

**Grant Program Requirements:**

**FY 26 Manure Management and Groundwater Protection**

**1. Match**

A non-state match equal to at least 10% of the amount of the grant received is required. The anticipated source(s) for the match shall be identified in the grant work plan. Match can be provided by a landowner, land occupier, private organization, local government or other non-state source and can be in the form of cash or the cash value of services or materials contributed to the accomplishment of grant objectives. State funded loans repaid with non-state funds may be used for the match. Funds used for match for this program cannot be used as match for any other state grant program.

**2. Grant Work Plan**

A work plan shall be developed in eLINK and must be approved before execution of the grant agreement. The work plan shall reflect each eligible activity that will be implemented, a description of the anticipated activity outcomes or accomplishments, and grant funding amounts to accomplish each of the activities.

**3. Eligible Activities**

The purpose of this program is for manure management activities to enhance groundwater protection and reduce greenhouse gases associated with agriculture. Priority must be given to areas with high groundwater nitrate levels or geology conducive to groundwater pollution, such as those shown on the Department of Agriculture's vulnerable groundwater area map. Funded activities may include: projects and practices that limit agricultural use of vulnerable land, such as establishing karst feature buffers or conservation easements; and cost-share assistance for constructing manure management and storage facilities. All funded projects must be designed to result in improved water quality or reduced greenhouse gas emissions. Feedlot funding recipients must have a nutrient management plan and must operate at fewer than 1,000 animal units. Funding for expanded liquid manure storage capacity must not exceed 12 months of storage based on current animal numbers. Anaerobic digesters are not eligible for funding under this subdivision.

Eligible activities should be consistent with a watershed management plan, comprehensive watershed management plan, county comprehensive local water management plan, soil and water conservation district comprehensive plan, metropolitan local water plan or metropolitan groundwater plan that has been State approved and locally adopted or an approved total maximum daily load study (TMDL), watershed restoration and protection strategy (WRAPS) document, groundwater restoration and protection strategy (GRAPS) document, drinking water protection plan, surface water intake plan, or source water/wellhead protection plan, or has been identified as a priority by a federally recognized Indian Tribe or Intertribal Consortium.

Eligible activities can consist of structural practices and projects, non-structural practices, project support, grant management and reporting. Technical and engineering assistance necessary to implement these activities are considered essential and are to be included in the total project or practice cost.

Eligible practices are limited to: livestock management facilities that were initially registered before January 1, 2005; and livestock operations currently registered with the Minnesota Pollution Control

Agency Database or its equivalent, not classified as a Concentrated Animal Feeding Operation (CAFO), and facilities that are not expanding beyond the current number of registered animal units in accordance with Minnesota Rule Chapter 7020. BWSR reserves the right to deny, postpone or cancel funding where financial penalties related to violations have been imposed on the operator.

1. Funded projects must comply with standards in MN Rule Chapter 7020 upon completion (ie. no partial fixes allowed).
2. Eligible practices are limited to best management practices listed by the Minnesota NRCS or other applicable standards as certified by a professional engineer.
3. Eligible practices and project components must meet all applicable local, Tribal, State, and federal standards and permitting requirements.
4. Feedlot roof structures are eligible up to \$100,000 per project with state grant funds and not to exceed 100% of construction costs.
5. Feedlot relocations are eligible, up to \$100,000 per project with state grant funds and not to exceed 100% of the construction costs. The existing eligible feedlot must be permanently closed in accordance with local and State requirements. The existing and relocated livestock waste management systems sites are considered one project for grant funding.

Non-structural activities that supplement or exceed current minimum state requirements or procedures for protection, enhancement, and restoration of water quality in lakes, rivers, and streams and to protect groundwater and drinking water sources from degradation are eligible.

#### **4. Ineligible Activities**

The following activities are ineligible for these funds:

- a. Water quality monitoring such as, but not limited to, routine, baseline, diagnostic, or effectiveness monitoring. This includes both surface and groundwater monitoring activities.
- b. Anerobic Digestors
- c. Liquid Manure Storage Capacity that exceeds 12 months of storage based on current animal numbers.
- d. Feedlot project;
  - i. Expansions beyond state registered number of animal units, and
  - ii. slats placed on top of manure storage structures.
- e. State-held easements or fee title land acquisition, unless approved by BWSR staff, State-held easements or fee title land acquisition can count toward the required match if directly associated with the project and incurred within the grant period.
- f. Activities that meet minimum requirements of law or permit including but not limited to: Buffer Law, Drainage Law, Shoreland Law, Groundwater Protection Rule, Wetland Conservation Act.
- g. Routine maintenance activities or repair of capital equipment and infrastructure within the effective life of existing practices or projects.

#### **5. Native Vegetation**

Projects that involve vegetation restoration or establishment must use native vegetation and seed and plant sources consistent with BWSR's Native Vegetation Establishment and Enhancement Guidelines, with the exceptions listed below. Use of plant species on the Minnesota [Noxious Weed List](#) is prohibited for all projects. Non-native species used for projects must not pose a risk to native plant communities. The maximum distance for sources of herbaceous species seed and plants is 200 miles; and for tree and shrubs seed and plants the distance is 300 miles.

## Exceptions

- Non-native, non-invasive perennial crops, hay crops or forage crops may be used:
  - As part of a drinking water protection strategy in a vulnerable or highly vulnerable DWSMA as designated by the Department of Health or in a Township Well Testing high-priority area as determined by the Department of Agriculture;
  - In buffers, borders, grass waterways or other areas likely to be exposed to pesticides or part of agricultural production;
  - For soil stabilization, erosion prevention and carbon sequestration in an agricultural production setting;
  - On fields that will be hayed, grazed or harvested.
- For the exceptions above, if the project area is under 20 acres in size, the exception may be approved by local conservation staff. If the project area is 20 acres or larger, or for any exceptions not listed here, grantees must request approval from the BWSR Grant Manager.
- Cover crops used to improve soil health and/or water quality are allowed without a maximum acreage limit.
- Temporary cover is allowed without a maximum acreage limit when needed to stabilize project sites prior to the construction of structural conservation practices.
- Cultivars of native species may be used in urban stormwater plantings if they accomplish similar or greater ecological functions, help achieve aesthetic goals and do not pose an invasive or other environmental risk

## 6. Allowable and Unallowable Costs

Allowable costs are costs solely incurred through project activities that are directly related to and necessary for producing the project outcomes described in the work plan. Grantee is required to account for the staff time charged to BWSR grants in order to track the expenditure of grant funds and match to ensure the use of the funds is consistent with applicable State and BWSR requirements.

Unallowable costs include but are not limited to:

- Bad debts, monetary settlements and judgements, late payment fees, and investment management fees
- Donations, fundraising, sponsorships, and acknowledgements
- Entertainment, gifts, prizes, and decorations
- Alcohol
- Interest on loans not authorized under state statute
- Loans of BWSR grant funds
- Lobbying, lobbyists, and political contributions
- Merit awards and bonuses

## 7. Permitting

The grantee is responsible for obtaining and complying with all reviews, permits, approvals necessary to execute the project. Grantees are strongly encouraged to contact the appropriate regulatory agencies early in the work plan development process to ensure potential projects can meet all applicable regulatory requirements.

**8. Sub-agreements**

Funds may be distributed to partner(s) through the use of sub-agreements. Activities identified in the sub-agreement must fit within the scope of the agreement between BWSR and the recipient and include requirements for fund distribution, implementation, and reporting.

**9. Technical Quality Assurance**

Practices and projects must meet the following requirements to ensure long-term public benefit:

- **Technical Assistance Provider.** The recipient must designate technical assistance provider(s) that have appropriate credentials for investigation, design, and construction.
- **Practice Standards.** Practices and projects must use appropriate standards for design, construction, effective life, operation, and maintenance.
- **Effective Life.** All structural practices must be designed and maintained for a minimum effective life of ten years for best management practices and 25 years for capital improvement practices. The beginning date for a practice's effective life is the same date final payment is approved and the project is considered complete. Where questions arise under this section, the effective lifespan of structural practices and projects shall be defined by current and acceptable design standards or criteria.
- **Practice Certification.** Technical assistance provider(s) must certify that the practice or project was installed or constructed in accordance with the applicable plans and specifications, including approved modifications, prior to authorization for payment.
- **Operation and Maintenance.** Technical Assistance Provider(s) must prepare an operation and maintenance (O&M) plan specific to the site and practice(s) implemented.
- **Periodic Practice/Project Inspection.** Inspections shall confirm that the operation and maintenance plan is being followed and the project has not been altered or removed.

**10. Project and Practice Assurances**

A written agreement is required to ensure program requirements are met when installing projects and practices or providing financial assistance to a land occupier. Project and Practice Assurances must include technical and financial obligations and requirements for the installation, operation, and maintenance of the practice or project, including a plan for failures or noncompliance.

**11. Grant Management and Reporting**

Eligible activities include local grant administration, management, and reporting that are directly related to and necessary for implementing the project or activity associated with the grant. Grantee is required to report on the outcomes, activities, and accomplishments.