

Conservation Contracts Program Policy

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

Version: 1.00
Effective Date: 08/24/2023
Approval: Board Order #23-54

Policy Statement

The Conservation Contracts Program is established via Minnesota Statutes (M.S.), §103C.501 to allocate funds to Soil and Water Conservation Districts (districts) for practices, projects, and systems (projects) for:

- Erosion and sedimentation control,
- Improvements to water quality or water quantity,
- Habitat enhancement,
- Plant biodiversity,
- Energy conservation, or
- Climate adaptation, resiliency, or mitigation.¹

This policy applies to the Conservation Contracts Program and may apply to other funds allocated by BWSR to districts or other grantees based on legislative appropriation and/or board order. Program specific policy addendums may be used to identify additional or modified requirements.

Reason for the policy

The purpose of this policy is to provide expectations for conservation activities implemented through the Conservation Contracts Program and other programs conforming to this policy based on board order.

BWSR will use grant agreements for assurance of deliverables and compliance with appropriate statutes, rules, and established policies. Willful or negligent disregard of relevant statutes, rules, and policies may lead to imposition of financial penalties or future sanctions on the grantee.

¹ M.S. §103C.501, Subd. 1.

The BWSR Grants Administration Manual is the primary framework for grantee management of BWSR grant funds.

BWSR reserves the right to review and consider grantee administration of provisions subject to this policy.

Program Requirements

1. Eligible Activities

This policy supports use of funding for:

- Financial assistance for projects,
- Technical assistance,
- Project support,
- Administration, and
- Reporting.

Eligible activities must:

- Be identified in a state-approved plan established under M.S. Chapter 103B, 103C, 103D, 103F, 103G, or 114D,
- Leverage federal or other nonstate funds, or
- Address high-priority needs identified by the district based on public input.²

2. Ineligible Activities

Funds may not be used for projects that are designed only to increase land productivity.³

3. Financial Assistance

Grantees may provide financial assistance based on a percentage of installation cost, flat-rate, or incentive payments consistent with the procedures in the *Implementing Contracts with Land Occupiers* section of the BWSR Grants Administration Manual.

² M.S. §103C.501, Subd. 4.

³ M.S. §103C.501, Subd. 5. (c)

4. Project Assurances

A contract is required when funds are used to provide financial assistance to install projects. Grantees have the responsibility to ensure that the installed conservation project(s) meet the requirements identified in the *Project and Practice Assurances* section of the BWSR Grants Administration Manual.

5. Technical Quality Assurances

Grantees have the following responsibilities to ensure long-term public benefit of projects:

- **Technical Assistance Providers.** Ensure that identified technical assistance provider(s) have the appropriate technical expertise, skills, and training to their assigned role(s).
- **Standards.** Ensure the use of appropriate standards for design and installation.
- **Certification.** Certify that the project was installed according to applicable plans and specifications.
- **Operation and Maintenance.** Ensure an appropriate operation and maintenance plan is developed by qualified staff that identifies necessary activities and timing.
- **Periodic Project Inspection.** Conduct periodic project inspections to confirm the operation and maintenance plan is being followed and the project has not been altered or removed.⁴

For further information on assessing technical quality assurance for state funded projects see the *Technical Quality Assurance* section of the BWSR Grants Administration Manual.

6. Financial Assistance Policy

Grantees are encouraged to adopt a financial assistance policy before entering any financial assistance contracts. See the *Recommended Local Policies and Requirements* section of the BWSR Grants Administration Manual.

7. Grant Reporting

Requirements and procedures for grant reporting are found in the *Reporting Requirements for BWSR Grants* and *Closing out a BWSR Grant* sections of the BWSR Grants Administration Manual.

⁴ M.S. §103C.501, Subd. 7

History

Version	Description	Date
1.0	Conservation Contracts Program Policy (previously known as the Erosion Control and Water Management Program); first adoption	08/24/2023

Contact

For additional information, contact the designated BWSR staff.