

IASWCD Legislative Platform

2009 & Beyond

In a year facing a negative economic situation and a number of new legislators, a strategy is required to build a sound understanding of Indiana's Soil and Water Conservation District's purpose and needs in order to lay the groundwork for future success in improved funding. This multi-year platform cannot succeed without the full participation of Districts – they are in the best position to engage their legislators and establish the dominant roles and responsibilities Districts should play at the local level. Interaction with legislators on both a statewide basis and through local contact as well as generating demonstrable public support will be required. The primary goals of the Legislative Committee in this first phase of work include:



- To see that Clean Water Indiana (CWI) funding is administered according to guidelines established by I.C. 14-32 and see that these funds are significantly increased.
- To establish without question, the importance of the roles and responsibilities of local Districts, the great need to improve natural resources, and the unique ability Districts have to address those resource concerns.
- To sponsor legislation ensuring that CWI funds will be non-reverting.
- To sponsor legislation to allow the IASWCD to be represented on the Indiana Natural Resource Commission.

The Legislative Committee has suggested that the following questions provide the basis for interactions with our constituents and legislators. Some may best be answered in person, others might be placed in a packet of information given to contacts prior to a personal visit, placed on the web site, or presented in a power point or other such delivery mechanisms.

1. Where are we now?
2. Where should we be?
3. Why are we not there?
4. Why does it matter?
5. How can it be fixed?

WHERE ARE WE NOW?

CWI is currently contributing to Districts by supporting the Leadership Institute and a grants program. However, Districts are suffering from an overwhelming lack of operational, technical, administrative and program funding as well as a total lack of cost share funding. Almost 51% of Indiana Districts have no technical staff and 69% do not have a dedicated professional staff person. Districts are currently receiving less direct funding from the state than they did in 1996. The economic crisis has been impacting local dollars, federal funding for technical support is becoming less and less available. The grants provided by CWI lack flexibility to address each District's key local issues. Many concerns cannot be addressed by any funds from traditional partnering – these include urban/suburban land treatments and Rule 5 review costs (327 IAC 15-5-6).

Supervisors need to describe the current capacity of their District as well as outlining what an SWCD is and how funding is provided. Provide the current capacity of your District by describing levels of staffing, funding and partnering and relate them to current resource issues and your ability to address those issues. Highlight achievements to show your ability, but include programs you cannot implement because of financial or operational limitations.

WHERE SHOULD WE BE?

All 92 Districts should have the basic funding to provide a minimum conservation delivery system in their county made up of staff and program support. A minimum staff includes one administrative person, (receptionist/ office worker), one professional staff person, (department head/program administrator) and one technician (survey & design, marketing, Farm Bill and other programs), plus funds for equipment and training that each needs to fulfill their positions. Flexible grant and cost-share dollars need to be available to Districts for local needs as well as to allow District's the capacity to bring resources to the Conservation Partnership in order to become a full and equal partner. This includes allowing grant funds to be used in suburban/urban areas for conservation practices. A trained work force and certified members of the board of supervisors in each District will provide the local development and implementation of programs that are held to a state standard and are focused solely on the health of our natural resources.

Supervisors should refer to your needs assessment and be prepared to justify your requests. If you don't have a needs assessment, develop one! Offer a vision of what you could accomplish with adequate funds, staff and training. Include ways you could partner with local and regional groups and agencies to leverage funds.

WHY ARE WE NOT WHERE WE SHOULD BE?

The existing CWI funds are being diverted to employ Division of Soil Conservation (DSC) Staff. (Currently, DSC Resource Specialists, along with equipment for these personnel are funded out of CWI funding).) Clearly, the DSC has its unique mission, which should be funded from its own budget, and should not duplicate the role of Districts in the conservation delivery system. Furthermore, the CWI grants program needs to allow Districts to define and meet their resource needs with oversight from the State Soil Conservation Board (SSCB). It is inappropriate for DSC personnel to define those needs for the local boards who understand their local resource

base, who need to be flexible in garnering local resources (partners and funds), and who are elected and appointed officials who should be allowed to act as such.

Funding is totally inadequate to support a credible conservation delivery system in 92 Districts. A 2006 District Needs Assessment shows the need for an additional \$17 million annually to adequately address local resource needs. Unfunded IDEM 319 Nonpoint Source grant requests for 2008 totaled \$1.96 million. Unfunded Farm Bill conservation requests from Districts in 2005 totaled \$32 million. Total unfunded CWI grants over the last 3 years totaled \$2.15 million¹. (This figure is relatively low due to the fact that CWI grants were limited to specific uses and had funding caps.) Currently, DSC/SSCB provides almost no funding to address natural resource concerns on the non-agricultural working lands that make up one-third of our state's land base. The unrestricted grant of up to \$10,000.00 that has been each District's only state funding has not increased since it was first established. This represents an appallingly low state support compared to surrounding states. The power of those dollars continues to decrease every year. A District faced with inadequate funding from both the state and county with minimal staff cannot attempt to gather the resources needed to address conservation nor can they hope to have the resources needed to write proposals, manage the funds, and implement the programs as required by any grant program.

Supervisors must talk about the inadequacy of the current CWI Program in terms of funding shortfall and that not all CWI funds are being used in accordance with the law. Give examples of how CWI grants are too restrictive – provide local examples of projects not covered by current CWI granting coverage.

Discuss any local unmet Farm Bill Conservation program requests, IDEM 319 grants, etc. that prove the inadequacy of our traditional optional funding programs.

WHY SHOULD LEGISLATORS CARE?

SWCDs have identified water quality, soil erosion, land use planning, nutrient run-off and forestry as their priority resource concerns in that order. In a natural resource survey conducted in early 2008, three of our District's top four concerns were tied to water quality. SWCDs cover every watershed in the state and are unique in their ability to create partnerships between agencies and the private sector to leverage funds. They are also unique in that their respective Boards of Supervisors, as unpaid public officials, bring a level of integrity and peer approval that is unparalleled in any other government agency. Though a District works within a county, the unique structure of the District has being tied both to county and state government allows for a powerful system of county staff working across a watershed in multi-county programs. Across the state, the public is becoming increasingly aware of water issues such as flooding, algae blooms, sediment and chemical impairments and drought concerns. Increasingly, residents of Indiana are concerned about land-use issues and how they affect their homes, health and property values.

According to the 2003 Annual Natural Resources Inventory, Indiana is currently losing 3.5 tons/acre/year of soil annually (due to wind/water erosion) at a cost of \$275 million (\$6.00 per ton) that is negatively impacting water

quality and the ability of our natural resources to provide the ecosystem services that equate to quality of life for Hoosiers. With less than 30% of corn acres under no-till systems, Indiana is far from attaining a level of sustainability in the way it practices agriculture. Indiana has also been identified by the USGS as the third largest contributor to Phosphorus and Nitrate pollution in the 31-state Mississippi River Watershed, while being one of the smallest states in the watershed. Indiana is a member of the Mississippi River Gulf of Mexico Watershed Nutrient Task Force, a partnership of state and federal agencies. A 2008 Gulf Hypoxia action plan identifies specific actions for stakeholders throughout the Mississippi Basin; however the most significant critical need is to secure additional political and financial support for actions led by the Task Force members, other states and non-governmental organizations and citizens. Voluntary programs continued to be relied on.

Agriculture land continues to be converted every year. With that conversion comes increased soil erosion in the short term, and increased storm water run-off and associated pollution in the future. Districts have traditionally worked with agri-businesses to address soil issues through voluntary programs because they have that local connection – boards are community leaders of good standing who can work with their peers to affect change. As land use issues have changed, so have our boards and they now often include developers, businessmen, educators, and professionals who have strong ties with these new land users and can continue the tradition of affecting change through peer pressure, example, and community buy-in.

Demand for water in our state is increasing exponentially with the proliferation of agricultural irrigation, housing developments outside urban centers and industrial use. Our current system of ditches and drains overload streams and reduces groundwater recharge and results in higher storm water management costs to municipalities, heavy flood damage, increased dredging costs and increased degradation of water quality (The 2008 Indiana 303d list of impaired streams lists 827 stream segments impaired for e.coli and 411 for impaired biotic communities). Districts are the only agency whose primary focus is soil and water quality. The ability of these local agents to work across political boundaries, to garner support from a wide range of local partners, and to engage stakeholders in water quality planning is not duplicated by any other government agency or not for profit.

The health and productivity of our forest resources are being threatened as never before by invasive species, fragmentation from development, and water and climate concerns. Districts play a key role in addressing this problem through their ability to engage foresters, developers, woodland owners and others in dialogues that bring people together to solve these land use problems in a voluntary effort. Possible opportunities exist for Districts to play a role in promoting carbon sequestration and in certification of carbon trading contracts. This is an area that can positively impact soil health and water and air quality locally and human health and climate globally.

Relate your Districts current resource needs including annual soil loss, water quality issues, urban issues etc. and your unique ability to address these needs – play up that special connection that your volunteer board has with community, the leveraged funding and in-kind support you receive because of this unique standing, and your ability to move people to voluntarily do the right thing for conservation.

HOW CAN WE FIX IT?

Districts need to be given the opportunity to do what they were created to do. CWI offers the mechanism through which Districts may receive up to a 1:1 funding match from the state. Making the CWI program effective will require that funding be allocated in accordance with statute. It will require a level of trust in local SWCD Boards that will give them the latitude to utilize CWI grant dollars as they see fit. This does not understate the importance of oversight by the DSC and the State Soil Conservation Board (SSCB), but certainly will lessen the requirements

associated with the current granting program. The bottom line is that Indiana is currently getting what it pays for (see attached graphs). A strong base funding that can be augmented by CWI cost-share and grant funds will provide Districts the ability to implement a true conservation program for Indiana – one that is well funded, well implemented and successful.

In addition to a strong base of funding for conservation, Indiana is in critical need of a state conservation plan that addresses a wide range of soil and water concerns. All state agencies and organizations involved in conservation, land use decisions and environmental review/regulation should be partners in developing such a plan. In turn, this plan could then help direct funding more appropriately and effectively to solve conservation problems.

Indiana's Conservation Partnership (ICP) has begun an impressive training program to grow the leadership capacity of our boards and begin the steps to develop a certification program that will hold each county to a high performance standard. The Leadership Institute and the District Visits Program have potential to be recognized nationally as components of a new system of certification. CWI funds have been used to allow staff and Supervisors access to training that is key to this certification and nothing should be done to reduce District access to these groundbreaking programs. With proper funding streams, the burden of these costs can be reduced so that more CWI funds are available to implement actual conservation programs and practices. CWI funds should not be used to pay for DSC staff – this is a function of a state agency's budget and efforts need to be made to increase DSC budget to cover all staff and their support.

Remind legislators of your District's funding needs and how the legislative grant (\$10,000) and CWI are the means towards this fix if changes occur that allow those dollars to be used as intended. Discuss any of the Leadership Institute training or District Visits programs that your District has participated in and how it has impacted your work. Provide examples of how adequate funding allows for technical assistance to land users, partnering opportunities and flexible dollars to address your local resource needs. Let them see that improved use of current funding is the first step toward providing their constituents the local technical support they deserve.

Plan of Action for 2009 Legislative Session

The IASWCD Legislative Committee, IASWCD Board members, and the 92 local Soil and Water Conservation Districts support the following course of action:

- Advocate for an increase in the ISDA, Division of Soil Conservation's annual budget from \$1,968,750 to \$3,490,750 (a \$1,522,000 increase)

Why? The increase in the Division of Soil Conservation's budget would provide support of the Resource Specialists, along with their contract and equipment expenses. This would free up funding in the current Clean Water Indiana program to allow the State Soil Conservation Board to direct more dollars for on the ground conservation on all working lands, as intended by the law.

- Advocate for \$500,000 per year in general fund appropriation to the Clean Water Indiana Fund

Why? The CWI fund received an additional \$500,000 per year during the 2008/2009 budget cycle from general fund appropriation. We need to advocate for this increase to be continued in the

2010/2011 budget cycle. This increase has been dedicated to the Conservation Reserve Enhancement Program (CREP).

- Advocate for language which clarifies the Clean Water Indiana Fund as a non-reverting fund

Why? While the current CWI statute (IC 14-32) does state that funds at the end of a state fiscal year do not revert to the state general fund, more specific and stringent language is needed to avoid any misinterpretations by the Indiana Office of Management and Budget.

How?

- Meet with state legislators and explain issues; help them understand Soil and Water Conservation Districts and their duties and responsibilities for natural resource issues in each county. Utilize local data and information.
- Utilize the templates and tip sheets on the IASWCD Web site at http://www.iaswcd.org/district_tools/cwi/index.html
- Utilize CREP information to demonstrate the power of federal return dollars: As of August 2008, 4,277.9 acres have been obligated through 628 contracts for a total of \$1,203,755 in obligated state funds and \$12,474,356 in estimated federal leverage funds.
- Invite state legislators to field days and on field tours. Show them on the ground conservation practices.
- Discuss these issues with other local partners and gain support.
- Use current natural resource issues, in many counties that include damage from flooding, as examples of ways Districts can and do make a difference for local residents.