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## **Rum River Watershed Partnership WBIF Project Policies**

**Purpose:** This policy establishes an administrative process regarding how the Watershed Based Implementation Funds (WBIF) will be spent implementing the Rum River Watershed Comprehensive Watershed Management Plan (RRWCWMP).

This document outlines:

- 1) Project selection and approval process;
- 2) Contracting and payment process and policies; and
- 3) Cost share rates and policies

This policy is intended to be reviewed annually and may be altered at any time to adjust for unforeseen projects and funding opportunities upon approval by the Rum River Watershed Partnership (RRWP) board.

Additional documents should be used in conjunction with this document: 1) Projects ranking form (excel), 2) MN BWSR applicable grant policy and grants administration manual.

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### **Roles and Parties Definitions**

Fiscal Agent: Anoka Conservation District, Jamie Schurbon

Coordinator: Isanti Soil and Water Conservation District, Tiffany Determan

Members: Any local or tribal unit of government that has signed the Joint Powers Agreement establishing the RRWP.

Implementation Planning Committee (IPC): The IPC consists of one staff member from each party of the JPA.

Board: The RRWP Board consists of one representative from each party to the JPA.

Project: Any request for RRWP WBIF funds. Projects may include requests for staff time funding or labor and/or materials to install a best management practice.

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## Section 1. Project selection and approval process

### Project Eligibility

The first step in project selection is to determine whether the project is eligible for WBIF funding.

#### Eligibility:

The following criteria determine whether a project is eligible to be implemented with WBIF Funds:

1. Projects must be associated with an implementation action identified in the Comprehensive Watershed Management Plan.
2. Projects must meet requirements in BWSR WBIF Policy associated with the fiscal year of the grant(s) to be utilized and with the BWSR Grants Administration Manual.
3. Projects must address issues, activities and priority waters associated with the appropriate fiscal year BWSR approved eLink work plan.

#### General Details:

Eligible Priority issues include **Priority Level A:** Education and Outreach, Surface Water Restoration, and Surface Water Protection and **Priority Level B:** Groundwater & Drinking Water Quality.

**FY23 WBIF:** Eligible projects must be within the drainage area of a tier 1 or 2 **priority water as listed in Table 4.5 and 4.8 of the CWMP**, or for projects that maintain or enhance watershed-based ecosystems, be located within a **priority geographic area found in Figure 4.5 of the CWMP**.

**FY25 WBIF:** Eligible projects must be within the drainage area of a Tier 1-3 priority water as listed in Table 4.5 and 4.8 of the CWMP or for projects that maintain or enhance watershed-based ecosystems, be located within a **priority geographic area found in Figure 4.5 of the CWMP**.

The Eligibility and Ranking Sheet score must be a “yes” for all eligibility questions for a project to be eligible to use WBIF. All “yes” projects are eligible to move on to the funding ranking step in the project selection process.

### Funding Request Components

Each funding request from a member must include a completed Eligibility and Ranking Sheet and Statement of Work. The Eligibility and Ranking sheet will be on a central database and filled out there. The activity statement of work can be downloaded from the database and sent to the Coordinator.

### Funding Request Ranking

All projects determined to be eligible for WBIF funds will be scored using the Eligibility and Ranking Sheet. The spreadsheet must be completed by the member wishing to receive funding for a project.

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The sheet calculates (1) eligibility on a pass/fail basis and (2) a project score. Projects with scores above a threshold amount (40) shown in the spreadsheet are anticipated to be funded.

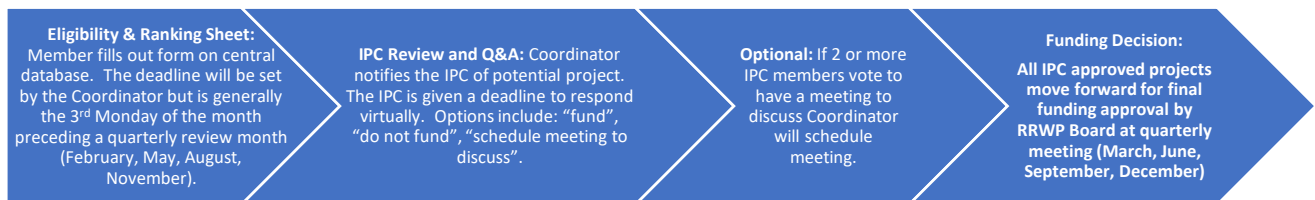
For projects that are eligible and scoring above the threshold, the Coordinator will send the completed Eligibility and Ranking Sheet and any supplemental information by email to the Implementation Planning Committee (IPC) for electronic review (See Funding Request Periods). Each IPC member shall reply within the timeframe specified by the Coordinator with their recommendation to “fund,” “do not fund,” or “schedule a meeting to discuss.” If two or more recommend a meeting, the Coordinator will schedule and facilitate that meeting. IPC meetings will typically be held the second Monday of the month. All IPC approved funding requests will be referred to the Board for consideration where funding approval is by majority vote.

IPC and Board funding decisions may include consideration of available funding, cost effectiveness, matching funds leveraged, degree to which other funding has been pursued, and criteria as established in the RRCWMP and the accompanying WBIF work plan. If insufficient WBIF funds exist to fulfill current and anticipated funding requests, projects will be scored against each other. If tied, the project with a better \$/pollutant value of the construction costs will be funded. Additionally, projects specifically mentioned in the grant work plan or [compiled list used for work plan development](#) will receive priority over those that are not.

### Staff Time Funding Requests

Certain WBIF activities are primarily to fund staff time but are nonetheless often referred to as “projects” in this policy. These activities include Education/Information; Project Development (PD); Technical/Engineering Assistance (TA); and planning, assessment, and special studies. Funding requests for these activities use the same process described above. Consideration of these requests shall favor work that makes progress toward installation of projects achieving CWMP goals consistent with the grant work plan and policy.

### **Summarized Project & Program Approval Process**



### **Funding Request Periods**

Funding requests must be submitted to the Coordinator by the deadline set by the Coordinator. Deadlines are generally the third Monday of the month preceding a RRWP quarterly meeting (i.e. February, May, August, November). IPC recommended projects will go to the RRWP board during a quarterly meeting (March, June, September, December).

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### **Final Six Months of Grant Period**

The Board determines that, due to its limited meeting schedule, it is appropriate to establish an alternative process to review and approve projects in the final six months of a grant period to provide for the efficient administration of its grant program. Therefore, the Board delegates authority to the Fiscal Agent and the Watershed Coordinator to consider and jointly approve projects within the last six months of a grant.

If the Fiscal Agent and Watershed Coordinator determine a project is eligible for funding and scores above the established threshold, the Coordinator will send a notice to the Implementation Planning Committee (IPC) for electronic review. Each IPC member shall reply within the specified timeframe with the recommendation to “fund”, “do not fund”, or “schedule a meeting to discuss”. If two or more of those replying recommended a meeting, the coordinator will schedule a meeting to discuss. At any such meeting, a project will be approved if a majority of the IPC votes in favor.

If a grant work plan revision with the grantor becomes necessary, the Fiscal Agent and Watershed Coordinator may collectively request a revision and make the changes in Elink.

### **Cost Share Rates and Policies**

Approved funding requests must comply with the RRWP Cost Share Rates and Policies found in Section 3.

### **Appeals**

The Board will review and make a funding decision on all projects, including those that receive a “do not fund” recommendation from the IPC. Decisions of the Board are final. Projects may be re-submitted for reconsideration if changes are made in response to input from the IPC or board.

### **Project Splitting or Grouping**

Members may make a single funding request for a grouping of similar projects.

### **Requests for Future Funds**

Requests will not be considered for future rounds of WBIF grant funding that is not yet in-hand. However, Members are encouraged to make future projects known during grant work planning.

### **Activity Budget Shifts**

Shifting funds from one activity to another in the grant work plan to fund projects will be considered after the first complete year of the grant unless otherwise agreed upon by all voting members of the IPC.

### **Revisions to the Eligibility and Ranking Sheet**

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The IPC may, from time to time, revise the Eligibility and Ranking Sheet. Grammatical, formula and other edits that do not change project eligibility may be made at the discretion of the Coordinator and Fiscal Agent. Other edits shall be approved by the Implementation Planning Committee and notice provided to the Board.

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## **Section 2. Contracting Process and Policies**

### **Contracts**

Upon approval of a funding request by a Member, the Member will execute an agreement and statement of work with the RRWP. The Board may choose to authorize the Chair or Coordinator to execute the agreement.

The Member must execute a cost share contract with landowner for any structural or non-structural best management practices. That agreement must contain ownership and maintenance provisions throughout the duration of the project's anticipated life. Such agreements must contain a deed restriction and easement agreement for projects with a WBIF cost greater than \$5,000 and with a 10-year or longer anticipated life to compel the current and future landowners to maintain the project. Members may choose to have a more restrictive policy. Such deed restrictions shall expire at completion of the anticipated project life, as specified in the landowner agreement. Deed restrictions and easement agreements are not required for publicly or tribally owned land, permanently protected land, or fee to trust land.

### **Payments**

All requests for reimbursement must be submitted to the Fiscal Agent and made on forms provided by the Fiscal Agent that include signatures of responsible parties overseeing the work. Requests for reimbursement of direct payments must be substantiated by receipts, paid invoices, or similar documentation in accordance with Grant policy and acceptable to the Fiscal Agent. Requests for staff time reimbursement must be substantiated by a log of hours worked and billing rate calculations in accordance with Grant policy and acceptable to the Fiscal Agent. All documentation must include dates of services. It is the Member's responsibility to know and comply with State grant and Rum River Watershed Partnership Policy.

Fiscal Agent authorization to issue payments: The Fiscal Agent is authorized by the Board to issue payments for approved projects and report these transactions at each Board meeting. Complete requests for reimbursement submitted not less than 10 non-holiday workdays prior to Fiscal Agent's regularly scheduled Board meeting will be acted upon at that Board meeting.

Payment Process: The Member will pay all expenses up front. The Fiscal Agent will reimburse the Member as directed by the Fiscal Agent's board, within work plan limits, and considering recommendation of the Member.

10% Retainage: The Fiscal Agent will issue reimbursement payments, except 10% may be retained. Any retained amounts will be paid after Board of Water and Soil Resources releases the final 10% of grant funds.

Payment as grant funds are available: The Fiscal Agent will issue reimbursement payments as grant funds are available. Grant funds are provided to the Fiscal Agent by the State in 50%-40%-10% payments with reconciliation processes that may cause delays between those payments. The Fiscal

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Agent's board may prioritize payments and may issue partial payments if available funds are insufficient to pay all reimbursement requests.

Progress Payments: Members may request progress payments before final completion of work on project contracts, provided they comply with grant requirements. Prior to authorization for progress payment, the Member must attest that the request for payment has merit, the payment request is equal to or less than the percent of work that is complete, and that the project will still be completed within the contract timeline.

Documentation required with payment requests:

- Executed landowner contract (if applicable).
- Operation and Maintenance Plan. Typically included in the landowner contract.
- Payment voucher. Vouchers should include sign-off by the designer or technical staff with project oversight and Member administrator.
- Vendor invoices (not required for flat-rate payments). Invoices must include the vendor name; materials, labor or equipment provided; component unit costs; invoice date; and date(s) work was performed.
- Staff time and hourly rate documentation (when applicable) consistent with grant policy.
- Pollutant reductions (for completed projects, if applicable). Calculations or models must be consistent with BWSR grant guidelines.
- Certified as-build design (for completed projects, if applicable).
- Before and after photos.
- Certified contractor payrolls to comply with prevailing wage requirements (if applicable).
- IC-134 withholding affidavit for contractors (if applicable).

Advance payments: Advance payments of grant funds are discouraged but may be considered. Such requests will be made during the request for funds and project ranking process. If the funding request is approved, a recommendation of advance payment may be provided to the Fiscal Agent by the Board. The Fiscal Agent shall make the final decision regarding whether to issue advance payment and provide reasoning.

Invoicing frequency: Staff time payment requests may be submitted up to quarterly. Installation or other requests can be submitted up to monthly.

**Project Statement of Work Amendments**

A Project statement of work amendment may include (a) requests for additional Partnership funding or (b) a change to the scope and type of work that results in reduced benefits such that the Partner agreement for the project must be modified.

Changes in funding or scope will be approved as follows:

≤10% funding change and if the change of scope remains proportional to the original agreement: The Member submits a request to the Fiscal Agent. The Fiscal Agent staff person can approve the

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amendment. An amended SOW will be produced bearing the signature of the Fiscal Agent staff person and Partner staff or board.

>10% funding change or if the change of scope is not proportional to the original agreement: Member must submit the request to the Fiscal Agent. The Fiscal Agent will notify the coordinator to place the item on the next scheduled JPE board meeting agenda. The member must present the requested change to the JPE board for approval/denial. An amended SOW will be produced bearing the signature of the RRWP Board and Partner board.

During the final six months of a grant, >10% changes to Statements of Work will follow the same procedure as is used for new requests during the period.

In the event that a grant funding source's expiration is extended, the Fiscal Agent staff may extend statement of work expiration dates by email notice to the Partner.

### **After the Fact Funding Requests**

Work to be paid or reimbursed must occur after a funding request is approved and associated contracts executed.

### **Designer Credentials**

Project designs must have sign-off by a person with credentials acceptable under grant policy such as job approval authority or professional engineer. The NRCS Field Office Technical Guide, MN Stormwater Manual, BWSR Native Vegetation Establishment and Enhancement Guidelines, or other standards generally accepted by the engineering profession must be used for project design, construction, operations and maintenance.

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### Section 3. Cost Share Policies

**To be eligible for WBIF funding, projects must meet requirements in BWSR WBIF Policy associated with the fiscal year of the grant(s) to be utilized and with the BWSR Grants Administration Manual.**

#### Cost-share and local match

General funding rates for all project types are described in the table below. Under some circumstances, a Member may request 100% funding for structural projects and forestry practices. Such requests will be made during the request for funds and project ranking process.

Match for the all WBIF grants must be from a non-state source and comply with all grant policy. Non-state funding sources may be used to fund any project at 100% if consistent with the administrative requirements of the funding source.

Grant activity	WBIF Cost Share Funding Rates	Non-State Match Required <sup>1</sup>
Administration/Coordination	100%	0%
Education/Information	100%	0%
Project Development	100%	0%
Tech/Engineering	100%	0%
Ag Non-Structural <sup>2</sup>	Flat-rate	0%
Structural Urban BMPs	75%	25%
Structural Rural BMPs	75%	25%
Wetland Restoration	75%	25%
Forestry Practices <sup>2</sup>	75%	25%
Planning, Assessment, & Special Studies	100%	0%
Woodland Stewardship Plans <sup>2</sup>	80%	20%
Well Sealing	60%	40%

<sup>1</sup>Percentage of WBIF grant funds.

<sup>2</sup> Detailed policies can be found in the following pages

#### Ineligible Projects

Required projects - Cost share is not available for projects required by local, state or federal rules or ordinances.

Grant work plan & policies – Projects must be consistent with the funding source grant work plan or grant policies.

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## **Activity Specific Policies and Incentive Rates:**

### **Agricultural Non-Structural Practices**

Flat-rate incentives to install or adopt non-structural best management practices that improve or protect water quality are eligible for use of funds. The goal of these practices is ongoing landowner adoption unless otherwise approved by BWSR.

Non-structural BMPs will be planned and implemented according to the Natural Resource Conservation Service standards and specifications found on the Electronic Field Office Technical Guide (EFOTG). However, seeding dates for cover crops may follow Midwest Cover Crop Council seeding guide recommendations.

For all non-structural BMP practices, cost share funding will be comprised of a flat per acre rate incentive based on the Minnesota NRCS Practice Average Annual Cost Information Spreadsheet FY2018 (or more recent as it becomes available) and the Practice Cost Information Workbook Tool 2019 (or more recent) found in the EFOTG.

### **Contract length**

Practices will be planned for 1- or 3-years of implementation.

1-year contracts are available to allow landowners to start small by trying a practice with little commitment. 1-year contracts apply to cover crops only.

For practices with 3 years of implementation, practices may be implemented on the same acres for the 3-year duration (required for nutrient management and prescribed grazing), practices may move with the rotation but must implement the same amount or greater acres in years 2 and 3, or two or more practices may be implemented on the same acres for the 3-year period alternating years (ex. Plant cover crops after corn harvest, no-till soybeans the following year).

### **Contract Payments**

FY23 WBIF: A one-time payment shall be made upon the first season's certification by the Member\_for both one- and three-year contracts. Certification includes verification of seeding, seed mix, and rate. The practice must be certified and inspected by the Member annually for three-year contracts to ensure implementation. If the practice is not continued in years 2 & 3 as required, the Partner shall recover funds for those years.

F25 and beyond: Members must follow the current version of the GAM posted online.

### **Eligibility**

1-year Contracts (applies to cover crops only): Eligibility requirements include that planned practices are newly adopted; not previously implemented on the acres by the current owner/operator and did not previously meet NRCS standards and specifications. Up to three consecutive contracts may be applied for on the same land.

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3-Year Contracts: Eligibility requirements include that planned practices are newly adopted; not previously implemented on the acres by the current owner/operator and did not previously meet NRCS standards and specifications. For cover crops, a second application is eligible if cover crops species or acreage is enhanced.

**Incentive Rates:**

- **Cover Crops** - Must follow NRCS Practice Standard 340
  - 1-2 species \$50/acre/year
  - 3+ species \$60/acre/year
  - Implementation can occur on different acres within the three-year contract or on the same acres consecutively
- **Nutrient Management** - Must follow NRCS Practice Standard 590
  - \$20/acre/year
  - Implemented on the same acres annually
- **Prescribed Grazing** - Must follow NRCS Practice Standard 528
  - \$40/acre/year
  - Implemented on the same acres annually
- **Residue and Tillage Management – No-Till & Strip Till** - Must follow NRCS Practice Standard 329 for No-Till/Strip-Till
  - \$20/acre/year
  - Implementation can occur on different acres within the three-year contract or on the same acres consecutively
- **Residue and Tillage Management - Reduced Till** - Must follow NRCS Practice Standard 345 for Conservation Till
  - \$10/acre/year
  - Residue cover following a corn crop at the time of planting the subsequent crop must be 60% or greater.
  - Residue cover following a soybean crop at the time of planting the subsequent crop must be 30% or greater.
  - Residue cover following a small grain crop at the time of planting the subsequent crop must be 60% or greater.
  - Implementation can occur on different acres within the three-year contract or on the same acres consecutively.

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## **Forestry Practices**

Funds are available to support the implementation of forestry-related practices that protect or improve water quality. The goal of these practices is to promote forest stewardship on private lands in a way that achieves measurable water quality benefits aligned with the Comprehensive Watershed Management Plan.

Partners may request a lump sum allocation requests through project proposals that include descriptions of proposed practices, estimated water quality benefits, and alignment with plan goals. Requests will be reviewed by the Implementation Planning Committee (IPC) and require approval by the Joint Powers Entity (JPE) Board.

## **Eligible Practices**

Potentially eligible forestry-related practices are listed in the Excel spreadsheet found in the shared drive, or below. This list is a reference only. The inclusion of a practice on this list does not guarantee eligibility or indicate water quality benefit.

Each proposed practice must:

- Include a primary water quality benefit and be explained as such in the proposal.
- Be located within a priority area and implement one or more actions identified in the Comprehensive Watershed Management Plan.
- Be evaluated using the standard project ranking sheet.
- Include a plan to quantify the anticipated water quality benefit, using any applicable method. The quantification plan must be included in the proposal.

## **Cost Share and Funding Model**

Forestry practices will be supported using a 75% cost-share model:

- 75% of eligible project costs will be reimbursed. A 25% match must be provided by the landowner or non-state source.

Funds may be allocated to partners through lump sum requests, similar to a program structure:

- No minimum funding amount is required.

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- Requests are intended to support multiple projects or a coordinated program effort.

### Proposal Review and Approval

- Proposals must be submitted by partners and will be reviewed by the IPC for alignment with water quality goals and eligibility criteria.
- Final approval requires a vote by the JPE Board.

Practice	NRCS Code	Water Quality Justification
Tree and Shrub Establishment	612	Tree and shrub establishment provide water quality benefits through erosion control, nutrient uptake, riparian buffer zones, filtration, and stormwater management (sponge).
Tree and Shrub Site Preparation	490	Tree and shrub site preparation is an investment to enhance the success of a planting project.
Tree Protection		Tree and shrub site preparation is an investment to enhance the success of a planting project.
Riparian Forest Buffer	391	Riparian forest buffers can deliver a number of benefits including filtering nutrients, pesticides, and animal waste from agricultural land runoff; stabilizing eroding banks; filtering sediment from runoff.
Silvopasture	381	Improper or unplanned grazing of forests lead to forest degradation that impacts water quality. Unmanaged woodland grazing can result in soil compaction, erosion, loss of biodiversity, water contamination, tree damage leading to reduced timber and livestock yields. Proper silvopasture techniques are essential in improving and maintaining water quality.
Invasive Brush Management*- Removal	314	Invasive species alter the ecosystem creating more risk of erosion and nutrient cycling changes (buckthorn).
Invasive Brush Management*- Cover Crop	340	Removing the invasive species will remove the soil protection. Therefore a cover crop is needed to protect the soil from soil erosion and prevent the colonization of new/more invasive species.
Road-Trail-Landing Closure and Treatment	654	Closure and treatment can reduce erosion, reduce offsite movement of chemical residues,

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		<b>reduce offsite movement of sediment, reduce invasive species, and restore hydrologic function.</b>		
<b>Hedgerow Planting</b>	<b>422</b>	<b>Water quality benefits will be observed through reduced wind erosion.</b>		
<b>Windbreak-Shelterbelt Establishment and Renovation</b>	<b>380</b>	<b>Water quality benefits will be observed through reduced wind erosion.</b>		
<b>Seeding and Establishment of Herbaceous and Woody Species</b>	<b>550</b>	<b>This will prevent soil erosion and establish native vegetation in riparian areas, prevent excessive nutrient runoff, stabilize banks/soil, and improve water quality and storage capacity.</b>		
<b>*practice only applicable within 500ft. of lakes, rivers, and streams</b>				

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## **Woodland Stewardship Plans**

WSPs funded with Watershed Based Implementation funds must promote sustainable forest management practices with a focus on water quality preservation.

WSPs can be completed by SWCDs, DNR, or Private Consultants.

The cost-share rate is 80% of the DNR Rate of \$300 + \$10/Acre.

### **Woodland Stewardship Plan requirements:**

1. WSP plan writers must be qualified as follows:

- be a certified plan writer with the Department of Natural Resources (DNR).
- have a current professional registration.

2. Focus on Water Quality: In addition to normal WSP requirements, plans shall emphasize water quality by:

- Assessing impacts of forest management on water quality.
- Incorporating Best Management Practices (BMPs) for water quality protection.
- Identifying areas for impactful water quality improvement where possible.
- Recommending sustainable practices minimizing negative impacts on water quality.

Process:

1. Plan writers other than the SWCD must request funding from the appropriate SWCD. The SWCD will submit the funding request to the Rum River Watershed Partnership (RRWP) during a quarterly request period.
2. The SWCD will notify plan writers in writing upon approval.
3. Note: the landowner will be reimbursed. Cost-share does NOT cover any portion of the plan upfront.
  - a. The WSP must meet the requirement listed above.
  - b. The WSP must be approved by the SWCD before reimbursement occurs.

4. Reporting and Documentation:

Plan writers must provide:

- Woodland Stewardship Plan
- Invoice showing
  - Plan acres
  - Plan cost

## **Well Sealing**

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Wells will be cost shared at 60% of the total cost to seal the well. If well sealing funds are received from another state agency, the landowner must report this to the member organization, and the member organization will withdraw its cost-share contribution such that the total state funds do not exceed 60%.

Each local partner administering well-sealing funds will decide whether to make payments on a reimbursement basis or directly pay the contractor the grant funded portion. No payments shall be made until the contractor has produced and submitted to the MN Department of Health a Well Sealing Boring Record.

Work must be completed by a contractor licensed by the State of Minnesota to seal wells.

Well sealing is a *priority throughout the watershed per Rum River Comprehensive Plan page 128: "As unsealed wells can be a contamination risk to any groundwater supply, well sealing is a watershed wide activity that does not require additional screening criteria"*.

First-come, first-serve. If insufficient funds exist to fund all requests submitted, the local partner board administering the funds shall make prioritization decisions.

#### **Labor Provided by Owners**

Unless specified otherwise by Minnesota prevailing wage statutes, the value of labor, equipment, materials and/or services that are proposed to be provided by the landowner to complete the project, shall be estimated at:

- o General Labor rate of \$32 per hour. (Date, times and activity must be documented)
- o Heavy equipment operation such as skid steers, tractors, backhoes, and scrapers (including labor) at \$75 per hour. (Date, times and activity must be documented)
- o Other equipment rates as listed on the most recent Iowa State University – Iowa Farm Custom Rate Survey – Average Charge rate.
- o Professional or semi-professional services, such as engineering, labor rate at \$100 per hour. (Date, times and activity must be documented)
- o Other items: Fair market value with prior approval by the Rum Watershed Partnership Board.

NOTE: In-kind labor is non-reimbursable. This is to be used ONLY as match for the grant.