

Local Water Plan Status and Grant Eligibility Policy

From the Board of Water and Soil Resources, State of Minnesota

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Policy Statement

It is the policy of the State of Minnesota to consider a grant applicant's past performance before awarding subsequent grants to them (see Office of Grant Management Policy 08-13). The Board of Water and Soil Resources recognizes the importance of local water planning to performance in grant implementation.

This policy applies to competitive and noncompetitive or formula grants and the status of the local water plan only. Decisions regarding grant awards and other aspects of performance will be determined through individual grant program policies or BWSR Board actions. Decisions regarding legislatively named and single and sole source grants and the status of water plans will be on a case-by-case basis. As per BWSR grant agreements, BWSR reserves the right to assure program compliance.

Reason for this Policy

The purpose of this policy is to provide clear direction for grantees and potential grantees on how the status of their local water plan impacts BWSR decision on grants and grant payments.

Requirements

1.0 Local Water Plan Status Criteria

For the purposes of this policy: if a local water plan meets the following applicable criteria, or the BWSR Board order or BWSR action approving the local water plan states a different period of time than the criteria below, or the plan has been properly extended through the BWSR Local Water Plan Extension and Amendment Policy if applicable, and the plan was adopted by the local unit of government (LGU) after BWSR approval, the plan will be considered current.

- The metro watershed management organizations or watershed district plan (Minnesota statutes §103B.231) is less than 10 years beyond the BWSR plan approval date;
- The non-metro watershed district plan (§103D.401 or §103D.405) is less than 11 years 3 months beyond the BWSR approval date;
- The county water plan (§103B.311) is less than 10 years beyond the BWSR approval date;
- The soil and water conservation district comprehensive plan (§103C.331, Subd. 11) or county water plan adopted by reference is less than 10 years beyond the BWSR approval date; or
- The comprehensive watershed management plan under §103B.801 (One Watershed, One Plan) is less than 10 years beyond the BWSR plan approval date; or
- The seven-county metropolitan area municipality's local water plan (Minnesota statutes §103B.235) has been approved by the WMO and adopted by the municipality.

2.0 Local Water Plan Status and Grant Execution

- 2.1 **Competitive Grants.** Application for competitive grants is allowed if the local water plan is not current; however, the plan must be current at the time the Board approves the award. If the plan is not current at the time of BWSR Board action, the application will be deemed ineligible. Joint powers organizations must be working under a State approved and locally adopted plan to be eligible. Competitive One Watershed, One Plan Program planning grants are exempt from this requirement.
- 2.2 **Noncompetitive or Formula Grants.** If a local water plan is not current at the time of BWSR Board action on noncompetitive grants, the grant will not be executed until the plan becomes current. If the plan remains not current within six months of the Board action, BWSR reserves the right to cancel the award taking into consideration the Participation Requirements in the One Watershed, One Plan Operating Procedures and the One Watershed, One Plan Transition Plan. The requirement for a current plan is not applicable to the Disaster Recovery and Assistance Program or Soil and Water Conservation District Joint Powers Organization Technical Service Areas funding.
- 2.3 **When a local unit of government has multiple local water plans.** If a local government unit has more than one local water plan covering different areas of their jurisdiction, eligibility is determined by:
 - 2.3.1 For competitive grants the project location must be identified. If the project is in the area of a non-current plan as in 2.1 above, the application will be deemed ineligible.

2.3.2 Noncompetitive or formula grants will follow 2.2 above, except for Watershed-based funding grants in 2.3.3 below. See also the BWSR Local Water Plan Amendment and Extension Policy.

2.3.3 Watershed-based Funding Grants. For these grants, eligibility will be determined through the Watershed-based Funding Policy.

3.0 Grant Payments and Amendments

Local water plan status will not impact processing of payments on, or decisions on amendments to, executed grant agreements, unless issues of noncompliance are found.

Related Information

- BWSR Grants Administration Manual sections:
 - Grant Noncompliance Policy
 - Processing a BWSR Grant
- BWSR Plan Extension and Amendment Policy

History

Version	Description	Date
1.00	This is the first version of this policy.	6/27/2018