

**July 1, 1993
LCMR Final Status Report**

I. Program Title: L&WCF Administration

Program Manager: William H. Becker
 Department of Natural Resources
 500 Lafayette Road
 St. Paul, MN 55155-4010
 (612) 296-3093 fax (612) 296-6047

- A. M.L. 91 Chpt. 254 Art. 1 Sec. 14 Subd 3(i) Appropriation: \$84,000
 Balance \$0

Land and Water Conservation Fund Administration: This appropriation is to the commissioner of natural resources for administration of the federal land and water conservation program and other grant administration activities assigned to the commissioner in this section.

B. Compatible Data: None

C. Match Requirement: \$0

II. Narrative

This position will administer the L&WCF grant program by: selecting state grant projects through the Open Project Selection Process; monitoring and accounting for grant projects; reporting anticipated receipts to the federal reimbursement account; minimizing potential losses of obligated funds to the Secretary of Interior's Reapportionment account; conducting on-site inspections of completed projects to ensure compliance with federal regulations; mitigating 6(f) violations through negotiation of replacement property; and completing mandatory reports to the federal government.

This position will also administer grant activities assigned to the commissioner in M.L. 91, Ch. 254, Sec. 14. Several of the appropriations made to the commissioner require the commissioner to contract with organizations outside the department to conduct the projects described in the workprograms. These grant activities involve LCMR appropriations of approximately \$6.8 million. This position will execute the formal agreements as needed, monitor the progress of work completed, and ensure payments made to contractors are conveyed in accordance with these formal agreements.

III. Objectives

A. Administer other grant administration activities assigned to the commissioner.

A1. Narrative: Several of the appropriations made to the commissioner require the commissioner to contract with organizations outside the department to conduct the projects described in the workprograms. These projects include:

Grants - 8

- 3.b Superior Hiking Trail
- 3.c Local Rivers Planning
- 3.e Lower St. Croix Riverway
- 4.b S. Central MN Surface Water Res Atlas etc.
- 4.g Aquifer Analysis in SE MN
- 5.g* Upper Miss EE Center
- 8.a Pilot Fish Pond Complex
- 9.n Restore Thomas Sadler Roberts Sanctuary

Contracts - 19

- 3.a Off-highway Vehicle Recreation Area
- 3.l Mystery Cave Resource Evaluation
- 4.m Lake Mille Lacs Public Land Use Plan
- 4.n Ecological Eval of Year-Round Aeration
- 5.d IRM Education & Training
- 5.j Youth in Natural Resources
- 7.a MN Old Growth Forests
- 7.g Aspen Decay Model
- 8.c Cooperative Urban Aquatic Research
- 8.e Metro Lakes Fishing
- 8.f Lk Minnetonka Bass Tracking
- 8.g Stocking Survey
- 9.a Insecticide Impact on Wetland & Upland Wldlf
- 9.b* Biological Control of Milfoil
- 9.g* Wetlands Forum
- 9.j Wildlife Oriented Rec facs at Sandstone
- 9.m Partnership for Accel Wild Turkey Mgmt
- 9.o Changes in Ecosystem on Biodiversity of Birds
- 13.h Tree & Shrub Planting for Energy

* Cancelled due to lack of matching funds

A2. Procedures: Identify the recipients of appropriated funds; appoint an authorized agent within the department to represent the commissioner; assist these department agents with drafting and executing formal agreements as needed; monitor work progress and ensure that payments for work completed are conveyed in accordance with the formal agreements.

A3. Amount budgeted: \$20,000 Balance: \$0

A4. Timeline for Products/Tasks

	Jul'91	Jan'92	Jul'92	Jan'93	Jul'93
Develop instructions for preparing agreements	**				
Execute agreements	**				
Monitor work progress / solve problems as needed	*****				
Convey payments to contractors	**	**	**	**	**

A5. Status: Three of the appropriations were cancelled due to lack of matching funds (5.g, 9.b, and 9.g). One was never started due to difficulties in administering the project (4.m). All other contracts were executed.

The standard contract form used by the Department was improved and will be used by all state agencies for pass-through appropriations authorized by the 1993 Legislature.

A6. Benefits: Grant activities assigned to the commissioner in this section will be performed in accordance with state law. Work conducted by these activities will meet the requirements set forth in the workprograms approved by the Legislative Commission on Minnesota Resources.

B. Ensure obligation and collection of all available federal funds

B1. Narrative: Federal regulations provide a limited time to obligate and collect available apportionments. Funds not obligated and collected within time limits revert to the Secretary of Interior for reapportionment.

B2. **Procedures:** Notify potential sponsors of annual apportionment amount. Select highest ranking projects based on state priorities as stated in the Open Project Selection Process. Submit project applications to National Park Service for approval. Request reimbursements for projects as funds are expended.

B3. **Amount budgeted:** \$20,000 **Balance:** \$0

B4. **Timeline for Products/Tasks**

	Jul'91	Jan'92	Jul'92	Jan'93	Jul'93
Obligate funds		**		**	
Submit quarterly billings	**	**	**	**	**
Submit cash flow reports	**	**	**	**	**

B5. **Status:** Reimbursements totaling \$287,000 were deposited in the federal reimbursement account between July 1, 1991 and July 1, 1993. The remaining balance of all L&WCF grant funds made available to statewide projects but not yet reimbursed is \$378,000. These funds will be collected and deposited as the recreation projects to which they are obligated are completed.

The next Congressional apportionment should be available by December, 1993 and is expected to be \$170,000 - \$250,000.

B6. **Benefits:** Maximize generation of funds to the federal reimbursement account.

C. Ensure Minnesota's continued eligibility to receive funds from the federal L&WCF account.

C1. **Narrative:** Eligibility for federal funds is contingent upon compliance with a wide variety of regulations which require written evidence of compliance. This program will ensure compliance and therefore eligibility.

C2. **Procedures:** Maintain recording system that tracks progress of grant program. Submits periodic reports as required. Ensure that Department's efforts towards providing accessibility to the handicapped comply with federal legislation.

C3. **Amount budgeted:** \$20,000 **Balance:** \$0

C4. **Timeline for Products/Tasks**

	Jul'91	Jan'92	Jul'92	Jan'93	Jul'93
Annual Program Report to Congress	**		**		**
Minority Business Reports	**	**	**	**	**
On-site Federal Audits			**		**
Compliance with Accessibility Standards (Section 504)	**				
Other Program Reports As Requested	**	**	**	**	**

C5. **Status:**

The 1992 Annual Report to Congress was completed and submitted to the National Park Service. The 504 compliance reports on handicapped accessibility were completed and accepted by the National Park Service. These reports also served, with minor changes, as the Department's compliance reports for the Americans with Disabilities Act.

The 4-day biennial on-site federal audit of this program was conducted by federal officials during July, 1992. Two problems were encountered: 1) 504 compliance and 2) two appraisals for federally assisted acquisition projects were judged not to meet federal standards. Both problems have been resolved.

C6. **Benefits:** Continued receipt of L&WCF funds for the state and local grants programs.

D. Maintain the integrity of the investment of L&WCF funds

D1. **Narrative:** Integrity is maintained by enforcing section 6(f) of the L&WCF Act. That section prohibits converting lands funded by the L&WCF to non-recreation use. If conversion does occur, this program is responsible for negotiating replacement lands.

D2. **Procedures:** Conduct on-site inspections of approximately 410 completed projects to ensure continued compliance with federal requirements. Resolve instances of non-compliance by negotiating settlements with the National Park Service and the project sponsor.

D3. **Amount budgeted:** \$16,000 **Balance:** \$0

D4. **Timeline for Products/Tasks**

	Jul'91	Jan'92	Jul'92	Jan'93	Jul'93
Identify 6(f) violations	**	**	**	**	**
Negotiate mitigations with Park Service	**	**	**	**	**
Execute 6(f) land replacements	**	**	**	**	**

D5. **Status:**

Between 7/1/91 and 7/1/93, 66 on-site inspections were completed. All lands were being used according to grant program requirements; however, several sites lacked the required signs and these were installed. Compliance inspections must be performed on each of the 411 statewide projects at least once every 5 years - or at an ongoing rate of approximately 82 per year. Approximately 100 project inspections are now overdue. This is not a serious compliance problem but we plan to complete these overdue inspections before October, 1993.

Seven conversion actions are now in process: Fort Snelling State Park (historic bldgs near polo grounds), Douglas State Trail (widen CSAH 22 xing), Twin Lakes WMA (realign CSAH 7), Dorer Forest near Red Wing (widen US 61), Dorer Forest land exchange with Red Wing Wildlife Protective League, Gooseberry Falls State Park (realign US 61), and Heartland Trail at Nevis (realign county road).

The following 6(f) conversion issues were addressed:

- Cascade R. State Park - sale of 1.6 acres to private party at directed by Legislature
- Traverse des Sioux Park - amended legislation to allow construction of county historical office.
- Dorer Forest - NSP entrance road at Prairie Island
- Dorer Forest - realign CSAH 23
- Interstate State Park - sell manager's residence and lot

D6. **Benefits:** Investment in the recreation estate will remain intact and useable by the public.

- E. **Prepare Biennial Action Program for Recreation Acquisition and Development**
- E1. **Narrative:** The Land and Water Conservation Fund Act requires each state to develop an Action Program to implement the recreation priorities established by the SCORP planning process.
- E2. **Procedures:** Coordinate recreation priorities among local units of government and several state agencies. Assist research staff in conducting statistical surveys of recreation demand and use patterns.
- E3. **Amount budgeted:** \$4,000 **Balance:** \$0
- E4. **Timeline for Products/Tasks**
- | | Jul'91 | Jan'92 | Jul'92 | Jan'93 | Jul'93 |
|--|--------|--------|--------|--------|--------|
| Draft Action Program | | | ** | | |
| Develop Open Project Selection Process | | | ** | | |
| Solicit and Integrate Public Review | | | | ** | |
- E5. **Status:** The Action Program and Open Project Section Process for selecting projects to be funded by the FY'93-'94 apportionments was approved by the Park Service.
- E6. **Benefits:** L&WCF appropriations are used to fund recreation priorities established by SCORP.
- F. **Support Local Recreation Grants Administration**
- F1. **Narrative:** This program provides technical and planning support to the grant staff in the Department of Trade and Economic Development which administers L&WCF grants to local units of government.
- F2. **Procedures:** Provide statistical data to local grant staff used to guide recreation priorities for local units of government. Consolidate reports on both local and statewide projects for submission to the National Park Service. Assist with conversions of parkland by assuming sponsorship of the project, negotiating approval from the National Park Service and providing replacement lands when necessary.
- F3. **Amount budgeted:** \$4,000 **Balance:** \$0
- F4. **Timeline for Products/Tasks**
- | | Jul'91 | Jan'92 | Jul'92 | Jan'93 | Jul'93 |
|---------------------------------|--------|--------|--------|--------|--------|
| OPSP Ranking System | | | ** | | |
| Local Issues for Action Program | | | ** | | |
| 6(f) Conversions | ** | ** | ** | ** | ** |
- F5. **Status:** Local issues were incorporated into the FY '93-94 Action Program and a ranking system was prepared for selecting high priority acquisition and development projects sponsored by local units of government.
- F6. **Benefits:** Local grants are administered in accordance with state and federal guidelines.

IV. **Evaluation:** This L&WCF administration component of this program will be evaluated based on key achievement indicators including: rate of collecting reimbursements, amount of unobligated funds, number of on-site inspections completed, success in securing Park Service approval of state initiated conversions, and status of compliance with federal requirements. The other grant administration activities will be evaluated based on timely execution of formal agreements needed to expend appropriated funds and satisfactory completion of the work mandated by the LCMR as set forth in the approved workprograms.

V. **Context:**

- A. **Future Needs:** This LCMR proposal will continue to collect annual federal apportionments available to the state and to fulfill the state's responsibilities of ensuring that recreation projects funded in prior years remain in compliance with federal requirements.
- B. **Supplementation:** The work done under this project will supplement the LCMR's recreation funding by depositing all grant program receipts to the federal reimbursement account.
- C. **Past Accomplishments:** During the FY 90-91 biennium, LCMR accomplishments under this program included the collection and deposit of \$185,000 in federal funds and compliance inspections of 205 recreation sites assisted by the grant program in prior years.
- Potential Future LCMR Proposals:** Addition funding from the LCMR will be sought to fund this program again during the FY 94-95 biennium.
- D. **FY 90-91 Biennial Budget System:** L&WCF Administration, \$80,000
- E. **FY 92-93 Biennial Budget System:** Not yet determined.
- F. During the 90-91 biennium, the LCMR appropriated \$80,000 to the department solely for administration of the L&WCF grant program. This '92-'93 workprogram includes those same L&WCF administration responsibilities plus additional grant administration activities assigned to the commissioner. These additional responsibilities may compromise the department's ability to maintain full compliance with federal regulations governing the L&WCF grant program. The state may therefore risk losing its eligibility to continue receiving federal funds.

The department considers the administration of LCMR grants and contracts to be the highest priority objective in this workprogram. We estimate the effort needed to complete this objective will be approximately one quarter of the total amount appropriated. If more effort is needed, it will be taken from the resources devoted to administration of the L&WCF grant program. In addition, other general fund positions throughout the divisions will serve as authorized agents representing the commissioner in the formal agreements. We estimate the effort required of these general fund positions and of the attorney general's office to be an additional \$20,000.

- VI. **Qualifications:** William H. Becker, Program Manager. Eight years experience managing the L&WCF grant program. All apportionments made available for statewide projects have been obligated and collected in a timely manner. No federal funds have been surrendered to the reapportionment account. The grant program is in full compliance with all state and federal requirements.
- VII. **Reporting Requirements:** Semiannual status reports will be submitted not later than January 1, 1992, July 1, 1992, January 1, 1993 and a final status report by June 30, 1993.