



# BWSR Legislative Update

June 3, 2010

## State Budget Reductions

At the very end of the legislative session, the legislature reached a balanced budget agreement with the Governor. Since they did not have the time necessary to enact the bills required, a one-day special session was held. The budget agreement included ratifying many of the Governor's previously enacted unallotments as well as making shifts in school payments and additional budget reduction measures. In the end, BWSR did not receive any additional general fund reductions. Therefore, the information provided in the May 6 legislative update is still accurate and no other changes are anticipated. The May 6 Legislative Update can be found at: <http://www.bwsr.state.mn.us/publications/index.html>

## Legislation Enacted

**Streamlining the Metro Water Planning Process:** The bill which was signed into law on April 6, 2010 applies only to the 7-county metro area and provides for a shortened and less costly watershed management plan review process. The bill reduces review time from about 7 months to about 4 months. This is done mainly by allowing for the agency comments after the second plan review to be considered at the BWSR Board before plan approval rather than going back to the LGU. See Session Law [Chapter 218](#) for more specific information.

**Rural Preserves Property Tax Program Changes:** Two separate bills were passed that create changes to this program. Session Law [Chapter 215](#) Article 13 extends the date for property owners to make a decision about withdrawing from the Green Acres program from May 1 to August 16, 2010. Session Law [Chapter 389](#) changed the definition of "conservation management plan" to "conservation assessment plan" and allows for a USDA field map to be used rather than what was previously described as "a reliable field inventory of the individual conservation practices and cover types". BWSR will work to update the materials on our website to accommodate the new language although no significant changes are expected. Information on this program and links to the Department of Revenue can be found at: [http://www.bwsr.state.mn.us/Rural\\_Preserves/index.html](http://www.bwsr.state.mn.us/Rural_Preserves/index.html)

**Drainage Bill:** Session Law [Chapter 298](#) contains provisions developed through consensus of the Drainage Work Group members over the past two years. The law clarifies the use and partnerships for impoundments, rerouting, and partial abandonment of public drainage systems. It also updates various dollar limits and thresholds in drainage law and codifies BWSR's role for drainage stakeholder coordination to foster mutual understanding and provide recommendations on drainage system management. This language essentially acknowledges and confirms the efforts BWSR has been coordinating with the Drainage Work Group. For more information on this group visit: <http://www.bwsr.state.mn.us/drainage/index.html>.

**Omnibus Natural Resources, Environment and Energy Bill:** This bill contains provisions for Outdoor Heritage and Clean Water Funds. Article 1 is the Outdoor Heritage Fund appropriations which \$618,000 for the Little Nokasippi River Wildlife Management Area (ACUB) and \$6.895M for RIM, in cooperation with the NRCS WRP program. This article also calls for BWSR and DNR to work with a Technical Evaluation Panel to conduct restoration evaluations on projects funded by through Clean Water and Outdoor Heritage fund appropriations. Article 2 is the Clean Water Fund appropriations which provided additional funding to BWSR for riparian buffer easements (\$400K), wellhead protection easements (\$300K), and runoff reduction grants for WDs and WMOs (\$400K). The bill contained \$100K for BWSR to implement a micro grant program, which was vetoed by the Governor. Article 4 contains policy provisions and includes a statement that it is in the public interest to manage ground water and surface water resources from the perspective of aquifers, watersheds and river basins. It also extends the time a county is required to adopt an SSTS ordinance, requires the MPCA to consult with BWSR and the Association of Minnesota Counties on the progress towards local adoption of SSTS ordinances and progress in protecting water resources from failing septic systems. See Session Law [Chapter 361](#) for more information.

**LCCMR Appropriations Bill:** BWSR's proposal for \$368,000 to establish a Minnesota Conservation Apprentice Academy in cooperation with the Conservation Corp of Minnesota is included in this appropriation bill (see Session Law [Chapter 362](#)). This project is aimed at providing on-the-job training for college students at local units of government while meeting the need for additional staff capacity during critical on-the-ground implementation times.

**Watershed District Borrowing Bill:** This bill increased watershed district borrowing limits from \$600,000 to \$1,000,000 in order to facilitate land purchases for major flood reduction projects. This was included in the Omnibus Tax Bill. For more information see Session Law [Chapter 389](#).

## Legislation Not Enacted

**WCA Appeals Bill:** ([HF3494/SF3210](#)) this bill was aimed at allowing for additional time for LGUs to hear appeals and for the opportunity for an extension to an appeal hearing in the event that substantial data requiring more thorough review was brought forward at the time of a hearing. The House bill was amended with provisions that would have provided some slight adjustments to the wetland replacement provisions under a DNR permit to mine (essentially allowing mines to seek/establish in-advance mitigation sites in bank service areas 1 or 2 in NE MN without a ratio increase). The Senate did not adopt the same language. The differences in the bill were not resolved and it did not move forward.

**Fish and Game Bill:** This bill contained a number of provisions related to invasive aquatic species, hunting and fishing regulation adjustments and land sales. It also contained policy and an appropriation for a pilot 'walk-in' program for recreational access on private lands located in agricultural areas of the state. DNR and BWSR would have worked to develop the pilot program and provide a report to the legislature on program implementation and recommendations for future consideration. This bill was vetoed in its entirety. In his veto letter (see [Veto](#)), the Governor directed the DNR commissioner to work with BWSR to begin the development of this program to meet eligibility criteria for federal funding. The entire bill can be viewed at Session Law [Chapter 390](#).

## Grant Funding Opportunities

### **Lessard-Sams Outdoor Heritage Council (L-SOHC) accepting proposals through July 15, 2010**

The LSOHC is responsible for making funding recommendations to the legislature for the constitutionally dedicated Outdoor Heritage Funds. The L-SOHC seeks statewide proposals based on five ecological sections: Northern Forest, Forest/Prairie Transition, Metro Urbanizing, Southeast Forest, and Prairie. For each section the L-SOHC has developed a vision and priority actions. In order to receive consideration, proposals must address these identified priority actions. Complete information and the request for proposal package can be found at: <http://www.lsohc.leg.mn/FY2012/index.html>

### **Clean Water Partnership (CWP) funding request for proposals (RFP) delayed**

The MPCA was planning to issue the RFP for CWP grant and loan funding in May. However, due to state budget concerns the RFP has been put on hold. Please check the MCA website regularly and sign up for updates on MPCA funding and other important watershed program updates subscribe to "[WaterFront Bulletin](#)" by visiting: [www.pca.state.mn.us/water/tmdl/waterfront](http://www.pca.state.mn.us/water/tmdl/waterfront). A reminder that the CWP proposals will be accepted from local governmental units interested in leading a nonpoint source pollution control project to protect or improve water bodies. Priority for funding will be given to projects preventing degradation of unimpaired waters. It is anticipated that about \$2 million for grants and about \$2 million for loans will be available this year. Eligible applicants for CWP grants and loans include watershed districts, tribal authorities, cities and counties, and watershed management organizations. There is a \$250,000 limit on each grant funding and no limit for a loan request.

### **Clean Water Fund request for proposals expected late summer**

BWSR is planning to issue the next Clean Water Fund Implementation Grants Request for Proposals in the late summer timeframe with an anticipated deadline of mid-September. Up to \$12 million dollars in combined grant and MDA Ag BMP loans may be available. The grant categories and submission guidelines will be similar to the RFP issued in the fall of 2009 for 2010 funding. For information on the 2010 funding see: [www.bwsr.state.mn.us/grants](http://www.bwsr.state.mn.us/grants). For information regarding BWSRs implementation of the Clean Water Fund visit: [www.bwsr.state.mn.us/cleanwaterfund](http://www.bwsr.state.mn.us/cleanwaterfund).

### **Conservation Partners Legacy Grant Program RFP scheduled for August**

MN DNR manages this program which is funded by the constitutionally dedicated Outdoor Heritage Fund. The program provides grants from \$5,000 to \$400,000 for work to enhance, restore, or protect the forests, wetlands, prairies, and habitat for fish, game, or wildlife in Minnesota. Local, regional, state, and national nonprofit organizations, including government entities are eligible for funding. There will be over \$4M available for this application round. An on-line application will be available in August. The application deadline is September 15, 2010. For more information and to sign up for email updates visit: <http://www.dnr.state.mn.us/grants/habitat/cpl/index.html>.

## Important Dates

**BWSR Academy:** October 26, 27, and 28. Information is available at <http://www.bwsr.state.mn.us/academy/>.

**2011 Legislative Session:** January 4. A new legislature and Governor will inherit a projected \$6 billion deficit.