

The purpose of this policy is to provide clear expectations for the administration of NPEAP grants and associated reporting. Pursuant to Minnesota Statutes, §103C.231, an SWCD may join or cooperate by agreement as provided in Section 471.59 with another SWCD in an operation or project in which the SWCDs have a common interest. SWCD JPO and staff are responsible for the administration and decisions concerning the local use of these funds in accordance with applicable Minnesota Statutes, BWSR policies, and other applicable laws. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with applicable laws and program policies. SWCD JPO may apply for and receive other BWSR program funds in accordance with the applicable program policy.

Based on the following minimum criteria, available funds are allocated to SWCD JPO that has fully complied with all program policies:

- Past success of the SWCD JPO in providing shared engineering and associated technical assistance for conservation practices and projects to and through member SWCDs;
- Ability of the SWCD JPO to expend the funds in a timely manner; and
- The past success of the SWCD JPO in complying with the applicable minimum grant reporting requirements.

### 2.0 Eligible Activities

The primary purpose of activities funded with NPEAP grants is to provide shared engineering and associated technical assistance for site evaluation, design, and construction of erosion and sediment control, water quality, and wildlife habitat practices and projects. Eligible activities are split into the following four categories:

- 2.1 Technical and Engineering.** A key priority for NPEAP funds is shared engineering and associated technical assistance activities and expenses for site evaluation, design, and construction of conservation practices and projects for erosion and sediment control, water quality, and wildlife habitat, in accordance with the approved grant work plan.
- 2.2 Administration and Coordination Activities.** Eligible activities include the administrative costs of the host district(s) and fiscal agent approved in the grant work plan, including: NPEAP staff training and coordination with the JPO, member SWCDs and partners.
- 2.3 Education and Information.** Eligible items and expenses include the associated costs of NPEAP staff providing training to member SWCDs and partners approved in the grant work plan.
- 2.4 Equipment and Supplies.** Eligible expenses include necessary equipment, hardware, software, and supplies, in accordance with the approved grant work plan.

### **3.0 Grant Match Requirements**

A minimum 10% cash match is required from local, other state and federal funds which the JPO is eligible to receive. The anticipated source(s) for this match shall be identified in the grant work plan.

### **4.0 Grant Work Plan and Reporting Requirements**

To ensure the continued success of the Non-Point Engineering Assistance Program, development of grant work plans and regular reporting of financials, as well as technical assistance accomplishments, are required. Guidance for developing applicable grant work plans and reporting is available on the BWSR website. This reporting shall be completed through entries and documentation provided in the work plan and reporting guidance.

- 4.1 Grant Work Plan.** Work plan approval by BWSR staff is required to receive the associated grant. Work plans shall be developed in accordance with the guidelines for entering Non-Point Engineering Assistance Program work plans and reporting available on the BWSR website. Work plans shall be developed in eLINK4Web with an initiative for each eligible activity, a description of the anticipated activity accomplishments, and grant and match funding amounts to accomplish each of the activities. Changes during the grant period deviating on spending between initiatives from the originally budgeted amounts in the work plan by greater than 10% shall follow the Board of Water and Soil Resources grant recipient administrative requirements policy.
- 4.2 Reporting.** For Fiscal Year 2011 grants and beyond, annual reporting is required on a calendar year basis by the reporting deadline established by BWSR (February 1<sup>st</sup>). The SWCD JPO shall post and retain the annual financial statement and work plans on the SWCD JPO fiscal agent's website according to the timeline and guidelines established by BWSR.
  - a. Work Plan Reporting – Descriptions of actual results and financial expenditures for each initiative must be reported according to the applicable guidelines for entering work plans and reporting available on the BWSR website. Work plan reporting is required for each grant on a calendar year basis and at the end of the grant agreement period.
  - b. Accomplishments Report - Annual accomplishments reporting shall be submitted to the BWSR in accordance with the associated guidance and template provided. Accomplishment reporting is required on a calendar year basis. Accomplishment reporting shall include all projects and assistance provided by the TSA for the calendar year regardless of grant fund used to fund the project or assistance.
- 4.3 Grant Closeout.** Within thirty (30) calendar days of the conclusion of each grant agreement or expenditure of all grant funds, fiscal agents of SWCD JPO are required to:

- a. Provide on-line documentation of all work plan activities completed with the grant funding;
- b. Submit a Final Financial Report to BWSR, signed by the grantee's authorized representative; and
- c. Return any unspent funds as instructed on the Returned Check Form, found on the BWSR website.

These requirements apply to FY 2011 NPEAP grants and beyond.

**4.4 Annual Financial Statement.** The SWCD JPO must submit an annual financial statement to BWSR by July 30th of each year pursuant to MN Statutes, §471.698. BWSR will then submit to the Office of the State Auditor.

**4.5 Audit.** A JPO will be audited at least once every three years or whenever the fiscal agent district total revenue since last audit reaches \$500,000. The "total revenue" figure is taken off the year-end "Statement of Revenues, Expenditures and Changes in Fund Balance" in the actual column. This is a cumulative total of fiscal agent annual revenues, thereby requiring an audit for the year in which the \$500,000 threshold is reached. The audit must be conducted by an independent certified public accountant and then submitted first to the Office of the State Auditor in draft form, and once approved, sent to BWSR.

**4.6 Records Retention.** Program files must be retained by the JPO pursuant to Minnesota Statutes, §138.17 and consistent with ongoing records retention schedules.

## **5.0 BWSR Program Monitoring, Verification, and Non-Compliance Procedures**

**5.1 Monitoring.** BWSR Board Conservationists whose work area encompasses the fiscal agent SWCD will annually monitor all the Non-Point Engineering Assistance Program grants reporting for compliance with reporting requirements of the Non-Point Engineering Assistance Program policy above.

**5.2 Verification.** Verification will be conducted for compliance with contractual requirements in a manner consistent with the policies established by the Office of Grants Management and adopted by the BWSR Board. Elements described in the grant work plan will be reviewed in the verification.

### **5.3 Non-Compliance Procedures.**

- a. Non-compliance with grant work plan and reporting requirements - Any SWCD JPO that does not complete the work plan and reporting requirements in section 4 will not be eligible to receive funds from this program until all past work plan and reporting requirements have been completed.
- b. Non-compliance with the terms of the Grant Agreement - Financial penalties up to 150% of the grant amount may be applied to a grant recipient that does not meet the requirements and terms of the grant agreement.