



## AGENDA

### Dakota County Soil and Water Conservation District Board Meeting

Thursday, February 9, 2023 - 9:00 a.m.

Meeting Room 1 – Dakota County Extension and Conservation Center

4100 220<sup>th</sup> Street Farmington, MN 55024

1. Call to Order
2. Pledge of Allegiance
3. Audience  
*Anyone wishing to address the Board regarding an item that is not on the agenda may come forward at this time. Comments are limited to five minutes.*
4. Approval of Agenda (Additions/Corrections/Deletions)

#### CONSENT AGENDA

*To be adopted under one motion unless a request is made to move an item to Regular Agenda for discussion*

5. Approval of January 12, 2023 Meeting Minutes
6. Approval of February 9, 2023 Accounts Payable
7. Authorization to Enter into Engagement Letter with Peterson Company Ltd for Conducting 2022 Financial Audit

#### REGULAR AGENDA

8. Authorization to Execute Joint Powers Agreement with the Lower Mississippi River Watershed Management Organization for Implementing a FY21 Watershed Based Implementation Grant Action
9. Authorization to Execute Joint Powers Agreement with the Lower Mississippi River Watershed Management Organization for Implementing a FY22 Conservation Partners Legacy Grant Action
10. Adopt 2023 Cost Share Policies Action
11. Consider Resolution to Support Reauthorizing the Dedication of State Lottery Proceeds to the Environment and Natural Resources Trust Fund Discuss/Action
12. Announcements and Reports
  - Natural Resources Conservation Service
  - Dakota County
  - Cannon River Watershed Joint Powers Board
  - Metropolitan Conservation Districts Joint Powers Board
  - Minnesota Association of Soil and Water Conservation Districts
  - District Managers Report
  - Board of Supervisor Announcements
13. Upcoming Events
  - February 9, 2023 Dakota County Soil and Water Conservation District Board Meeting  
Extension and Conservation Center, 4100 220<sup>th</sup> Street West, Farmington – 9:00 a.m.
  - February 15, 2023 Black Dog Watershed Management Organization Meeting  
Burnsville Maintenance Facility, 13713 Frontier Court, Burnsville – 5:00 p.m.

- February 15, 2023 Lower Minnesota River Watershed District Meeting  
Chaska City Hall, Once City Hall Plaza 2<sup>nd</sup> Floor – 7:00 p.m.
- February 21, 2023 Eagan-Inver Grove Heights Watershed Management Organization Meeting  
Eagan Maintenance Facility, 3501 Coachman Point – 5:30 p.m.
- February 22, 2023 Metropolitan Conservation Districts Joint Powers Board Meeting  
Ramsey County Public Works, 1425 Paul Kirkwold Drive, Arden Hills – 4:00 p.m.
- February 23, 2023 Vermillion River Watershed Joint Powers Board Meeting  
Extension and Conservation Center, 4100 220<sup>th</sup> Street West, Farmington – 1:00 p.m.
- March 7, 2022 Minnesota Association of Soil and Water Conservation Districts Legislative Briefing  
Radisson St. Paul Downtown, 161 Saint Anthony Avenue, St. Paul – 4:30 p.m.
- March 8, 2022 Minnesota Association of Soil and Water Conservation Districts Day at the Capitol  
TBD
- March 8, 2023 Lower Mississippi River Watershed Management Organization Meeting  
Lilydale City Hall, 1101 Sibley Memorial Highway – 3:00 p.m.
- March 9, 2022 Dakota County Soil and Water Conservation District Board Meeting  
Extension and Conservation Center, 4100 220<sup>th</sup> Street West, Farmington – 9:00 a.m.

14. Adjourn



## MEETING MINUTES

### BOARD OF SUPERVISORS MEETING

#### DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, January 12, 2023

9:00 a.m.

4100 220<sup>th</sup> Street W, Suite 102  
Farmington, Minnesota

**Board Members Present:**

Laura Zanmiller, Chair  
Kevin Chamberlain, Vice Chair  
Chelsea Skog, Secretary  
Bruce Johnson, Information Officer

**SWCD Staff Present:**

Brian Watson  
Pam LaValle  
Court Coudron  
Ashley Gallagher  
Todd Matzke

**Others Present:**

Brad Becker, Dakota County  
Matthew Lundberg, NRCS  
Chris Schmidt, NRCS  
Anne Sawyer, State of Minnesota  
Dain Olson, DCAO

**1. Call to Order and Roll Call**

Chair Zanmiller called the meeting to order at 9:05 a.m.

**2. Pledge of Allegiance**

Chair Zanmiller led the Board of Supervisors in the Pledge of Allegiance.

**3. Election of the 2023 Officers**

Zanmiller opened the floor for nominations for Chair. Supervisor Chamberlain nominated Zanmiller as Chair. Watson called for nominations three times.

**23.001** Motion by Chamberlain to close nominations and cast a unanimous ballot, second by Johnson. All members voting in favor. Motion carried.

Zanmiller asked the Supervisors if they would like to retain their current officer positions.

**23.002** Motion by Skog, second by Johnson to retain the same Officer positions for the 2023 year. All members voting in favor. Motion carried.

**4. Audience**

Chair Zanmiller asked if there was anyone in the audience that wished to address the Board on an item that is not on the agenda. Nobody came forward.

**5. Approval of Agenda**

**23.003** Motion by Chamberlain, second by Johnson to approve the agenda. All members voting in favor. Motion carried.

**CONSENT AGENDA**

**6. Approval of December 28, 2022 Meeting Minutes**

The December 28, 2022 meeting minutes were presented.

**7. Approval of January 12, 2023 Accounts Payable**

The January 2023 accounts payable was presented.

**8. Designate 2023 Financial Depositories as Vermillion State Bank and Castle Rock Bank**

Designate Castle Rock Bank as the primary financial depository and the Vermillion State Bank as secondary financial depository.

**9. Designate 2023 Official Newspaper as the Dakota County Tribune**

Designate the Dakota County Tribune as the official newspaper for 2023.

**10. Adopt 2023 Board Operating Rules and Guidelines**

Adopt Board Operating Rules and Guidelines as presented.

**11. Approve 2023 Membership Dues**

11.1 Metropolitan Conservation Districts Joint Powers Board \$1,600

11.2 Cannon River Watershed Joint Powers Board \$3,500

11.3 Minnesota Association of Soil and Water Conservation Districts \$250 (metro area) \$6,244.30 (state)

11.4 National Association of Conservation Districts \$775

**23.004** Motion by Johnson, second by Chamberlain to approve the consent agenda items. All members voting in favor. Motion carried.

**REGULAR AGENDA**

**12. Authorization to Provide Partial Payment to Steve Wagner for Establishing Cover Crop (3-year)**

Steve Wagner has completed the first year of his three-year contract to establish cover crops on 100 acres in Vermillion Township located in the Vermillion River Watershed. The contract was approved at the July 14, 2022 Board meeting with an incentive payment not to exceed \$10,500. The payment is equal to \$35 per acre for 100 acres over a period of three years or \$3,500 each year the cover crop is certified.

**23.005** Motion by Chamberlain, second by Johnson to approve partial payment to Steve Wagner (22-IPP-27) for establishment of cover crop in the Vermillion Township, Vermillion River Watershed on 100 acres for a total of \$3,500. Funding would be provided by our agreement with Dakota County and our FY22 Clean Water Fund Drinking Water Protection Grant. Members voting in favor: Johnson, Chamberlain, Zanmiller and Skog. Motion carried.

**13. Authorization to Provide Final Payment to Dave Stein for Establishment of Cover Crop (1-year)**

Dave Stein has completed the establishment of a cover crop under two separate contracts totaling 78 acres. The fields are located in Douglas Township, Cannon River Watershed. The contracts were approved at the September 8, 2022 Board meeting with an incentive payment not to exceed \$25 per acre. Under each contract, incentives for establishing the cover crop include:

- 40 acres at \$1,000
- 38 acres at \$950

**23.006** Motion by Johnson, second by Skog to approve final payment to Dave Stein (22-IPP-38 & 22-IPP-40) for establishment of a cover crop in Douglas Township, Cannon River Watershed on 78 acres for a total of



\$1,950. Funding would be provided thru our agreement with Dakota County. Members voting in favor: Chamberlain, Zanmiller Skog, and Johnson. Motion carried.

**14. Authorization to Provide Final Payment to George Feidt for Establishment of Cover Crop (1-year)**

George Feidt has completed establishment of a cover crop on 49 acres in Douglas Township, Cannon River Watershed. The project was approved for funding at the September 8, 2022 Board meeting with an incentive payment not to exceed \$25 per acre.

**23.007** Motion by Skog, second by Johnson to approve final payment to George Feidt (22-IPP-39) for establishment of a cover crop in Douglas Township, Cannon River Watershed on 49 acres for a total of \$1,225. Funding would be provided thru our agreement with Dakota County. Members voting in favor: Chamberlain, Zanmiller, Skog, and Johnson. Motion carried.

**15. Authorization to Execute FY23 Grant Agreement with the Minnesota Board of Water and Soil Resources for Watershed Based Implementation within the Eagan-Inver Grove Heights Watershed Planning Area.**

The BWSR allocated \$75,000 to the Eagan-Inver Grove Heights watershed planning area under the Watershed Based Implementation Funding (WBIF) program. Participants (Partners) in the convene process included the Dakota SWCD, Dakota County, Eagan-Inver Grove Heights Watershed Management Organization (E-IGHWMO), and the cities of Eagan and Inver Grove Heights.

The Dakota SWCD will be the fiscal agent for the project. Additional grant match of 10% is required and it is anticipated that E-IGHWMO will provide the required \$7,500 match. The term of the grant agreement will be from the time of execution to December 31, 2025.

**23.008** Motion by Johnson, second by Chamberlain to execute grant agreement with the Minnesota Board of Water and Soil Resources for Watershed Based Implementation within the Eagan-Inver Grove Heights Watershed planning area. Members voting in favor: Zanmiller, Skog, Johnson, and Chamberlain. Motion carried.

**16. Adopt Resolution Accepting Certain Wetland Conservation Act Authorities from Sciota Township.**

The Sciota Township Board passed a resolution at their December 13, 2022 meeting to delegate its decision and administrative authority to the SWCD for the following WCA purposes:

- Official Listing as WCA Contact
- Wetland Boundary and Type Decisions
- No Loss Decisions
- Exemption Decisions
- Providing State Required Annual Reports

With adoption of this resolution, the SWCD would perform these delegated authorities within Sciota Township.

**23.009** Motion by Chamberlain, second by Johnson to adopt the resolution accepting certain Wetland Conservation Act Authorities with Sciota Township. All members voting in favor. Motion carried.

**17. Authorization to Execute Agreement with the Lower Minnesota River Watershed District for 2023 Services.**

A 2023 work plan and budget has been drafted for services to the Lower Minnesota River Watershed District. The work plan and budget includes a total amount not to exceed \$19,500 and includes Fen Well Monitoring, Education and Community Engagement, Technical Assistance and Project Implementation services for 2023.

**23.010** Motion by Johnson, second by Skog to execute the Agreement with the Lower Minnesota River Watershed District for 2023 Services. All members voting in favor. Motion carried.

**18. Authorization to Execute Agreement with the Vermillion River Watershed Joint Powers Organization for 2023 Services**

The Vermillion River Watershed Joint Powers Organization (VRWJPO) work plan and budget for 2023 services includes the following tasks:

- Evaluation and Policy
- Feasibility Studies
- Capital Improvement Projects
- Public Outreach and Communication
- Inventories and Assessment
- Water Monitoring and Data Analysis

The work plan and budget includes a total agreement amount not to exceed \$257,000.

**23.011** Motion by Chamberlain, second by Johnson to authorize the execution of the Vermillion River Watershed Joint Powers Organization for 2023. All members voting in favor. Motion carried.

**19. Authorization to Provide One-Time Retention Incentives**

The Dakota County Soil and Water Conservation District (SWCD) has adopted Dakota County policies by reference unless specific policies are adopted by the SWCD Board. This includes Dakota County’s Merit Compensation Policy and Plan and the use of SuccessFactors to conduct employee performance reviews. However, the SWCD Board independently takes action on salary or payroll adjustments.

To recognize the important contributions of SWCD staff and to seek consistency with County policy, a one-time retention payment of \$500 will be paid to each employee on the first payroll following July 1, 2023 for those employees who remain with the SWCD between January 1 and June 30, 2023. Further, a one-time retention payment of \$500 will be paid on the first payroll following January 1, 2024 who remain with the SWCD through January 1, 2024.

The Dakota County adopted policy also includes a one-time payment of up to \$500 for any new hire after January 1, 2023 who remains employed by the County for at least 12 months. Staff is recommending that this option be included in the SWCD Board action which will allow the District Manager to negotiate this incentive at the time of hiring new staff.

**23.012** Motion by Chamberlain, second by Johnson to approve the one-time Retention Incentive Policy. All members voting in favor. Motion carried.

**20. Establish Board Committees and Assignments for 2023.**

Watson stated that each year we review Committee structure and assign SWCD Board members to each committee. He reviewed the current list of committees and asked for comments and potential changes to the list. Committees and assignments were reviewed.

<u>Committee</u>	<u>Member</u> (Primary)	<u>Member</u> (Alternate)
Community Development .....	Laura Zanmiller .....	Chelsea Skog
Education and Outreach.....	Jayne Hager Dee.....	Chelsea Skog
Finance .....	Jayne Hager Dee.....	Bruce Johnson
Personnel.....	Laura Zanmiller .....	Kevin Chamberlain
Rural Land.....	Kevin Chamberlain .....	Jayne Hager Dee

<u>Assignment</u>	<u>Primary</u>	<u>Alternate</u>
Metropolitan Conservation Districts JPB .....	Laura Zanmiller .....	Chelsea Skog
Legislative Assignment .....	Jayne Hager Dee.....	Chelsea Skog
NRCS Local Work Group .....	Kevin Chamberlain .....	Jayne Hager Dee
Cannon River Watershed JPB .....	Kevin Chamberlain .....	Jayne Hager Dee

**23.013** Motion by Chamberlain, second by Johnson to approve the Board Committees and Assignments for 2023. All members voting in favor. Motion carried.

**21. Announcements and Reports**

**Natural Resources Conservation Service**

The Natural Resources Conservation Service (NRCS) report was provided by Matt Lundberg and Chris Schmidt. Lundberg provided an update on the EQIPS applications, the conservation stewardship program and the soil health grant available. Schmidt provided a staffing update and reported on the soil conservation certification, the inflation reduction act.

**Dakota County**

Brad Becker reported the 2023 budget has been approved. There are four cost share programs they are administering: low income septic program, rain barrel and compost bin program, soil contamination program and aquatic invasive species program. Becker also provided a Byllesby dam update.

**Metropolitan Conservation Districts Joint Power Board**

No report provided. The next meeting is scheduled for February 22.

**Minnesota Association of Soil and Water Conservation Districts**

No report provided.

**Cannon River Watershed Joint Powers Board**

No report provided. The next meeting is scheduled for February 1.

**Vermillion River Watershed Joint Powers Organization**

No report provided.

**District Managers Report**

Brian Watson introduced Anne Sawyer, our new Board Conservationist with the Minnesota Board of Water and Soil Resources. Anne provided a brief introduction and her professional background.

**Board of Supervisors Reports**

No reports were provided.

**22. Upcoming Events**

The upcoming events were reviewed.

**23. Adjourn**

**23.014** Motion by Chamberlain, second by Johnson to adjourn. All members voting in favor. Motion carried.

The meeting was adjourned at 10:10 a.m.

Respectfully submitted,

Chelsea Skog  
Secretary

**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Consent Agenda**

Request for Board Action

Roll Call Vote

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Meeting Date: 2/9/2023

Prepared by: Brian Watson

**PURPOSE/ACTION REQUESTED:**

Authorization to enter into engagement letter with Peterson Company Ltd. for conducting 2022 financial audit.

**SUMMARY:**

Under Minnesota Statute 103C.325, Soil and Water Conservation Districts are statutorily required to allow the state auditor to annually audit the books of the District and its supervisors or, at the request of the District Board, the state auditor may contract for an annual audit by a certified public accountant.

The District is to be audited at least once every three years or whenever the total revenue since last audit reaches \$500,000. Due to our operating budget being over \$500,000, we are required to have a fiscal year ending December 31, 2022 financial audit completed.

Peterson Company, Ltd. has submitted a cost estimate not to exceed \$4,500 to perform the audit for fiscal year ending December 31, 2022. Last year's audit charge was \$4,000. Staff is recommending Peterson Company Ltd complete the financial audit based on cost and their understanding of Soil and Water Conservation District operations.

**EXPLANATION OF FISCAL/FTE IMPACT:**

The cost to conduct the financial audit is included in the adopted 2023 budget.

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**Supporting Documents:**

Engagement Letter from Peterson Company Ltd.

**Previous Board Action:**

None

January 9, 2023

To the Board of Supervisors and District Manager  
Dakota County Soil and Water Conservation District  
4100 220th St W, Ste 102  
Farmington, MN 55024

Enclosed is the audit engagement letter for the fiscal year ending December 31, 2022. The audit will be performed in accordance with all applicable audit standards.

We anticipate that half a day of fieldwork will be required at your office unless the audit is done remotely. During this time and during completion of the audit, we will be happy to answer your questions and assist with policies and procedures at no additional cost. The year-end audit fee will be \$4,500. An additional fee for lease amortization calculations and disclosures will be \$175 per lease, if needed. The increase in fees is due to continued growth in grant tracking, new lease accounting standards, and inflationary increases.

Please sign and return the engagement letter in the envelope provided. We look forward to working with you!

Sincerely,

*Samantha Hoskins*

Samantha Hoskins, CPA  
Peterson Company Ltd

January 9, 2023

Dakota County Soil and Water Conservation District  
4100 220th St W, Ste 102  
Farmington, MN 55024

Dear Board of Supervisors and District Manager:

The following represents our understanding of the services we will provide for Dakota County Soil and Water Conservation District.

You have requested that we audit the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Dakota County Soil and Water Conservation District, as of December 31, 2022, and for the year then ended and the related notes, which collectively comprise Dakota County Soil and Water Conservation District's basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and in accordance with Government Auditing Standards will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Accounting principles generally accepted in the United States of America, (U.S. GAAP,) as promulgated by the Governmental Accounting Standards Board (GASB) require that the management's discussion and analysis (MD&A), budgetary comparison information, and PERA schedules be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America, (U.S. GAAS). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. This RSI will be subjected to certain limited procedures but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary Comparison Schedules
- 3) Schedule of Contributions
- 4) Schedule of Proportionate Share of Net Pension Liability

**Auditor Responsibilities**

We will conduct our audit in accordance with GAAS and Government Auditing Standards. As part of our audit in accordance with GAAS and Government Auditing Standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material



misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Dakota County Soil and Water Conservation District's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and Government Auditing Standards.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

### **Compliance with Laws and Regulations**

As previously discussed, as part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of Dakota County Soil and Water Conservation District's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

### **Management Responsibilities**

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance acknowledge and understand that they have responsibility:

- a) For the preparation and fair presentation of the basic financial statements in accordance with accounting principles generally accepted in the United States of America
- b) For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements, and
- c) To provide us with:
  - I. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the basic financial statements such as records, documentation, and other matters;
  - II. Additional information that we may request from management for the purpose of the audit;
  - III. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
- d) For including the auditor's report in any document containing basic financial statements that indicates that such basic financial statements have been audited by us;
- e) For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities;
- f) For adjusting the basic financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the basic financial statements as a whole; and
- g) For acceptance of nonattest services, including identifying the proper part to oversee nonattest work;
- h) For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
- i) For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on the financials; and
- j) For the accuracy and completeness of all information provided.



With regard to the required supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the required supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding required supplementary information; (c) to include our report on the required supplementary information in any document that contains the required supplementary information and that indicates that we have reported on such required supplementary information; and (d) to present the required supplementary information with the audited basic financial statements, or if the required supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intended users of the required supplementary information no later than the date of issuance by you of the required supplementary information and our report thereon.

As part of our audit process, we will request from management, and when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

### **Nonattest Services**

With respect to any nonattest services, at the end of the year, we agree to perform the following:

- Propose adjusting or correcting journal entries to be reviewed and approved by Dakota County Soil and Water Conservation District's management.
- Prepare the financial statements with the required footnote disclosures.
- Prepare PERA calculations and amortization schedules.
- Prepare lease amortization calculations and disclosures, if needed.
- Prepare the depreciation schedule, if needed.

We will not assume management responsibilities on behalf of Dakota County Soil and Water Conservation District. However, we will provide advice and recommendations to assist management of Dakota County Soil and Water Conservation District in performing its responsibilities.

Dakota County Soil and Water Conservation District's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the nonattest services are as follows:

- We will perform the services in accordance with applicable professional standards.
- The nonattest services are limited to the financial statement preparation, PERA calculations, lease amortization calculations and disclosures, depreciation schedule, and journal entry proposals previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries.

### **Reporting**

We will issue a written report upon completion of our audit of Dakota County Soil and Water Conservation District's basic financial statements. Our report will be addressed to management and the governing body of Dakota County Soil and Water Conservation District. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinion on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or to issue a report as a result of this engagement.

In accordance with the requirements of Government Auditing Standards, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance will not be an objective of the audit and, therefore, no such opinion will be expressed.



**Other**

We understand that your employees will prepare all confirmations we request and will locate any documents or support for any other transactions we select for testing.

If you intend to publish or otherwise reproduce the basic financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

**Provisions of Engagement Administration, Timing and Fees**

During the course of the engagement, we may communicate with you or your personnel via e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

We expect to begin our audit in the spring or summer and to issue our reports no later than October 31, 2023.

Samantha Hoskins is the engagement partner for the audit services specified in this letter. Her responsibilities include supervising Peterson Company Ltd's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fee for these services will be \$4,500. If lease amortization calculations and disclosures are needed, this will be an additional fee of \$175 per lease. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Invoices not paid within 30 days will accrue interest at 1.50%. In accordance with our firm policies, work may be suspended if your account becomes 45 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

Government Auditing Standards require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are deemed a non-audit service.

During the course of the audit we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

You agree to inform us of facts that may affect the basic financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

At the conclusion of our audit engagement, we will communicate to management and the Board of Supervisors the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;

- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of Peterson Company Ltd and constitutes confidential information. However, we may be requested to make certain audit documentation available to the Board of Water and Soil Resources or the Minnesota State Auditor's Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Peterson Company Ltd's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the Board of Water and Soil Resources or to the Minnesota State Auditor's Office. The Board of Water and Soil Resources or the Minnesota State Auditor's Office may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

Please sign and return the attached copy of this letter to indicate your acknowledgement of, and agreement with, the arrangements for our audit of the basic financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Sincerely,

*Peterson Company Ltd*

Peterson Company Ltd  
 570 Cherry Drive  
 Waconia, MN 55387

**RESPONSE:**

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of Dakota County Soil and Water Conservation District by:

Management signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Governance signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Regular Agenda**

Request for Board Action

Voice Vote

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Meeting Date: 2/9/2023

Prepared by: Joe Barten

**PURPOSE/ACTION REQUESTED:**

Authorize execution of a Joint Powers Agreement with the Lower Mississippi River Watershed Management Organization for implementing a FY21 Watershed Based Implementation grant.

**SUMMARY:**

Staff has drafted and presented a work plan and budget to the Lower Mississippi River Watershed Management Organization (LMRWMO) to assist with implementing their FY21 Watershed Based Implementation Funding grant with the Minnesota Board of Water and Soil Resources. Services to the LMRWMO will include general grant administration and project development tasks associated with developing a Mississippi River Ravine Erosion and Direct Drainage Study.

The work plan and budget include a total amount not to exceed \$22,160. The LMRWMO Board approved the work plan and budget at their December 14, 2022 meeting. The term of the agreement will be to December 31, 2024.

**EXPLANATION OF FISCAL/FTE IMPACT:**

Services to the LMRWMO will be added to the budget and staff work plans for 2023 and 2024.

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**Supporting Documents:**

Work Plan and Budget for the LMRWMO FY21 WBIF Grant

**Previous Board Action:**

None

**FY-21 Watershed Based Implementation Funding Work Plan and Budget for the  
Lower Mississippi River Watershed Management Organization for Work Performed by the  
Dakota County Soil and Water Conservation District**

TASK	CALCULATION			SUBTOTAL
	Hours	Rate	Fees	
<b>Administration</b>				
<b>Administration</b> <ul style="list-style-type: none"> <li>• Manage the grant and provide overall administration of funds, match requirements, and grant reporting.</li> <li>• Coordinate with State Agency contacts regarding all aspects of the grant.</li> <li>• Maintain program and project files to include appropriate documents as reference. Maintain financial records to include all revenue and expenses associated with this grant, as well as expenditures on projects.</li> <li>• Provide entries and status reporting into the eLINK system. Provide website support to follow BWSR website grant reporting requirements.</li> </ul>	110	\$90.00	\$200.00	\$10,100.00
<b>Project Development</b> <ul style="list-style-type: none"> <li>• Implement activities outlined in grant work plan.</li> <li>• Coordinate with project stakeholders to finalize the terms of implementation of this project and create a detailed scope of work for procurement of a feasibility study consultant</li> <li>• Organize stakeholder meetings to inform and coordinate with affected parties.</li> <li>• Create joint powers agreement (JPA) to define financial responsibilities of project cooperators.</li> <li>• Communicate with project partners and stakeholders before, during, and after feasibility study is undertaken.</li> <li>• Provide direction to feasibility study consultant on study details.</li> </ul>	134	\$90.00	\$0.00	\$12,060.00
<b>Total</b>				<b>\$22,160.00</b>
<b>Total Agreement Not-to Exceed</b>				<b>\$22,160.00</b>

**Notes:**

1. Additional items may be required of the SWCD during the workplan timeframe and individual budget amounts may change as work progresses. If proposed changes are to exceed the total agreed amount, this work plan can be amended as jointly approved by the LMRWMO and SWCD.
2. Minnesota Board of Water & Soil Resources grants require the use of their billable rate process for work completed by Soil & Water Conservation Districts and other local units of government. The hourly rate is an estimate and the actual BWSR billable rates will apply.



**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Regular Agenda**

Request for Board Action

Voice Vote

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Meeting Date: 2/9/2023

Prepared by: Joe Barten

**PURPOSE/ACTION REQUESTED:**

Authorize execution of a Joint Powers Agreement with the Lower Mississippi River Watershed Management Organization for implementing a FY22 Conservation Partners Legacy grant.

**SUMMARY:**

Staff has drafted and presented a work plan and budget to the Lower Mississippi River Watershed Management Organization (LMRWMO) to assist with implementing their FY22 Conservation Partners Legacy grant with the Minnesota Department of Natural Resources. Services to the LMRWMO will include general grant administration and project development tasks associated with shoreline restoration at Seidls Lake located in both the cities of South St. Paul and Inver Grove Heights.

The work plan and budget include a total amount not to exceed \$25,940. The LMRWMO Board approved the work plan and budget at their January 11, 2023 meeting. The term of the agreement will be to June 30, 2026.

**EXPLANATION OF FISCAL/FTE IMPACT:**

Services to the LMRWMO will be added to the budget and staff work plans for 2023 through 2026.

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**Supporting Documents:**  
Work Plan and Budget for the LMRWMO CPL Grant

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**Previous Board Action:**  
None

**Work Plan for the Seidls Lake Shoreline Restoration Conservation Partners Legacy Grant for the Lower Mississippi River Watershed Management Organization for Work Performed by the Dakota County Soil and Water Conservation District**

TASK	CALCULATION			SUBTOTAL
	Hours	Rate	Fees	
<b>Administration</b>	108	\$90.00	\$200.00	\$9,920.00
<b>Administration</b> <ul style="list-style-type: none"> <li>• Manage the grant and provide overall administration of funds, match requirements, and grant reporting.</li> <li>• Coordinate with MN Department of Natural Resources contacts regarding all aspects of the grant.</li> <li>• Maintain program and project files to include appropriate documents as reference. Maintain financial records to include all revenue and expenses associated with this grant, as well as expenditures on projects.</li> <li>• Provide entries and status reporting to the MN Department of Natural Resources for the grant.</li> </ul>				
<b>Project Development</b>	178	\$90.00	\$0.00	\$16,020.00
<b>Project Development</b> <ul style="list-style-type: none"> <li>• Implement activities outlined in grant work plan.</li> <li>• Coordinate with project stakeholders to finalize the terms of implementation of this project and create a detailed scope of work for procurement of a feasibility study consultant</li> <li>• Organize stakeholder meetings to inform and coordinate with affected parties.</li> <li>• Create joint powers agreement (JPA) to define financial responsibilities of project cooperators.</li> <li>• Communicate with project partners and stakeholders during project design, bidding, and construction.</li> <li>• Provide direction to consultants on project implementation.</li> </ul>				
<b>Total Not to Exceed</b>				<b>\$25,940.00</b>

**Notes:**

1. Additional items may be required of the SWCD during the workplan timeframe and individual budget amounts may change as work progresses. If proposed changes are to exceed the total agreed amount, this work plan can be amended as jointly approved by the LMRWMO and SWCD.
2. State grants may require the use of their billable rate process for work completed by Soil & Water Conservation Districts and other local units of government. The hourly rate is an estimate and the actual billable rates will apply.

## DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

## Consent Agenda

Request for Board Action

Voice Vote

Meeting Date: 2/9/2029

Prepared by: Curt Coudron

**PURPOSE/ACTION REQUESTED:**

Adopt 2023 Cost Share Policies.

**SUMMARY:**

Cost share policies are updated and adopted annually to address administrative needs and program goals. The Rural Lands Committee met with project staff to discuss potential changes to programs and associated policy for 2023. Based on discussions at the committee meeting, current cost-share programs offered are recommended to remain for 2023. There are five cost share programs currently available to residents and landowners of Dakota County:

- Citizen Conservation Stewards (CCS)
- Conservation Initiative Funding (CIF)
- Community Conservation Partnership (CCP)
- Landscaping for Clean Water (LCW)
- Incentive Payment Practices (IPP)

Several changes are proposed from last year's policy. Highlights of the proposed changes include:

- Increase the in-kind labor rate to \$30/hour
- Clarification and formatting of policy related to the Landscaping for Clean Water program
- Increase cover crop incentives to \$35/acre for a single-year contract and \$45/acre/year for a multiple-year contract
- Increase harvestable cover incentives to \$25/acre for a single-year contract and \$35/acre/year for a multiple-year contract
- Increase in the number of acres eligible for cover crops and harvestable covers to 160 acres per contract
- Establish a maximum of 3 years per contract on harvestable covers
- Remove the limit on years of eligibility for cover crops and harvestable covers

**EXPLANATION OF FISCAL/FTE IMPACT:**

None at this time.

**Supporting Documents:**

DRAFT 2023 Dakota Soil and Water Conservation District Cost Share Policy  
 DRAFT 2023 Cost Share Forms  
 DRAFT 2023 Cost Share Program Factsheets

**Previous Board Action:**

None

# Dakota County Soil and Water Conservation District

## 202~~32~~ Cost Share Policies

### **Staff Credentials**

The Dakota County Soil and Water Conservation District (District) will ensure staff has the necessary skills and training to install and maintain projects according to standards and specifications. Building credentials and maintaining or seeking certifications to retain knowledgeable staff is a high priority of the District. Budget allocations for training purposes have been approved for the calendar year and staff time will be dedicated to building skill sets to the extent practical.

Technical expertise of the District includes:

- 1 Certified Professional in Erosion and Sediment Control
- 1 Certified Professional in Storm Water Quality
- 2 Certified Wetland Professionals
- 1 Certified Tree Inspector
- 1 Certified Geographic Information Systems Professional
- 5 Staff with USDA – Natural Resources Conservation Service Job Approval Authority under Ecological and Engineering Sciences

When professional engineering is required or specific conservation practices require expertise above current technical capacity, the District will utilize professional engineers or staff from consultants, Dakota County, municipalities, Minnesota Board of Water and Soil Resources or the USDA - Natural Resources Conservation Service.

### **Delegation**

- Under Board action 14.035, the District Board delegated authorization to assign Job Approval Authority for staff under both engineering practices and ecological sciences to the District Manager.
- Under Board action 14.037, the District Board delegated signing of all State grant contracts or reports to the District Manager. Applicant contracts for the installation of conservation practices and supporting project documents such as cost share vouchers will be signed by the District Board of Supervisors and applicant.
- Under Board Action 20.025, the District Board delegated authority to the District Manager to amend cost share contract installation dates if the amendment is not limited by the terms of available funding sources. All other contract amendments must be made by the District Board.
- Under Board Action 20.049, the District Board delegated signature authority on landowner contracts and contract documents to Chair, Vice Chair or Treasurer.
- Under Board Action 22.118, the District Board delegated multiple-year contract payments to the District Manager after the first-year payment provided there are no changes to the contract or practice installed.



## **Noncompliance**

- Cost share contract noncompliance will be reviewed by the District Board in consultation with the Dakota County Attorney's Office. The District Board will attempt to address noncompliance issues with the current landowner on a voluntary basis. Unresolved issues that the District Board is not able to address will be forwarded to the Dakota County Attorney's Office for possible legal action as identified in Article 7 of the Joint Powers Agreement between Dakota County and the District Board and Minn. Stat. 103C.321, Subd. 4.

## **General Policies Applied to all Funding Programs.**

- All funding program contracts and requests for payment for projects under contract require the approval of the District Board.
- All funding programs are subject to fund availability and may be discontinued or subject to program policy revisions by the District Board as it deems appropriate.
- The number of contracts approved may be limited by the amount of funding and staff time available. The District Board reserves the right to limit funding at their discretion.
- Data is collected, created, or maintained by the District during project development and implementation. The landowner and/or applicant may be required to acknowledge and sign a Tennessean Warning regarding use of that data. Failure to provide necessary data or failure to sign the Tennessean Warning may result in inability of the District to provide financial or technical assistance.
- Other than USDA Programs, the District does not provide technical or administrative assistance to other organizations that implement their own financial incentive programs unless specifically identified in a work plan or contractual agreement.
- At its sole discretion, the Board may consider compliance to the terms of a previous or existing District or USDA Cost Share Contract as a prerequisite to entering into a subsequent Cost Share Contract with an applicant.
- It is a District goal to fund voluntary conservation projects. Projects that are completed to meet regulatory requirements are not eligible for funding. However, portions of a project may be eligible for funding if that portion is voluntary and exceeds regulatory requirements. Verification that the project is voluntary may be required from the applicant or applicable regulatory agency.
- The applicant is responsible for the operation and maintenance of structural practices applied under this program to ensure the conservation objective of the practice is achieved for a minimum of 10 years. For non-structural practices (e.g. cover crops), the applicant is responsible for the operations and maintenance for the term specified in their contract.
- It is the District's goal to support and leverage federal USDA program funding, or local funding sources, through District technical assistance and funding.
- If USDA project funds or technical assistance are being used on a joint project, the applicant must sign a Freedom of Information Act release form that allows the District access to applicable information within the applicant's project case file in order to be eligible for District funds.
- The District Board may establish "Priority Locations" through a separate Board action that are eligible for higher funding percentages or incentive payments.
- If the practice has failed prior to the 10-year term due to improper maintenance, the applicant will be responsible for the necessary repairs. If the landowner decides not to repair the practice to the

original specifications, they shall be obligated to reimburse funding in accordance with the approved cost share contract.

- Repair and maintenance activities for serviceable engineered practices that have exceeded their designed lifespan are eligible for cost share funding if the activity will provide water quality or erosion control benefits. An example of an eligible activity is sediment removal from a water and sediment control basin to restore the original capacity of the basin. Funding for repair and maintenance activities may be limited to available funding sources that allow for these types of activities.
- If the title to the land where the practice is installed is transferred to another party before the expiration of the life of cost share contract, it shall be the responsibility of the landowner who signed the contract to advise the new owner that the contract is in force.
- Projects that involve \$100,000 or more of cost share funding from the SWCD will require recording of the conservation practice with the property title. Projects that involve more than \$50,000 but less than \$100,000 of cost share funding will be evaluated on a case-by-case basis and may require recording of the conservation practice with the property title.
- Project inspections will be conducted to meet minimum State requirements, with additional inspections for projects of emphasis. Current inspection schedule includes:
  - Compliance inspections at years 1, 3, 6, and 9 for typical projects under a 10-year contract.
  - Annual compliance inspections for non-structural land management practices. Non-structural Land management practices include practices that must be re-established annually (e.g. cover crops and some harvestable covers).
- Existing staff with technical background and knowledge of conservation practices will conduct and sign follow-up compliance inspections for projects currently under contract. For non-compliant projects that require modifications or if additional expertise is needed to determine compliance, the District will utilize appropriate technical expertise.
- For projects using state funds, additional specific requirements may apply, including but not limited to Minnesota prevailing wage, BWSR Native Vegetation Establishment and Enhancement Guidelines, and project signage requirements.

### **Project Development**

- The landowner and applicant shall allow District staff access to property for which the installed conservation practice is located during the life of the contract. The installed practice will be subject to periodic inspections by District staff.
- District Technical Standards include, but are not limited to, the most current: USDA Field Office Technical Guide, MPCA Stormwater Manual, MPCA Protecting Water Quality in Urban Areas, NPDES General Stormwater Permit for Construction Activity, Minnesota Urban Small Sites BMP Manual, Dakota County Low Impact Development Standards, BWSR Native Vegetation Establishment and Enhancement Guidelines and applicable local, state and federal regulations.
- The District will consider funding tile installation only for the following purposes:
  - If it is necessary to establish vegetation for an approved practice.
  - If it is necessary to ensure project success for a minimum of ten years.
  - If it is a support practice or part of an approved practice. (i.e. water and sediment control basins or stormwater runoff controls).

- Funding will not be provided for tile installation if the activity will impact a wetland or for the sole purpose of drainage.
- Funding will not be provided to increase tile capacity or size beyond design capacity for the purpose of agricultural drainage. The applicant is solely responsible for costs associated with increased tile capacity. All modifications or connections must have prior approval to ensure that the changes do not negatively affect the success of the approved practice.
- At the discretion of SWCD, erosion control products with natural, wildlife-friendly netting will be required.
- Landowner/Applicant may be requested to obtain two quotes for the proposed conservation work prior to cost share contract approval by the District Board.
- Unless specified otherwise by Minnesota prevailing wage statutes, the value of in-kind labor, equipment, materials and/or services that are proposed to be provided by the applicant to complete the project, shall be estimated at:
  - General Labor rate of ~~\$30~~25 per hour. (Date, times and activity must be documented)
  - Medium equipment (self-powered equipment under 60 hp) usage, including operator labor at \$60 per hour. (Date, times and activity must be documented)
  - Large equipment (self-powered equipment 60 hp or larger) usage, including operator labor at \$100 per hour (Date, times and activity must be documented)
  - Professional or semi-professional services, such as engineering, labor rate at \$75 per hour. (Date, times and activity must be documented)
  - Other items: Fair market value

### **Application/Contract**

- Applicants are responsible to submit application forms, project plans, operations and maintenance plan, and cost estimates ~~as requested by the District~~, prior to Board approval and in sufficient detail for the District to complete its review.
- For projects where construction will occur on adjacent properties or the project will impound water on adjacent properties not owned by the applicant, a group addendum must be signed by all affected landowners. A division of payment schedule, agreed to by all landowners, must be attached to the addendum.
- The application deadlines for individual programs may be extended at the District Board's discretion.
- Applications not approved may be resubmitted for review in following rounds within the calendar year.
- District Staff will prioritize applications based on local, state and federal priorities and the potential to provide water quality benefits.
- With the exception of the Landscaping for Clean Water Program, District staff shall provide a funding recommendation for each application submitted to the District Board. The district reserves the right to review projects by committee if deemed appropriate.
- The funding amount will not exceed the amount specified on the original cost share contract, unless the applicant, prior to completion of the project, obtains a District Board approved contract amendment to increase funding amounts. Contract amendments shall not be awarded solely due to increased project costs and shall be evaluated by the board on a case by case basis.

- Upon approval by the District Board, the applicant and landowner will receive a letter with copy of executed cost share contract stating details of the practice that has been approved, the funding amount, and time schedule to start and complete the project, ~~and a copy of the Operations and Maintenance Plan.~~

### **Project Implementation**

- District staff shall participate in a preconstruction meeting. District staff shall be available to the applicant during construction to answer questions, document installations and provide general construction observation to inform the Applicant of non-compliant project components or conditions.
- Unless otherwise approved by the District Board, a portion of a project becomes ineligible for funding if construction begins on that portion before a cost share contract has been approved.
- The project must be completed in compliance with the terms and conditions of the Cost Share Program Contract and maintained in compliance with the Operation and Maintenance Plan. ~~(See Contract and O&M Plan)~~
- The applicant is responsible for full installation of the project before the project installation deadline listed on the cost share contract. If a deadline extension is required to complete the project, the applicant must make the request prior to the project installation deadline.
- The entire practice shall be installed according to project design requirements, including seeding, mulching, erosion control blanket, or other erosion control devices. Any changes from the approved design requirements shall be agreed to in writing prior to practice certification.

### **Reimbursement**

- The technician with the proper Job Approval Authority shall verify if the practice is complete and meets standards and specifications before final payment is issued.
- Unless the District Board approves joint payment to the applicant and contractor prior to reimbursement, the applicant is responsible to pay, in full, all receipts and invoices directly to the contractor or vendor.
- For percent-based contracts, the applicant must submit invoices or receipts of actual costs in sufficient detail for the District's review. Invoices or receipts must include
  - the name of the vendor;
  - the materials, labor, or equipment used to establish the practice;
  - the component unit costs (e.g., hours, feet, cubic yards, etc.); and
  - the date the work was performed.
- Requests for reimbursement shall include a Voucher and Practice Certification Summary Form submitted at least two weeks prior to the first of the month to allow for District's review and processing.
- Failure to submit invoices or receipts within 90 days of project certification or within the same calendar year as the completion may result in cancellation of the contract.

- For projects that receive a flat rate payment (for example, cover crops or harvestable filter strips), 1099 tax information must be supplied before a final payment will be issued.
- With the exception of multiple-year cover crops and harvestable covers, Aa one-time cost share reimbursement payment will be made by the District Board upon certification that the project has been installed and completed to specifications.

### **Program-Specific Policies**

- Citizen Conservation Stewards (CCS) (See CCS Fact Sheet)
  - CCS funds voluntary (non-agricultural) conservation projects on individual properties.
  - CCS applications are reviewed on a first come, first served basis.
  - With the exception of projects in locations designated as “Priority Locations” by the District Board, CCS amounts are based on a District Board approved percentage range (up to 85%) of the total estimated project costs.
  - The final CCS reimbursement amount is determined by applying the approved percentage to the actual documented project cost and shall not exceed \$5,000 or as limited by District Board action.
  
- Conservation Initiative Funding (CIF) (See CIF Fact Sheet)
  - CIF funds voluntary (non-agricultural) conservation projects on commercial and/or properties with multiple owners represented by a single legal entity.
  - CIF applications are reviewed on a first come, first served basis.
  - With the exception of projects in locations designated as “Priority Locations” by the District Board, CIF amounts are based on a District Board approved percentage range (up to 85%) of the total estimated project costs.
  - The final CIF reimbursement amount is determined by applying the approved percentage to the actual documented project cost and shall not exceed \$25,000 or as limited by District Board action.
  
- Community Conservation Partnership (CCP) (See CCP Fact Sheet)
  - CCP funds voluntary (non-agricultural) conservation projects at existing public facilities or properties.
  - CCP applications for projects requesting cost share funds are due by March 15, May 15 or July 15 of each year.
  - With the exception of projects in locations designated as “Priority Locations” by the District Board, CCP amounts are based on a District Board approved percentage range (up to 85%) of the total estimated project costs.
  - The final CCP reimbursement amount is determined by applying the approved percentage to the actual documented project cost and shall not exceed \$50,000 or as limited by District Board action.

- For purposes of this program, public facilities can include, but are not limited to, buildings, property, recreational areas, and roadways, which are owned, leased, or otherwise operated, or funded, by a governmental body or public entity.

➤ Landscaping for Clean Water Grants (LCW) (See LCW Fact sheet)

- ~~○ Eligible project types are limited to native gardens, raingardens and native shoreline stabilizations that demonstrate compliance with Landscaping for Clean Water technical recommendations.~~
- ~~○ Grant applicants must attend and complete a Landscaping for Clean Water design workshop and submit a grant application, project plan, location map and cost estimate for District staff approval prior to beginning the installation. (Grant is not retroactive)~~
- ~~○ District staff will review applications, select grant recipients, verify completed projects and distribute grants in accordance to program policy.~~
- ~~○ Applications requesting grant approval will be reviewed in three application rounds. Application must be received by a round's start date and awarded grants automatically expire if the project is not completed by the end date of the round in which it was awarded:~~
  - ~~Round #1 Start Date: April 20<sup>th</sup> End Date: July 15<sup>th</sup>~~
  - ~~Round #2 Start Date: June 1<sup>st</sup> End Date: August 26<sup>th</sup>~~
  - ~~Round #3 Start Date: July 13<sup>th</sup> End Date: October 7<sup>th</sup>~~
- ~~○ Expired grants and grants not awarded (if any) will be made available to subsequent application rounds or the remaining funds may be reallocated to other cost share programs per approved work plans with partnering organizations. The number of grants awarded shall be limited by the amount of funding available and amount of District staff time available to provide technical assistance. (Application window may be extended at District staff discretion)~~
- ~~○ The Landscaping for Clean Water grant amount is limited to \$250.00 per approved application. Only one grant allowed per applicant or property per year. Applications not approved in a preceding round may be resubmitted for review in following rounds.~~
- ~~○ For projects that are estimated to cost less than \$250.00, grant amounts may be adjusted so that grants do not exceed the actual project costs.~~
- ~~○ Projects must be a minimum of 100 square feet in size.~~
- ~~○ Projects up to 1,000 square feet in size must be planted using live plants with mulch. Projects 1,000 square feet or larger may be seeded.~~
- ~~○ District Staff will prioritize grant awards based on watershed location, proximity to water resources and potential to provide water quality benefits.~~
- Eligible project types are limited to raingardens, native gardens and native shoreline plantings that demonstrate compliance with Landscaping for Clean Water technical recommendations.
- Projects must be at least 100 ft<sup>2</sup> in size to be eligible.
- For projects that are estimated to cost less than \$250.00, grant amounts may be adjusted so that grants do not exceed the actual project costs.

- Grant applicants must successfully complete a Landscaping for Clean Water design workshop and submit a grant application, cost estimate, project plan, plant list, and location map for District staff review and approval.
  - Applicants must receive an initial layout visit prior to beginning any work on the project area or the project. (Grant is not retroactive.)
  - Projects up to 1,000 ft<sup>2</sup> in size must be planted using live plants with mulch. Projects 1,000 ft<sup>2</sup> or larger may be seeded.
  - District staff will review applications, select grant recipients, verify completed projects, and distribute grants in accordance to program policy.
  - Applications requesting grant approval will be reviewed in three application rounds. Applications must be received by the application deadline for each respective round. Awarded grants automatically expire if the project is not completed by the completion date of the round it was awarded in. District staff will establish application and completion deadlines each year.
  - The number of grants awarded shall be limited by the amount of funding available and the amount of District staff time available to provide technical assistance. (Application window may be extended at District staff discretion.)
  - The Landscaping for Clean Water grant amount is limited to \$250.00 per application.
  - Only one grant allowed per applicant or property per year.
  - Applications not approved in a preceding round may be resubmitted for review in following rounds.
  - District Staff will prioritize grant awards based on watershed location, proximity to water resources, ~~and~~ potential to provide water quality benefits, and whether the applicant has received previous funding from the District.
  - The Board shall determine the amount and source of District funding (if any) to be allocated each year.
  - Partnering organizations may participate by contributing funds. The District will develop an agreement with work plan and provide an annual report listing projects and funds spent.
  - Expired grants and grants not awarded (if any) will be made available to subsequent application rounds or the remaining funds may be reallocated to other cost share programs per the approved work plan.
  - Follow up visits will be performed for Landscaping for Clean Water projects at 1 year and 5 years after installation contingent on staff availability.
- Incentive Payment Practices (IPP) (See IPP Fact sheet)
- IPP applications for projects requesting cost share funds are due by March 15, May 15 July 15, or September 15th of each year. Cover Crop, Harvestable Cover, and Native Prairie Restoration applications are accepted year-round.
  - IPP amounts are based on a District Board approved percentage range (up to 85%) of the total estimated project costs with the following exceptions:



- Funding shall not exceed 50% of the documented project cost for the materials and activities required to seal unused wells in accordance with Minnesota Rules Chapter 4725 (Minnesota Department of Health). Total funding award including all other state, federal, or local funding sources is limited to \$2,000 per sealed well. Well sealing costs may be eligible for low-interest AgBMP loans.
    - For projects where the applicant submits an application for and is awarded USDA-EQIP funds, the combination of state, local, and federal funds shall not exceed 95% of the total documented project cost. Cover crops and Harvestable Covers that receive USDA funding are not eligible for funding through the IPP program during the same year.
    - Funding percentage may be higher for qualifying projects in locations designated as “Priority Locations” by the District Board.
  - Pre-Construction Cover is allowed when temporary cover is necessary for the future installation of structural conservation practices. Eligible acres are defined as the area needed to provide access to the location of the structural practice to be installed and the area to be impacted during installation, which includes the actual location of the practice as well as any surrounding areas that will have disturbance during construction. The temporary cover is to remain in place until construction begins. A flat rate payment of up to \$150 per acre is allowed as part of a contract for the installation of structural practice(s).
  - Stormwater Runoff Control (Code 570) practices are not eligible for funding through the IPP program unless otherwise approved by District Board action.
  - **Conventional Filter Strips:**
    - The applicant must enroll in the CCRP with the USDA - Farm Service Agency (FSA) and meet all of their site location and crop history requirements.
    - The District will provide up to \$300 per acre per year, in combination with the CCRP, for the establishment of new or existing filter strips.
    - The applicant must choose the maximum allowable CCRP contract length to be eligible for the IPP Filter Strip Program.
    - The applicant is responsible for the costs of seed, planting, and maintenance. CRP cost share may be available through the CRP program.
    - The Conventional Filter Strip Program provides the total contract payment in one lump sum when the filter strip seeding has been completed and certified. The filter strip must be established, operated, and maintained according to USDA-Natural Resources Conservation Service Field Office Technical Guide (NRCS-FOTG) Conservation Practice Standards. All certifications are made by District staff and all payments must be approved by the District Board.
    - Total filter strip payments are limited to \$15,000 per contract.
  - **Harvestable Filter Strips:**
    - The Harvestable Filter Strip Program eligibility requirements are the same as the current FSA Continuous Conservation Reserve Program (CCRP) site location and crop history standards. District staff completes all eligibility determinations.
    - The minimum filter strip width eligible for payment is 30-feet. The maximum filter strip width eligible for payment is 120-feet.



- Landowners enrolled in the District’s Conventional Filter Strip Program or the Dakota County Farmland and Natural Areas Program are not eligible for the Harvestable Filter Strip Program.
- The District will provide up to \$150 per acre per year.
- The Harvestable Filter Strip Program provides the total contract payment in one lump sum when the filter strip seeding has been completed and certified. All certifications are made by District staff and all payments must be approved by the District Board.
- Total filter strip payments are limited to \$7,500 per contract.
- The filter strip must be established, operated, and maintained according to NRCS FOTG standards. The applicant is responsible for the costs of seed, planting, and maintenance.
- Harvesting within the filter strip is allowed only after August 1 of each year to avoid the primary nesting season unless an earlier harvest date is approved by District staff.
- The minimum remaining vegetation height after harvest is 6-inches for cool season grasses and legumes, and 10-inches for native warm season grasses and forbs.
- **Cover Crops:**
  - Cover Crops must meet NRCS Practice Standard 340 (Cover Crop) to be eligible for incentive payments. In addition, cover crops must be planted no later than October 15<sup>th</sup>.
  - Applications will be competitively ranked to prioritize project funding.
  - The District will provide up to ~~\$3525~~ per acre per year for cover crops under a single year contract.
  - The District will provide up to ~~\$4535~~ per acre per year for cover crops under a multiple-year contract. To be eligible for a multiple-year contract, cover crops must be planted on the same number of acres and on the same fields for consecutive years. Multiple-year contracts may be 2-year or 3-year contracts.
  - Payment for the first year will be made after certification of the installation and District Board approval. For multiple-year contracts, payments for additional years will be made annually after cover crop seeding has been completed for that year and has been certified by District staff.
  - Total cover crop payments under a single year contract are limited to 160 acres or \$5,600~~2,500~~ per contract.
  - Total cover crop payments under a multiple year contract are limited to 160~~100~~ acres or \$21,600~~10,500~~ per contract.
  - ~~▪ A single contiguous field is eligible for a maximum of 3 years of incentive payments.~~
  - Fields that ~~have received or are currently~~ receiving cover crop funding through USDA-EQIP other cost share programs are not eligible for District funding during the same calendar year, through the IPP program.
- **Harvestable Covers:**

- Harvestable covers are vegetative cover on cropland for protection from erosion and reduction of nutrient losses to groundwater. Harvestable covers are intended to provide soil and groundwater protection throughout as much of the year as possible.
- Harvestable covers must be a new operational practice or implemented in a new location.
- Examples of harvestable covers include but are not limited to: winter camelina, intermediate wheat grass, winter wheat, or other crop that has overwinter cover. Dual crops during the same growing season (such as peas/soybeans in the same year) do not qualify as a harvestable cover.
- Harvestable covers must be seeded by October 15<sup>th</sup> and have fall establishment with overwinter cover.
- Soil disturbance can only be done after April 1st following overwinter cover.
- Harvesting of the above-ground portion of the crop can be done according to an approved Operations and Maintenance Plan.
- Harvestable covers must provide a water quality benefit based on a commonly accepted water quality model or pollution reduction estimator to be eligible for funding.
- Projects that use non-local funding must meet an established USDA/NRCS practice standard.
- Applications will be competitively ranked to prioritize project funding.
- The District will provide up to ~~\$2520~~ per acre per year for a winter annual harvestable cover under a single year contract.
- The District will provide up to ~~\$3525~~ per acre per year for a winter annual harvestable cover under a multiple-year contract. To be eligible for a multiple-year contract, cover crops must be planted on the same number of acres and on the same fields for consecutive years. Multiple-year contracts may be 2 or 3 year contracts.
- The District will provide up to ~~\$3525~~ per acre per year for perennial harvestable cover under a multiple-year contract. Perennial cover crops must have year-round coverage with minimal soil disturbance throughout the contract life. Multiple year contracts may be 2 or 3 year contracts.
- If nutrient application is planned during the contract period, soil testing information and fertilizer application schedule may be required prior to board approval.
- An Operations and Maintenance plan will be developed and must be followed for all harvestable covers.
- Harvestable cover payments are approved by the District board. Payment for the first year will be made after certification of the installation and District Board approval. For multiple-year contracts, payments for additional years will be made annually when seeding has been completed for that year and has been certified by District staff.
- Total harvestable cover payments under a single year contract are limited to 160 acres or ~~\$2,000-4,000~~ per contract

- Total harvestable cover payments under a multiple year contract are limited to ~~160400~~ acres or ~~\$16,800~~~~12,500~~ per contract.
  - ~~▪ A single contiguous field is eligible for a maximum of 5 years of incentive payments.~~
  - Fields that receive harvestable cover funding through USDA-EQIP are not eligible for District funding during the same calendar year.
- **Native Prairie Restoration**
- Native Prairie Restoration (NPR) funds the establishment or enhancement of native vegetation.
  - Projects must be 1/2 acre in size or greater to qualify for the NPR incentive payments.
  - Native Prairie Restoration projects must meet NRCS Practice Standard 327 (Conservation Cover), 657 (Wetland Restoration), 643 (Restoration and Management of Rare and Declining Habitats), or 645 Upland Wildlife Habitat Management to be eligible for incentive payments.
  - Native Prairie Restoration applications requesting funds are accepted all year. Projects will be ranked and prioritized for funding on a monthly basis.
  - Funding shall not exceed 85% of the documented project costs and is limited to:
    - \$2,000 per acre for the establishment of native grasses.
    - \$1,000 per acre for the enhancement of existing native grass plantings through the addition of pollinator-friendly species such as forbs, sedges, and rushes.
    - Projects that establish native grasses and pollinator-friendly species(forbs) are eligible for the combined limit of \$3,000 per acre.
    - Total Native Prairie Restoration payments are limited to \$15,000 per contract.
  - All requests for funding must submit a cost estimate at the time of application.
  - Enhancement of existing CRP plantings will require coordination with USDA to ensure compliance with existing CRP contract.



**Dakota County Soil and Water Conservation District**  
**COST SHARE APPLICATION**

Program Type:  CCS  CIF  CCP  IPP

**1. Land Occupier (Applicant)**

Name/Title: \_\_\_\_\_  
 Organization: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone/email: \_\_\_\_\_  
 Contact: \_\_\_\_\_

\*The SWCD will not share email addresses but may use addresses periodically to contact project partners regarding SWCD initiatives.

**2. PROJECT LOCATION**

Address/City/Township Name \_\_\_\_\_  
 1/4 section \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

**3. PROJECT DESCRIPTION, PLAN SKETCHES, AND PHOTOS (attach additional pages as necessary)**

**4. LIST THE MAIN OUTCOME OR BENEFITS OF THE PROPOSED PROJECT (attach additional pages as necessary)**

**5. BUDGET SUMMARY AND REQUESTED AMOUNT (See attached cost estimate for details)**

Total Estimated Project Value is: \_\_\_\_\_  
 Funding Amount Requested From District is: \_\_\_\_\_  
 Value of Match Provided by Applicant is: \_\_\_\_\_  
 Other: \_\_\_\_\_

**6. OTHER FUNDING SOURCES**

State \_\_\_\_\_ USDA \_\_\_\_\_ Watershed \_\_\_\_\_ Other \_\_\_\_\_

**7. OPERATION AND MAINTENANCE Are you willing to follow an Operation and Maintenance Plan prepared by the SWCD at your own expense?  Yes  No**

**8. Are you willing to allow a small sign to be placed near the project and site visits?  Yes  No**

**9. CONSERVATION PLANNING QUESTIONS**

*Questions pertain to the parcel where the project is located, and any adjacent parcels owned or operated by the applicant.*

	Yes	No	Unknown
Is this project being completed to meet regulatory requirements of a different program?			
Are there identified wetlands on the application property?			
Do you have a registered feedlot?			
Do state or local buffer rules apply to the application property?			
Does the application property contain an irrigation well? If so, does it have a DNR water appropriations permit?			
Is there existing upland treatment upstream from the proposed project?			
Is there drain tile on the application property? If so, where are the outlets located?			
Are you interested in the Minnesota Agricultural Water Quality Certification Program?			
For Cover Crops Only: Have you received or are you currently receiving cover crop funding through any other cost share program? (landowner/applicant may need to complete USDA Information Release Authorization to confirm eligibility).			

**10. WATERSHED IMPAIRMENTS**

**I authorize the Dakota County SWCD to take and disclose photographs and videos (including aerial drone footage) of the conservation practice for use in publications or promotional materials or on their website for the purpose of highlighting the Dakota County SWCD's programs. I also authorize the Dakota County SWCD to disclose my name and applicable conservation practice information with any conservation practice photograph.**

**I certify that to the best of my knowledge and belief that the information contained in this application is true, complete and accurate**

\_\_\_\_\_  
 Signature Land Occupier (Applicant)                      Date

\_\_\_\_\_  
 Signature of Landowner                                      Date

**1. APPLICANT / MAIN CONTACT: All information is required.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email\*: \_\_\_\_\_

(\*Email is primarily used for LCW communication)

**2. PROJECT TYPE:** \_\_\_ Raingarden \_\_\_ Native Garden \_\_\_ Shoreline

**3. SOURCE OF RUNOFF:** \_\_\_ Roof \_\_\_ Driveway \_\_\_ N/A  
\_\_\_ Other (specify) \_\_\_\_\_

**4. SIZE OF RUNOFF AREA:** \_\_\_\_\_ Square Feet \_\_\_ N/A

**5. SIZE OF PROJECT GARDEN (min. 100 ft<sup>2</sup>):** \_\_\_\_\_ Square Feet

**6. WHICH APPLICATION ROUND WOULD YOU LIKE TO APPLY FOR?**

	Application Deadline	Project Completion Deadline*
___ Round 1	April 26, 2023	July 21, 2023
___ Round 2	May 31, 2023	August 25, 2023
___ Round 3	July 12, 2023	October 6, 2023

\* Grant automatically expires if the project is not completed by the deadline.

**7. ARE YOU APPLYING FOR ANY OTHER FUNDS FOR THIS SAME PROJECT?**

\_\_\_ Yes, from \_\_\_\_\_ \_\_\_ No

**8. The following forms are required for a complete application; please check that they are included:**

\_\_\_ Application Page \_\_\_ Property Map w/ Garden Location Marked \_\_\_ Project Plan \_\_\_ Plant List \_\_\_ Cost Estimate

**I certify that to the best of my knowledge that the information contained in this application is true, complete and accurate:**

*By signing here I certify that the information in this application is complete and accurate; I authorize the SWCD to take and utilize photographs of the conservation practice on my property for use in promotional materials; I authorize the SWCD to disclose my name in promotional materials along with photographs; I have read and understand the Grant Policy and Grant Process information located on the reverse side of this application.*

**FOR OFFICE USE ONLY**

WS:    BD        EIGH    LMN  
         LMR        NCR     VRW

PID \_\_\_\_\_

RG Size Ratio \_\_\_\_\_

NG MN OK:        Yes        No

ROUND 1    |    \_\_\_ Move App to R2  
                 |    \_\_\_ Project Cancelled  
Fund         |    Ok'd \_\_\_\_\_

ROUND 2    |    \_\_\_ Move App to R3  
                 |    \_\_\_ Project Cancelled  
Fund         |    Ok'd \_\_\_\_\_

ROUND 3    |    \_\_\_ Hold for Grant  
                 |    \_\_\_ Project Cancelled  
Fund         |    Ok'd \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant / Contact

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Landowner (if different)

\_\_\_\_\_  
Date

### Landscaping for Clean Water Grant Policy


1. Eligible project types are limited to raingardens, native gardens and native shoreline plantings that demonstrate compliance with Landscaping for Clean Water technical recommendations. **Projects must be at least 100 t<sup>2</sup> in size to be eligible. For projects that are estimated to cost less than \$250.00, grant amounts may be adjusted so that grants do not exceed the actual project costs.**
2. Grant applicants must successfully complete a Landscaping for Clean Water design workshop; submit a grant application, cost estimate, project plan, plant list, and location map for SWCD staff review and approval. **Applicants must receive an initial layout visit prior to beginning any work on the project area or the project. (Grant is not retroactive.)**
3. Projects up to 1,000 ft<sup>2</sup> in size must be planted using live plants with mulch. Projects 1,000 ft<sup>2</sup> or larger may be seeded.
4. SWCD staff will review applications, select grant recipients, verify completed projects, and distribute grants in accordance to program policy.
5. Applications requesting grant approval will be reviewed in three application rounds. Applications must be received by the application deadline for the Grant Round you select. Awarded grants automatically expire if the project is not completed by the completion date of the round it was awarded in. The deadlines for submitting applications and completing projects for each of the three application rounds are found on the Grant Application Form.
6. The number of grants awarded shall be limited by the amount of funding available and the amount of SWCD staff time available to provide technical assistance. (Application window may be extended at SWCD staff discretion.)
7. The Landscaping for Clean Water grant amount is limited to \$250.00 per application. Only one grant allowed per applicant or property per year. Applications not approved in a preceding round may be resubmitted for review in following rounds.
8. SWCD Staff will prioritize grant awards based on watershed location, proximity to water resources, potential to provide water quality benefits, and whether the applicant has received previous funding from the SWCD.

### Landscaping for Clean Water Grant Process

1. Complete Landscaping for Clean Water Design Course and develop site-specific project plans.
2. Submit grant application, cost estimate, project plans, plant list, and location map by the application deadline. Applications must be approved for funding prior to beginning installation.
3. Schedule an on-site meeting with Dakota County SWCD **prior to beginning project work**. Call Gopher State One Call (800-252-1166) or go [online](#) to have utilities located before the on-site meeting.
4. Install project following the SWCD's technical guidelines and then contact Dakota County SWCD to verify complete project.
5. Receive a \$250 Landscaping for Clean Water Grant from Dakota County SWCD. Grant Checks are mailed out following the SWCD Board of Supervisors meeting held the 2nd Thursday of every month.
6. The grant will automatically expire if the project is not completed by the completion deadline for the round in which the grant was approved.

# PERCENT BASED CONSERVATION PRACTICE ASSISTANCE CONTRACT

## General Information

Organization: 	Contract Number:	Other state or non-State funds? <input type="checkbox"/> YES <input type="checkbox"/> No	Amendment <input type="checkbox"/> Board Meeting Date(s):	Canceled <input type="checkbox"/> Board Meeting Date(s):
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\*If contract amended, attach amendment form(s) to this contract.

## Applicant

Land Occupier Name	Address	City/State/Zip Code	Project Name
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\* If a group contract, this must be filed and signed by the group spokesperson as designated in the group agreement and the group agreement attached to this form.

## Conservation Practice Location

Project Address	Township Name:	Township No:	Range No.:	Section No.	1/4	1/4,1/4
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## Contract Information

I (we), the undersigned, do hereby request cost share assistance to help defray the cost of installing the following practice(s) listed on the second page of this contract. It is understood that:

1. The land occupier is responsible for full establishment, operation, and maintenance of all practices and upland treatment criteria applied under this program to ensure that the conservation objective of the practice is met and the effective life, a minimum of XX years, is achieved. The specific operation and maintenance requirements for the conservation practice listed are described in the operation and maintenance plan prepared for this contract by the technical assistance provider.
2. Should the land occupier fail to maintain the practice during its effective life, the land occupier is liable to the State of Minnesota for the amount up to 150% of the amount of financial assistance received to install and establish the practice unless the failure was caused by reasons beyond the land occupier's control, or if conservation practices are applied at the land occupier's expense that provide equivalent protection of the soil and water resources.
3. If title to this land is transferred to another party before expiration of the aforementioned life, it shall be the responsibility of the landowner who signed this contract to advise the new owner that this contract is in force and to notify other parties to the contract of the transfer.
4. Practice(s) must be planned and installed in accordance with technical standards and specifications of the:

5. Increases in the practice(s) units or cost must be approved by the organization board through amendment of this contract as a condition to increase the cost-share payments.
6. This contract, when approved by the Dakota County SWCD Board, will remain in effect unless canceled or amended by mutual agreement, except where installations of practices covered by this contract have not been installed by XX/XX/XXXX, this contract will be automatically terminated on that date.
7. Items of cost for which reimbursement is claimed are to be supported by invoices/receipts for payments and will be verified by the organization board as practical and reasonable. The invoices must include: the name of the vendor; materials, labor or equipment used; the component unit costs and the dates the work was performed. The organization board has the authority to make adjustments to the costs submitted for reimbursement. Pre-Construction Cover is exempt from having the required invoices/receipts. Reimbursement requests must also be supported by a completed Percent Based Voucher Form.

## Applicant Signatures

The land occupier's signature indicates agreement to:

1. Grant the organization's representative(s) access to the parcel(s) where the conservation practice(s) will be located.
2. Obtain all permits required in conjunction with the installation and establishment of the practice(s) prior to starting construction of the practice(s).
3. Be responsible for the operation and maintenance of conservation practice(s) applied under this program in accordance with an Operation and Maintenance Plan prepared by the technical assistance provider.
4. Not accept cost-share funds, from state sources in excess of XXX%, or state and federal sources that when combined are in excess of XXX% of the total cost to establish the conservation practice(s). Pre-Construction Cover is exempt from the percent reimbursement rate limitations when utilizing the flat rate payment option.
5. To provide copies of all forms and contracts pertinent to any other state or non-state programs that are contributing funds toward this project.

Date	Land Occupier
Date	Landowner, if different from applicant
	Address, if different from applicant information:

**Conservation Practice**

The primary practice for which cost-share is requested is:

Practice standards of eligible component(s):	Engineered Practice: <input type="checkbox"/>	Total Project Cost Estimate
	Ecological Practice: <input type="checkbox"/>	

**Technical Assessment and Cost Estimate**

I have the appropriate technical expertise and have reviewed the site where the above-listed practice(s) is to be installed and find it is needed and that the estimated quantities and costs are practical and reasonable.

Date	Technical Assistance Provider
------	-------------------------------

**Pre-Construction Cover**

Is allowed when temporary cover is necessary for the future installation of structural conservation practices. A Flat Rate Payment of up to \$150 per acre, not to exceed 10 acres, is allowed as part of a state cost-share contract for the installation of structural practice(s).

Amount/Acre (NTE \$150/acre)	Number of Acres (NTE 10 Acres)	Total Amount

**Amount Authorized for Financial Assistance**

The Dakota County SWCD Board has authorized the following for financial assistance, total not to exceed 85.0% of the total cost to establish the conservation practice.


Amount	Program Name	Fiscal Year

Board Meeting	Authorized Signature	Total Amount Authorized
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# FLAT RATE CONSERVATION PRACTICE ASSISTANCE CONTRACT

## General Information

Organization: 	Contract Number:	Other state or non-State funds? <input type="checkbox"/> YES <input type="checkbox"/> No	Amendment <input type="checkbox"/> Board Meeting Date(s):	Canceled <input type="checkbox"/> Board Meeting Date(s):
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\*If contract amended, attach amendment form(s) to this contract.

## Applicant

Land Occupier Name	Address	City/State/Zip Code	Project Name
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\* If a group contract, this must be filed and signed by the group spokesperson as designated in the group agreement and the group agreement attached to this form.

## Conservation Practice Location

Project Address	Township Name:	Township No:	Range No.:	Section No.	1/4	1/4,1/4
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## Contract Information

I (we), the undersigned, do hereby request cost share assistance to help defray the cost of installing the following practice(s) listed on the second page of this contract. It is understood that:

1. The land occupier is responsible for full establishment, operation, and maintenance of all practices and upland treatment criteria applied under this program to ensure that the conservation objective of the practice is met and the effective life, a minimum of X years, is achieved. The specific operation and maintenance requirements for the conservation practice listed are described in the Operation and Maintenance Plan prepared for this contract by the technical assistance provider.
2. Should the land occupier fail to maintain the practice during its effective life, the land occupier is liable to the State of Minnesota for the amount up to 150% of the amount of financial assistance received to install and establish the practice unless the failure was caused by reasons beyond the land occupier's control, or if conservation practices are applied at the land occupier's expense that provide equivalent protection of the soil and water resources.
3. If title to this land is transferred to another party before expiration of the aforementioned life, it shall be the responsibility of the landowner who signed this contract to advise the new owner that this contract is in force and to notify other parties to the contract of the transfer.
4. Practice(s) must be planned and installed in accordance with technical standards and specifications of the:

5. Increases in the practice units or cost must be approved by the organization board through amendment of this contract as a condition to increase the cost-share payments.
6. This contract, when approved by the Dakota County SWCD Board, will remain in effect unless canceled or amended by mutual agreement, except where installations of practice(s) covered by this contract have not been installed by XX/XX/XXXX, this contract will be automatically terminated on that date.
7. Reimbursement requests must be supported by a completed Flat Rate Voucher.

## Applicant Signatures

The land occupier's signature indicates agreement to:

1. Grant the organization's representative(s) access to the parcel(s) where the conservation practice will be located.
2. Obtain any permits required in conjunction with the completion of the practice(s) prior to starting work on the practice(s).
3. Be responsible for the operation and maintenance of conservation practice(s) applied under this program in accordance with an Operation and Maintenance Plan prepared by the technical assistance provider.
4. Not accept any other state or federal funds for the practice(s) named in this agreement.

Date	Land Occupier
Date	Landowner, if different from applicant
	Address, if different from applicant information:

**Conservation Practice**

The primary practice for which cost-share is requested is:

Eligible Component Standards & Names	Engineered Practice: <input type="checkbox"/>	Total Project Cost Estimate
	Ecological Practice: <input type="checkbox"/>	

**Technical Assessment and Cost Estimate**

I have the appropriate technical expertise and have reviewed the site where the above-listed practice(s) will be completed and deem the practice(s) needed and that the estimated quantities are practical and reasonable.

Date	Technical Assistance Provider
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**Amount Authorized for Financial Assistance**

The Dakota County SWCD has authorized the following for financial assistance, total not to exceed rate of:


Amount/Acre	Number of Acres	Number of Years	Total Amount

Amount	Program Name	Fiscal Year

Board Meeting Date	Authorized Signature	Total Amount Authorized
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# HARVESTABLE COVER CONSERVATION PRACTICE ASSISTANCE CONTRACT

## General Information

Organization: 	Contract Number:	Other state or non-State funds? <input type="checkbox"/> YES <input type="checkbox"/> No	Amendment <input type="checkbox"/> Board Meeting Date(s):	Canceled <input type="checkbox"/> Board Meeting Date(s):
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\*If contract amended, attach amendment form(s) to this contract.

## Applicant

Land Occupier Name	Address	City/State/Zip Code	Project Name
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\* If a group contract, this must be filed and signed by the group spokesperson as designated in the group agreement and the group agreement attached to this form.

## Conservation Practice Location

Project Address	Township Name:	Township No:	Range No.:	Section No.	1/4	1/4,1/4
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## Contract Information

I (we), the undersigned, do hereby request cost share assistance to help defray the cost of installing the following practice(s) listed on the second page of this contract. It is understood that:

1. The land occupier is responsible for full establishment, operation, and maintenance of practice(s) applied under this program to ensure that the conservation objectives are met and the effective life, a minimum of X years, is achieved. The specific operation and maintenance requirements for the conservation practice listed are described in the Operation and Maintenance Plan prepared for this contract by the technical assistance provider.
2. Should the land occupier fail to maintain the practice during its effective life, the land occupier is liable to Dakota County SWCD for the amount up to 150% of the amount of financial assistance received to install and establish the practice(s) unless the failure was caused by reasons beyond the land occupier's control, or if conservation practices are applied at the land occupier's expense that provide equivalent protection of the soil and water resources.
3. If title to this land is transferred to another party before expiration of the aforementioned life, it shall be the responsibility of the landowner who signed this contract to advise the new owner that this contract is in force and to notify other parties to the contract of the transfer.
4. Practice(s) must be planned and installed in accordance with technical standards and specifications of the:

5. Increases in the practice(s) units or cost must be approved by the organization board through amendment of this contract as a condition to increase the cost-share payments.
6. This contract, when approved by the Dakota County SWCD Board, will remain in effect unless canceled or amended by mutual agreement, except where installations of practices covered by this contract have not been installed by XX/XX/XXXX, this contract will be automatically terminated on that date.
7. Reimbursement requests must be supported by a completed voucher.

## Applicant Signatures

The land occupier's signature indicates agreement to:

1. Grant the organization's representative(s) access to the parcel(s) where the conservation practice will be located.
2. Obtain any permits required in conjunction with the completion of the practice(s) prior to starting work on the practice(s).
3. Be responsible for the operation and maintenance of conservation practices applied under this program in accordance with an operation and maintenance plan prepared by the technical assistance provider.

Date	Land Occupier
Date	Landowner, if different from applicant
	Address, if different from applicant information:

### Conservation Practice

The primary practice for which cost-share is requested is:

Eligible Component Standards & Names	Engineered Practice: <input type="checkbox"/>	Total Project Cost Estimate
	Ecological Practice: <input type="checkbox"/>	

### Technical Assessment and Cost Estimate

I have the appropriate technical expertise and have reviewed the site where the above-listed practice is to be installed and find it is needed and that the estimated quantities and costs are practical and reasonable.

Amount/Acre	Number of Acres	Number of Years	Total Amount

Date	Technical Assistance Provider
------	-------------------------------

### Amount Authorized for Financial Assistance

The Dakota County SWCD has authorized the following for financial assistance, total not to exceed rate of:

Amount	Program Name	Fiscal Year

Board Meeting	Authorized Signature	Total Amount Authorized <b>#DIV/0!</b>
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## CONSERVATION PROJECT ASSISTANCE CONTRACT GROUP PROJECT ADDENDUM

### General Information

Group Spokesperson	Project	Contract Number	Date
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### Applicant Information and Signatures

We (the undersigned) are interested in developing and conserving our soil, water and related resources to meet the objectives of our group. In order to meet our group objectives, we request assistance to help us plan and apply proper land use and conservation treatment measures as agreed upon by our group.

We understand that this help is contingent upon staff assistance from the organization and in conformance with its policies and priorities.

We further understand that the below designated group spokesperson is authorized to sign the Conservation Practice Contract\* and shall do the negotiating with the organization. Prior to the approval of this application the spokesperson shall prepare a division of payments schedule agreed to by the undersigned and attach the plan to this form.

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Group Spokesperson (Print)	Address	Signature	Date
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Group Member (Print)	Address	Signature	Date
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Group Member (Print)	Address	Signature	Date
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Group Member (Print)	Address	Signature	Date
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Division of Payment Schedule:

\*Attach this form to the Cost Share Contract







# LANDSCAPING FOR CLEAN WATER GRANT

## LANDSCAPING FOR CLEAN WATER GRANT PROCESS

The Landscaping for Clean Water Grant program makes it easy for Dakota County residents to plan and install native gardens, raingardens, and native shoreline plantings.

**Just follow the steps below!**

## LANDSCAPING FOR CLEAN WATER



Dakota County Soil and  
Water Conservation District

- 1. LEARN** Attend a FREE Introduction to Clean Water class for insight on Dakota County water resources, register for the Design Course to plan a garden project, and sign-up for a Garden Maintenance or Natural Shoreline workshop.
- 2. DESIGN** In the Design Course (online or in-person) you will plan a garden for your own yard with Dakota SWCD assistance. A \$25 registration fee includes the Blue Thumb Guide to Raingarden book, property maps, learning materials & more!
- 3. APPLY** Submit an application for consideration to receive a \$250 Landscaping for Clean Water grant.
- 4. INSTALL** Install your garden project per approved plan with onsite guidance from the Dakota SWCD's expert staff.
- 5. RECEIVE** You will be awarded a \$250 grant from Dakota SWCD upon project completion.

### LANDSCAPING FOR CLEAN WATER GRANT DEADLINES

	Application	Project Completion*
Round 1	April 26, 2023	July 21, 2023
Round 2	May 31, 2023	August 25, 2023
Round 3	July 12, 2023	October 6, 2023

\* Grant automatically expires if the project is not completed by this date



Visit [www.dakotaSWCD.org](http://www.dakotaSWCD.org) for additional information or scan the QR Code.



Raingarden



Native Garden



Native Shoreline  
Planting

16 YEARS OF CLEAN WATER  
ACCOMPLISHMENTS!!

Workshop Participants 5,491

Projects Completed 705



## CITIZEN CONSERVATION STEWARDSHIP PROGRAM



### APPLICATION TIMES:

- Applications are accepted all year

### PROJECT EXAMPLES:

- Erosion and Slope Stabilization
- Gully, Wetland, Lake or Stream Restorations
- Sediment Basins
- Bioretention Practices
- Shoreline Stabilizations

### CONTACT:

- For more information, call the Dakota County Soil and Water Conservation District at (651) 480-7777

### COST SHARE FUNDING FOR CONSERVATION PROJECTS!

Up to \$5,000 of cost share funding may be available to Dakota County property owners for qualifying (non-agricultural) water quality projects that preserve or restore natural resources.

The Citizen Conservation Stewardship (CCS) program supports smaller conservation practices on individual properties by providing technical and cost share assistance. Depending on project ranking and the availability of funding, cost share amounts up to \$5,000 may be approved to reimburse the applicant for up to 85% of the actual project cost.

### PROJECTS WILL BE COMPETITIVELY RANKED BASED ON:

- Water Quality Improvement
- Benefits to Wetlands, Lakes and Streams
- Soil Erosion Control
- Wildlife Habitat Improvement
- Public Benefit / Public Outreach
- Innovative Applications
- Collaboration With Other Landowners or Organizations



# DRAFT

PROGRAM FACTSHEET

DAKOTA COUNTY



SOIL & WATER  
CONSERVATION DISTRICT

## CONSERVATION INITIATIVE FUNDING PROGRAM



### APPLICATION TIMES:

- Applications are accepted all year

### PROJECT EXAMPLES:

- New or Redevelopment with Low Impact Development Practices
- Stormwater Retrofit with Best Management Practices
- Erosion and Slope Stabilization
- Gully, Wetland, Lake or Stream Restorations
- Bioretention Practices
- Shoreline Stabilizations

### CONTACT:

- For more information, call the Dakota County Soil and Water Conservation District at (651) 480-7777

### COST SHARE FUNDING FOR CONSERVATION PROJECTS!

Up to \$25,000 of cost share funding may be available to install conservation practices that reduce stormwater runoff and improve water quality above the minimum measures required by the regulating agencies.

The Conservation Initiative Funding (CIF) program supports larger conservation practices on commercial or multiple properties by providing technical and cost share assistance. Depending on project ranking and the availability of funding, cost share amounts up to \$25,000 may be approved to reimburse the applicant up to 85% of the actual project cost.

### PROJECTS WILL BE COMPETITIVELY RANKED BASED ON:

- Water Quality Improvement
- Benefits to Wetlands, Lakes and Streams
- Soil Erosion Control
- Wildlife Habitat Improvement
- Public Benefit / Public Outreach
- Innovative Applications
- Collaboration With Other Landowners or Organizations

## COMMUNITY CONSERVATION PARTNERSHIP



### COST SHARE FUNDING FOR CONSERVATION PROJECTS!

Up to \$50,000 of cost share funding may be available to install bioretention and other stormwater Best Management Practices at public facilities in Dakota County to improve water quality above the minimum measures required by the regulating agencies.

The Community Conservation Partnership (CCP) supports public landowners to implement TMDL and local water management plans by providing technical assistance. Depending on project ranking and the availability of funding, cost share amounts up to \$50,000 may be approved to reimburse the applicant for up to 85% of the actual cost. The applicant's contribution can be based on in-kind value.

### PROJECTS WILL BE COMPETITIVELY RANKED BASED ON:

- Subwatershed Pollutant Load Modeling to Quantify Water Quality Benefit
- Priority Sites Having Direct Discharge Without Treatment
- Values Comparison - Most Benefit for the Least Cost
- Priority Locations in Critical Watershed Areas
- Installation Timing
- Identified Project in a TMDL or Local Water Plan

### APPLICATION TIMES:

- Applications must be submitted by March 15th, May 15th, or July 15th of each year

### PROJECT EXAMPLES:

- Bioretention
- Infiltration
- Filtration
- Soil Amendments
- Rooftop Disconnect
- Reduced Impervious Surface Areas
- Porous Pavements
- Thermal Impact Prevention and Mitigation Practices
- Snowmelt Treatment
- Stormwater Recycling
- Best Management Practices

### CONTACT:

- For more information, call the Dakota County Soil and Water Conservation District at (651) 480-7777





# INCENTIVE PAYMENT PRACTICES PROGRAM



## COST SHARE FUNDING FOR CONSERVATION PROJECTS!

The Incentive Payment Practices (IPP) program provides funding for the voluntary establishment of conservation projects. All projects must demonstrate a water quality improvement and comply with local, state, and federal regulations. SWCD staff will work with applicants on project planning and design, and to submit a final project application.

Applications are prioritized for funding based on their potential to provide water quality benefits. The number of applications approved may be limited by the amount of funding and staff time available.

## PROJECT FUNDING EXAMPLES INCLUDE:

- Up to 85% cost share funding for installation of conservation projects.
- Up to \$300 per acre, per year for up to 15 years, for filter strips.
- Up to \$150 per acre, per year for up to 15 years, for harvestable filter strips.
- \$35 per acre (single year contract) or \$45 per acre per year (multi-year contract) for cover crops
- \$25 per acre (single year contract) or \$35 per acre per year (multi-year contract) for harvestable covers
- Up to \$3,000 per acre for native prairie restorations that include grasses and pollinator-friendly forbs.

## APPLICATION TIMES:

- Applications will be ranked and scored periodically throughout the year.
- Cover Crop, Harvestable Cover, and Native Prairie Restoration applications are accepted year-round

## PROJECT EXAMPLES:

- Grassed Waterways
- Water and Sediment Control Basins
- Critical Area Seeding
- Diversions
- Streambank Stabilization
- Filter Strips
- Harvestable Filter Strips
- Feedlot Improvements
- Cover Crops
- Harvestable Covers
- Perennial Crops
- Native Prairie Restorations

## CONTACT:

- For more information, call the Dakota County Soil and Water Conservation District at (651) 480-7777

**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Regular Agenda**

Request for Board Action

Voice Vote

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Meeting Date: 2/9/2023

Prepared by: Brian Watson

**PURPOSE/ACTION REQUESTED:**

Consider resolution to support reauthorizing the dedication of state lottery proceeds to the Environment and Natural Resources Trust Fund

**SUMMARY:**

Conservation Minnesota, a nonprofit organization with the mission of protecting our outdoor heritage and solving important conservation issues, has reached out to seek support for reauthorization of lottery proceeds being dedicated to the Environment and Natural Resource Trust Fund (ENRTF).

A draft resolution has been prepared in support of this effort and is presented for discussion and potential Board action. Also included as an attachment is the sign-on letter and informational resources from Conservation Minnesota. Adoption of this resolution would include authorization to sign the electronic letter to Members of the Minnesota State Legislature.

**EXPLANATION OF FISCAL/FTE IMPACT:**

None

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**Supporting Documents:**

Draft Resolution 2023-01  
Conservation Minnesota Sign on Letter and Informational Resources

**Previous Board Action:**

N/A





**Resolution 2023-01**

**Reauthorizing the Dedication of State Lottery  
Proceeds to the Environment and Natural Resource Trust Fund**

**WHEREAS**, for over 30 years the Environment and Natural Resources Trust Fund (ENRTF) has provided stable, long-term funding for conservation and natural resource projects across Minnesota;

**WHEREAS**, the ENRTF's funding source is a constitutional dedication of net proceeds from the state lottery;

**WHEREAS**, constitutional dedication of lottery proceeds to fund the ENRTF was approved by Minnesota voters in 1990 and again in 1998 and is set to expire in 2025;

**WHEREAS**, Minnesotans deserve the opportunity to vote to renew the constitutional dedication of lottery proceeds to the ENRTF as these funds play a critical role in protecting our natural resources.

**NOW THEREFORE BE IT RESOLVED**, that the Dakota County Soil and Water Conservation District supports placing the constitutional rededication of lottery proceeds to the ENRTF on the ballot in 2024.

*Adopted by motion XXX at the XX, XX, 2023 Dakota County Soil and Water Conservation Districts Board of Supervisors Meeting.*

# REAUTHORIZING THE LOTTERY DEDICATION TO THE ENVIRONMENT AND NATURAL RESOURCES TRUST FUND

## SIGN-ON LETTER AND INFORMATIONAL RESOURCES

### Contents:

- 2 Sign-On Letter to Legislators
- 3 Reauthorization Principles
- 4 ENRTF and LCCMR Frequently Asked Questions
- 6 The Benefits of the ENRTF
- 8 A Brief History of the ENRTF
- 10 Additional External Resources and Contact Info.

*Sign on to support the reauthorization of the lottery dedication to the ENRTF at:  
<https://bit.ly/ENRTFreauthorization>*

Updated: December 15, 2022



**CONSERVATION  
MINNESOTA**



## **Support the Constitutional Amendment Reauthorizing the Dedication of State Lottery Proceeds to the Environment and Natural Resources Trust Fund**

Members of the Minnesota State Legislature,

*We, the undersigned organizations, ask that Minnesotans be given the opportunity to extend and enhance the dedication of state lottery proceeds to the Environment and Natural Resources Trust Fund through a constitutional amendment, allowing voters to pass on a tradition of conservation to the next generation.*

In 1988, Minnesota voters overwhelmingly passed constitutional amendments to establish a state lottery and to create the Environment and Natural Resources Trust Fund (ENRTF), a permanent trust with principal funding provided by a portion of net lottery proceeds. Proving popular with Minnesotans, the ENRTF has been reapproved by two additional constitutional amendments. In 1990, 75.31% of voters upgraded the use of lottery proceeds from a statutory dedication to a constitutional dedication expiring in 2001. And in 1998, 73.95% of voters extended this dedication until 2025. Today, support for the ENRTF remains strong, with 73% of survey respondents favoring the rededication of lottery proceeds to the Trust Fund.

For over three decades, the ENRTF has offered a stable, long-term funding source for unique, innovative projects conducted by local and Tribal governments, non-profit and community organizations, colleges and universities, and federal and state agencies. Using funding recommendations from the Legislative-Citizen Commission on Minnesota Resources (LCCMR), the Legislature has appropriated over \$900 million from the Trust Fund for the protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources. This crucial investment has protected ecosystems, aided local communities, promoted outdoor recreation, improved health outcomes, pursued environmental equity, bolstered agricultural resiliency, and supported strong businesses and good-paying jobs across the state.

We believe that Minnesotans deserve the opportunity to vote to renew the constitutional dedication of lottery proceeds to the ENRTF while dedicating additional lottery proceeds to the environment and reducing barriers for local organizations and communities to receive funding. The ENRTF will play a critical role in addressing emerging challenges to our natural resources. It's vital that we protect this funding for the years to come.

We have a rare chance to continue a tradition of stewardship in Minnesota and to improve and extend the effective use of our state lottery proceeds. We respectfully urge the Legislature to support placing the constitutional rededication of lottery proceeds on the ballot in 2024.

Sincerely,  
(Undersigned Organizations)



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## **Principles for the Reauthorization of the ENRTF Lottery Dedication**

For over thirty years, the Environment and Natural Resources Trust Fund (ENRTF) has provided stable, long-term funding for innovative conservation and natural resource projects across Minnesota. However, the ENRTF's funding source, the constitutional dedication of net proceeds from the state lottery, is set to expire in 2025.

It's time to reauthorize the dedication of lottery proceeds to the ENRTF, allowing Minnesotans to renew and improve our state's commitment to environmental protection. We're urging the Legislature to put this vital funding back on the ballot as a constitutional amendment in 2024, and we're encouraging legislators to incorporate the following principles in this effort:

### **Reauthorize the use of net lottery proceeds for the ENRTF**

The ENRTF was created through a constitutional amendment in 1988. In 1990, a second amendment constitutionally dedicated the fund's lottery proceeds until 2001. And in 1998, a third amendment extended this dedication until 2025, prolonging the ENRTF's funding source for a generation.

With the dedication set to expire, the Legislature should give Minnesotans the chance to pass the torch to the next generations, reauthorizing the use of lottery proceeds into the future.

### **Restore the original 50 percent allocation of net lottery proceeds to the ENRTF**

When the ENRTF was founded in 1988, the Legislature statutorily dedicated 50% of net lottery proceeds to the fund. However, amid a budget shortfall in 1990, legislators raided the lottery dedication to fund a capital investment package, decreasing the ENRTF's allocation of proceeds to 40%.

Now facing a historic budget surplus, the Legislature should reverse this raid and restore the original 50% allocation of net lottery proceeds to the ENRTF.

### **Reallocate unclaimed lottery prizes to the ENRTF**

Not only has the allocation of net lottery proceeds to the ENRTF decreased from 50% to 40%, but the total proportion of net lottery proceeds stemming from lottery revenues has decreased due to the use of an in-lieu tax paid by State Lottery, effectively decreasing the "on the dollar" funding for the ENRTF from each sale.

Although the in-lieu tax (~\$50 million) is already appropriated to other causes, lost funding can still be recouped through the reallocation of unclaimed prizes, which currently default to the General Fund. By dedicating unclaimed prizes to the ENRTF, the Legislature can help to restore about \$10 million to the Trust Fund each year.

### **Reform the Legislative-Citizen Commission on Minnesota Resources**

In recent years, the LCCMR process has experienced gridlock preventing the commission from reaching necessary compromises and has been difficult or inaccessible for potential beneficiaries.

To ensure the effective appropriation of ENRTF dollars, the Legislature should make changes to improve equitable citizen representation, to limit institutional conflicts, and to reduce barriers for local organizations and communities to receive funding from the LCCMR.



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## Frequently Asked Questions on the Environment and Natural Resources Trust Fund

\* Source: <https://www.lccmr.mn.gov/about/faq-index.html> (LCCMR Website)

### What is the Environment and Natural Resources Trust Fund?\*

The Environment and Natural Resources Trust Fund (ENRTF) is a permanent fund in the Minnesota state treasury dedicated to funding activities that protect, conserve, preserve, and enhance the state’s air, water, land, fish, wildlife, and other natural resources. The ENRTF was created in 1988 when 77% of Minnesota voters approved an amendment to the Minnesota Constitution (Art. XI, Sec.14). The ENRTF provides a long-term, consistent, and stable source of funding for Minnesota’s environment and natural resources for the benefit of current and future generations.

Money in the ENRTF originates from a combination of contributions and investment income. Forty percent of the net proceeds from the Minnesota State Lottery, or approximately 6.2 cents of every dollar spent on playing the lottery, goes into the ENRTF, which is then managed and invested for continued growth by the State Board of Investment. Up to 5.5% of the market value of the ENRTF is available to spend on projects each year. The LCCMR makes annual project funding recommendations to the Minnesota Legislature based on a competitive, multi-step proposal and selection process.

### How has ENRTF money been spent?\*

Between 1991 and 2022, the ENRTF has provided over \$900 million to over 1,850 projects around the state. Funded projects fall into the following broad subject areas:

- Agriculture/Forestry/Mining
- Biological Diversity
- Education/Outreach
- Historic Preservation
- Invasive Species
- Natural Areas and Habitat
- Natural Resource Info./Planning
- Recreation
- Renewable Energy
- Water Resources

### What is the Legislative-Citizen Commission on Minnesota Resources?\*

The Legislative-Citizen Commission on Minnesota Resources (LCCMR) is a commission of legislators and citizens whose primary function is to make funding recommendations to the Minnesota Legislature for special environmental and natural resources protection and enhancement projects, primarily from the Environment and Natural Resources Trust Fund (ENRTF). Additionally, the LCCMR tracks all projects funded through its proposal process to ensure outcome achievement.

The LCCMR is composed of 17 members: five senators, five representatives, five citizens appointed by the governor, one citizen appointed by the Senate, and one citizen appointed by the House. Legislative members are appointed by legislative leadership and must include representation from both majority and minority parties. The citizen members appointed to the LCCMR must have experience or expertise in the science, policy, or practice of the protection, conservation, preservation, and enhancement of the state’s environment and natural resources.

LCCMR developed from a program initiated in 1963 to preserve, develop, and maintain the natural resources of Minnesota. The name and funding sources have changed over the years, with the most recent change in 2006, when the commission was restructured into its current form, the Legislative-Citizen Commission on Minnesota Resources, with the addition of non-legislative citizen members in order to include citizen input more directly in the decision-making process.

### **How does the ENRTF differ from Legacy Funds?\***

ENRTF appropriations are only a small part of total state spending relating to the environment and natural resources. The general fund, bonding, and user fees have accounted for the bulk of spending in these areas. The voter-adopted outdoor heritage, clean water, parks and trails, and arts and cultural heritage amendment (Legacy Amendment) to the Minnesota Constitution (MN Constitution Art. XI, Sec. 15), passed in November 2008, dedicates portions of three-eighths of one percent of state sales tax to specific types of environment and natural resources projects through June 30, 2034 and provides a boost to state spending in these areas.

Expenditures of money from each of the different funds follow different guidelines. The Outdoor Heritage Fund, Clean Water Fund, and Parks and Trails are limited to very targeted types of environment and natural resources projects. The ENRTF has a broader mandate with greater flexibility in the types of environment and natural resources projects it can fund. The specific language defining the use of the ENRTF and each of the three new funds is as follows:

- Environment and Natural Resources Trust Fund: "for the public purpose of protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources" (Art. XI, Sec.14).
- Outdoor Heritage Fund: "may be spent only to restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife" (Art. XI, Sec.15).
- Clean Water Fund: "may be spent only to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation, and at least five percent of the clean water fund must be spent to protect public drinking water sources" (Art. XI, Sec.15).
- Parks and Trails Fund: "may be spent only to support parks and trails of regional or statewide significance" (Art. XI, Sec.15).

### **Why does the lottery dedication need to be reauthorized? And why does it require a constitutional amendment?**

The ENRTF is a vital source of long-term, flexible environmental funding for innovative natural resource projects. This funding is made possible through the money the fund receives from net lottery proceeds. Following the creation of the ENRTF in 1988, the dedication of state lottery proceeds to the ENRTF received constitutional protection in 1990 via an amendment, and another amendment in 1998 extended this protection until 2025.

The constitutional dedication of net lottery proceeds to the ENRTF protects this funding from being cut or otherwise reallocated without voter approval. When the ENRTF was founded in 1988, its lottery dedication was only statutory, and the Legislature immediately cut the allocation of proceeds in the next session. To ensure that net lottery proceeds will continue to fund environmental protection for the next generations, we must extend the constitutional protection for the ENRTF's lottery dedication. Doing so requires a constitutional amendment approved by Minnesota voters during the 2024 General Election.

In addition, reauthorization legislation allows the Legislature to make necessary changes to improve the effectiveness of the ENRTF, such as restoring the original allocation of net lottery proceeds to the Fund, transferring unclaimed prizes to the Fund, and reforming the LCCMR to improve equity and efficiency.





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**ENVIRONMENT  
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TRUST FUND**

## **Benefits of the Environment and Natural Resources Trust Fund**

Since its first appropriations in 1991, the Environment and Natural Resources Trust Fund (ENRTF) has provided over \$900 million in stable, long-term funding for innovative projects in natural resource management. Today, the ENRTF offers over \$70 million annually to help protect our Great Outdoors and to ensure that every Minnesotan can enjoy and benefit from a healthy, thriving environment.

The impacts of the ENRTF are far-reaching, helping aid local communities, protect ecosystems, promote outdoor recreation, improve health outcomes, emphasize environmental equity, bolster agricultural resiliency, and support successful businesses and good-paying jobs. *These impacts include:*

### **Conservation of Ecosystems and Biodiversity**

- Over \$460 million for projects with natural area and habitat benefits and over \$440 million for projects with biological diversity benefits.
- Over \$70 million for projects with invasive species mitigation benefits, including research and management programs addressing emerald ash borers, aquatic invasives, plant and animal diseases, and more.
- Public, private, and nonprofit habitat conservation, preserving, restoring, and enhancing Minnesota's wetlands, lakes, prairies, forests, rivers, and beyond.
- Restorative species reintroduction projects, returning native elk, bison, mussels, wild rice, and more.
- Comprehensive monitoring and assessment programs to research, survey, and address ecosystem health.

### **Efforts Toward Clean Air, Safe Water, and Healthy Communities**

- Over \$300 million for projects with water resources benefits, investing in watershed conservation, wetland restoration, water quality monitoring, local water management, pollution treatment/prevention research, etc.
- Projects for improved air quality, focusing on urban air pollution, indoor air and asthma management, air quality in schools, biofuel research, emissions and waste reduction, and sustainable deconstruction.
- Efforts to address harmful pollution, including PFAS, leaded gasoline, lead, plastic, mercury, and more.
- Analysis of children's environmental health, environmental health risks, and antibiotic resistance.

### **Emphasis on Environmental Equity**

- Programs to improve diversity in environmental careers and in the natural resources community.
- Education and recreation opportunities for low-income and underserved youth, including outdoor adventures, hands-on learning, school forests and outdoor classrooms, and after-school programs.
- Improved outdoor access for Minnesotans with disabilities, including accessible fishing piers, retrofitted state and regional parks, recreational opportunities, and programs for disabled veterans.
- Support for Tribal priorities, including Indigenous conservation and education projects, cultural site restoration, wild rice protection, elk reintroduction, and Tribal land re-acquisition.
- Studies on pollution and climate impact disparities, including monitoring emerging viruses in urban water cycles, quantifying new water realities, and assessing urban air pollution.

### **Support for Local Communities**

- Over \$135 million in direct funding for local government entities, including municipalities, counties, soil and water conservation districts, watershed districts, joint powers boards, school boards, and public utilities.
- Widespread funding for local communities through state agency-led grant and technical assistance programs, providing support for parks and trails acquisition, water recreation, community-based planning, renewable energy projects, invasive species response, water system management, conservation efforts, etc.

### **Programming for Environmental Education and Awareness**

- Over \$200 million for projects with educational outreach benefits.
- Funding for environmental information and awareness through museums, zoos, environmental learning centers, public exhibits, radio/television programming, etc.
- Teacher training programs for environmental education curriculum and innovative learning opportunities
- Hands-on educational experiences for youth and adults, including research participation projects, conservation apprenticeships, cultural learning programs, immigrant naturalist courses, recreation opportunities, and more.

### **Solutions for Sustainable Agriculture, Forestry, and Mining**

- Over \$120 million for projects with agriculture, forestry, and mining benefits.
- Agricultural programs to promote pest control, organic farming training, agricultural diversification, cover cropping, soil health, private land conservation, biomass conversion, water retention, etc.
- Forestry programs to promote woodland certification, sustainable management, pest and disease prevention, soil impact minimization, habitat preservation, bioeconomy research, water protection, etc.
- Mining programs to promote sulfate release management, habitat potential of mine lakes, forest restoration on unproductive minelands, metal removal from mine waters, water quality impacts, etc.

### **Funding for Parks, Trails, and Recreation**

- Over \$350 million for projects with recreational benefits.
- Funding for local and state-led parks acquisition and trail development.
- Support for expanded recreational opportunities through fishing infrastructure, habitat preservation, disability access, sportsmen's training and infrastructure, youth outreach, and ecotourism.

### **Innovation for Renewable Energy Solutions**

- Over \$35 million for projects with renewable energy benefits.
- Research on cutting-edge technology for energy storage, grid systems, biomass gasification, thermoelectric generators, wind-produced renewable ammonia, geothermal heat pumps, alternative fuels, and more.
- Renewable energy development and energy efficiency projects at farms, environmental learning centers, water infrastructure, ice rinks, waste management facilities, Tribal communities, public schools, etc.

### **Investment in Natural Resource Research, Information, and Planning**

- Over \$370 million for projects with natural resource information and planning benefits.
- Over \$200 million in direct funding for higher education institutions to conduct research and programming.
- Research and information integration across the environmental spectrum, including on pollution, air and water quality, ecosystem health, wildlife populations, energy solutions, soil health, agricultural outcomes, etc.
- Technical assistance and planning for land use, conservation, resiliency, and natural resource usage.



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## History of the Environment and Natural Resources Trust Fund

### 1988 Amendment: Establishing the Environment and Natural Resources Trust Fund

- 1986 Falling proportions of state expenditures for environmental funding and inconsistent funding for the Reinvest in Minnesota (RIM) conservation program lead to calls for new conservation funding sources.
- 1987 Rep. Willard Munger introduces legislation for a constitutional amendment establishing the Environment and Natural Resources Trust Fund (ENRTF), proposing funding from a combination of income, sales, and cigarette taxes.
- Gov. Rudy Perpich offers support for ENRTF legislation but proposes funding from a potential state lottery for both the Trust Fund and the Greater Minnesota Corporation, which faced cuts.
- 1988 Rep. Munger and Senate Majority Leader Roger Moe advance ENRTF legislation, attempting to utilize tax revenues to establish the Fund. Munger's bill includes a constitutional dedication of lottery proceeds to the Trust Fund; Moe's bill only includes a statutory dedication of proceeds.

By mid-session, the ENRTF legislation is stripped to the use of only cigarette taxes, jeopardizing the eventual effectiveness of the Fund.

A budget dispute between legislators and Gov. Perpich on the Greater Minnesota Corporation leads to compromise legislation, combining the ENRTF amendment and a state lottery amendment into one bill and proposing to allocate proceeds to the ENRTF and the GMC. The ENRTF would receive a *statutory* dedication of 50% of net lottery proceeds, the GMC would receive the other 50%.

Combined ENRTF and lottery legislation passes the Legislature, with a 37-28 vote in the Senate and a 77-55 vote in the House, cutting across party lines. The bill places two separate amendments on the ballot.

A campaign to support the ENRTF amendment is led by the Citizens to Preserve Minnesota's Natural Heritage, a broad coalition composed of conservation, sportsmen's, business, tourism, and labor groups. The coalition is chaired by former Governors Elmer Anderson (R) and Wendell Anderson (DFL).

In the 1988 General Election, the ENRTF amendment passes 77.41% to 17.68%, establishing the Environment and Natural Resources Trust Fund. The lottery amendment also passes, securing funding.

### 1990 Amendment: Constitutionally Dedicating Lottery Proceeds to the Trust Fund

- 1988 After Rep. Munger's constitutional dedication of lottery proceeds to the ENRTF fails in favor of a statutory dedication, Munger predicts that the Legislature will raid lottery proceeds and vows to return with another amendment for a constitutional dedication.
- 1989 Approaching the 1990 session, the Legislature faces a \$161 million budget shortfall. Legislators call for a reallocation of lottery proceeds, primarily targeting a reduction to the GMC's share of funding.
- 1990 Rep. Munger champions legislation to establish a constitutional dedication of 50% of lottery proceeds to the ENRTF and to allocate 4 cents of the state cigarette tax to the ENRTF.

Mid-session, the Senate DFL Caucus proposes using lottery proceeds to supplement a \$387 million capital investment bill. The proposed change decreased the ENRTF's share of net proceeds from 50% to 40%, decreased the GMC's share from 50% to 25%, and allocated 35% to capital projects.

As a compromise, the Senate's capital investment bill, with lottery allocation changes, adds an amendment question to constitutionally dedicate the ENRTF's lottery proceeds until 2001, protecting the ENRTF from future statutory raids.

With the ENRTF constitutional dedication included, the capital investment bill passes the Legislature, with a 55-6 vote in the Senate and a 113-18 vote in the House.

The campaign to support the ENRTF is once again led by the Citizens to Preserve Minnesota's Natural Heritage. Both candidates for governor, Rudy Perpich (DFL) and Arne Carlson (R), support the effort.

In the 1990 General Election, the amendment to constitutionally dedicate 40% of lottery proceeds to the ENRTF until 2001 passes 75.31% to 17.89%, protecting the ENRTF's funding source for a decade.

### **1998 Amendment: Extending the Constitutional Dedication of Proceeds to the ENRTF**

1997 Over 100 organizations form the Environmental Trust Fund Coalition, originally aiming to establish a permanent constitutional dedication of lottery proceeds to the ENRTF.

Rep. Munger and Sen. Steve Morse introduce bills to create a constitutional amendment extending the dedication until 2050.

In committee, the House bill is quickly reduced from a 2050 expiration to a 2020 expiration. A hunting and fishing rights amendment is briefly attached to the ENRTF bill but is later removed. Rep. Munger promises hunting and fishing amendment advocates that he will hear their amendment in 1998.

The House ENRTF bill passes 131-0. However, the Senate version does not advance in 1997 due in part to a dispute over the advancement of the hunting and fishing rights amendment.

1998 Amid a continued dispute, the Senate Rules Committee pulls and re-refers the ENRTF bill from the Environment and Natural Resources Committee to keep it on track. The hunting and fishing rights amendment eventually passes separately.

In a compromise, the ENRTF bill is reduced on the Senate floor from a 2050 expiration to a 2025 expiration. The final bill passes the Senate by a vote of 62-3 before being re-passed by the House by a vote of 132-0.

By the election, the Environmental Trust Fund Coalition grows to over 200 organizations supporting the amendment. The amendment also received vocal support from all three candidates for governor, Jesse Ventura (Reform), Norm Coleman (R), and Skip Humphrey (DFL).

In the 1998 General Election, the amendment to extend the constitutional dedication of lottery proceeds to the ENRTF until 2050 passes 73.95% to 21.88%, prolonging funding for an additional 24 years.



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## **Additional Resources**

LCCMR's Frequently Asked Questions on the Environment and Natural Resources Trust Fund  
<https://www.lccmr.mn.gov/about/faq-index.html>

List of all projects funded by the Environment and Natural Resources Trust Fund  
[https://www.lccmr.mn.gov/projects/all\\_projects8.php](https://www.lccmr.mn.gov/projects/all_projects8.php)

Statutes governing the Environment and Natural Resources Trust Fund  
<https://www.revisor.mn.gov/statutes/cite/116P>

LCCMR's Six-Year Strategic Plan for the Environment and Natural Resources Trust Fund  
[https://www.lccmr.mn.gov/documents/strategic\\_plan/lccmr\\_strategic\\_plan.pdf](https://www.lccmr.mn.gov/documents/strategic_plan/lccmr_strategic_plan.pdf)

LCCMR meetings page  
<https://www.lccmr.mn.gov/calendar/calendar-index.html>

Environment and Natural Resources Trust Fund information from Minnesota's Legacy website  
<https://www.legacy.mn.gov/environment-natural-resources-trust-fund>

Environment and Natural Resources Trust Fund Facebook page  
<https://www.facebook.com/mnenrtf/>

Environment and Natural Resources Trust Fund Twitter page  
<https://twitter.com/mnenrtf>

Environment and Natural Resources Trust Fund Youtube page  
<https://www.youtube.com/@mnenvironmentandnaturalres5988>

## **Contact Information**

If you have any questions/comments about the informational resources included in this document, or if you have any questions/comments about the reauthorization process, please contact David Pelikan at [david@conservationminnesota.org](mailto:david@conservationminnesota.org) or (262) 685-7265.