BOARD OF WATER AND SOIL RESOURCES

CLEAN WATER LAND & LEGACY AMENDMENT

RIM Drinking Water Program Guidance

July 2025

Introduction

This guidance document outlines the enrollment criteria and conditions for landowner applications and sign-up for the Reinvest in Minnesota (RIM) Drinking Water Program on eligible lands. This guidance should be considered additive to existing RIM policy and procedure.

Program Manager

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Funding Source and Availability (as of July 2025)

Clean Water Fund - **$11 million is available** for RIM Drinking Water Easements and Drinking Water Protection Partner Agreements.
Additional funding may be appropriated during future legislative sessions.

Goals of Program

The goal of this program is to protect drinking water in areas where the vulnerability of the Drinking Water Supply Management Area (DWSMA) is designated as High or Very High by a Source Water Protection Plan, is designated as mitigation Level 1 or 2 under the Groundwater Protection Rule, or where drinking water protection plans developed by Tribal governments have identified high vulnerability.

Statue Requirements/Program Policy

1. Easement will be acquired via the RIM Reserve Program (Minnesota Statute (MS) §103F.501-103F.531).
2. Per MS §103F.515, the RIM Drinking Water Program **does not** require land to have been owned by the landowner, or a parent or blood relative of the landowner, for at least one year before the date of application **if the land is "within a wellhead protection area as defined under MS §103I.005, subdivision 24, and has a wellhead protection plan approved by the commissioner of health"**.
3. Eligible landowner – an individual or entity that is not prohibited from owning agricultural land under MS §500.24 and either owns eligible land or is purchasing eligible land under a contract for deed. Farm corporations need to be certified (or exempt) by the Minnesota Department of Agriculture (MDA).
4. Additional RIM Reserve program general eligibility criteria are detailed within the *RIM Reserve Eligibility* and *Landowner Eligibility Types* sections of the RIM Handbook.
5. DWSMAs are defined as "the surface and subsurface area surrounding a public water supply well, including the wellhead protection area, that must be managed by the entitiy identified in a wellhead protection plan (MN Rule 4720.5100)". Source Water Protection Plans define a protection area for drinking water sources. The Source Water Protection Web Map Viewer shows DWSMA vulnerability.
6. Under MN Rule 1573.0040, DWSMAs with monitoring results of 5.4 to less than 8 mg/L nitrate-nitrogen are designated as Level 1. DWSMAs with monitoring results at or exceeding 8.0 mg/L

nitrate-nitrogen at any point during the previous 10 years, or projected to exceed the drinking water standard of 10mg/L nitrate-nitrogen in the next ten years are designated as Level 2. A map of DWSMA Mitigation Levels can be found here.

7. Areas adjacent to public drainage systems subject to the Minnesota Buffer Law (MS §103F.48) are not eligible to receive payment and should be excluded from the easement.
    a. A parcel **must** be compliant with MS §103F.48 to be eligible for a RIM easement.
8. Easement may be perpetual in length or 25 years.
9. Upon expiration of a limited-term easement, BWSR reserves the right to limit re-enrollment into the RIM Reserve as well as modify landowner payment rates and practice reimbursement rates.
10. The use of nitrogen fertilizer will be subject to limitations. Landowners may be required to supply fertilizer records annually to the SWCD.
11. Food plots **may** be allowed on easements enrolled, depending on location, and must be approved by BWSR prior to installation. The use of insecticides is not allowed on food plots. The use of nitrogen fertilizer is not allowed on food plots in DWSMAs.

Sign-Up Criteria Summary

1. Program is available statewide.
2. Applications will be accepted monthly and reviewed in the month following submission.
3. A minimum scoring threshold may be set based on applications received. BWSR will provide additional guidance on scoring thresholds as needed.
4. A majority (greater than 51%) of the site **must** be within one of the following:
    a. High or very high vulnerability DWSMA;
    b. DWSMAs designated as Level 1 or 2 by the Groundwater Protection Rule;
    c. Drinking water protection plans developed by Tribal governments that have identified high vulnerability.
    d. Areas outside of the above requirements should only be enrolled to allow for logical boundaries and remaining areas that are infeasible to farm.
5. The program is focused on cropland, but non-cropped areas can be included, if necessary, up to a maximum of 20% of the cropland acreage. Lands lacking crop history but contributing to drinking water degradation will be reviewed on a case-by-case basis. An approved waiver will be required to include non-cropland exceeding 20%.
6. Land enrolled in a CRP contract is eligible for a perpetual easement. Land enrolled in a CRP contract must have less than 14 years remaining in the contract to be eligible for a 25-year easement.
7. The application must be at least 8-acres in size, unless waiver requirements are met.

Additional details on sign-up criteria are provided on the following pages.

Easement Payment Rates

Location	Easement Type	Payment rate
Land within the DWSMA	RIM Drinking Water, perpetual	90% Tax-Assessed Value + 30% Public Health Benefit
	RIM Drinking Water, 25-year	60% Tax-Assessed Value + 15% Public Health Benefit
Land outside the DWSMA	RIM Drinking Water, perpetual	90% Tax-Assessed Value
	RIM Drinking Water, 25-year	60% Tax-Assessed Value

Enrolling Non-Cropland

Land that does not meet crop history requirements for enrollment may be enrolled if it benefits the application and/or provides additional drinking water quality benefits. These additional non-cropland areas will be subject to all easement conditions and must meet RIM eligibility requirements. All non-cropland must be contiguous to some portion of the application except when divided by narrow non-easement corridors (e.g., driveways, ditches, or watercourses).

The enrollment of non-cropland will be limited by the acreage of cropland enrolled. If non-cropland is being enrolled utilizing this provision, documentation is required on submitted maps citing which eligibility category (described below) is being utilized. Maps and acreage documentation are required. Appropriate documentation must be included on maps provided. BWSR reserves the right to not approve non-cropland acres.

The total acreage of non-cropland is limited to no more than 20% of the acres being enrolled as cropland, and could include the following:

1. Non-cropland where land management practices contribute to drinking water degradation.
2. Non-cropland where enrollment will aid in drinking water protection due to adjacent land uses.
3. Landlocked areas: Areas owned by the applicant that would otherwise be landlocked or inaccessible due to the proposed easement. Examples may include small, wooded areas within a cropped area, rock outcroppings, steeply sloped areas, and areas of existing wetland.
4. Areas needed to provide manageable easement boundaries: Areas that enable more practical and manageable easement boundaries. Examples include land along a property boundary or areas necessary to provide straight easement boundaries.

Waivers

Requests for waivers **must** be discussed in advance with the Program Coordinator and **must** be approved by BWSR prior to submittal of the application. Waivers may be submitted to address minimum size requirements or non-cropland in excess of the limits listed above. Waiver requests for additional non-cropland must clearly demonstrate the benefits and need for enrolling the additional acres.

In the absence of an approved waiver, the enrollment of acres exceeding the limits may be enrolled in the easement but will not receive easement payment (see **Additional Lands Not Eligible For Payment** below).

Minnesota Buffer Law

Land subject to MS §103F.48 is eligible to receive an easement payment if adjacent to a public water. Non-crop areas are subject to the same 20% non-crop limit described in #5 of the Sign-Up Criteria Summary section above and require upgrading to native vegetation when feasible. Land adjacent to a public drainage system should be excluded from the easement to avoid overlap with drainage authority rights-of-way/easements and to avoid future maintenance conflicts/disturbance. If the landowner is using an alternative practice and has a 16.5-foot buffer along a public water, the additional 35-feet is eligible to receive conservation practice payments to bring cover up to specifications.

Additional Lands Not Eligible For Payment

There may be situations where enrollment of land that is ineligible for easement payment is desirable or necessary. These areas will be accepted as part of the RIM easement but will not be montarily compensated for. For example, RIM policy states that all Public Waters and Public Waters Wetlands are eligible for enrollment but shall not receive payment.

Subsurface Drainage Tile

Easement lands containing subsurface drainage tile are eligible for easement enrollment and payment in accordance with previously discussed eligibility and enrollment criteria. When functioning drainage systems are located within the boundaries of a RIM easement, the easement allows the landowner or other appropriate parties to perform necessary, continued maintenance and repairs to the drainage system. For additional information, see BWSR's Conservation Easement Drainage Systems Maintenance Administrative Policy document.

Surveys

Legal boundary surveys of the easement area will be required as a part of this program. The survey will be acquired by the SWCD and reimbursed by the State in accordance with the RIM Easement Survey Requirements – Pilot Process guidance document. BWSR acquisition staff will assist the SWCD with the survey process.

Drinking Water-Friendly Activities

For the purpose of this program, Drinking Water-Friendly Activities and their associated limitations are defined below. These activities are not applicable to other RIM programs.

Ecological Activities	**Habitat restoration.**
	Habitat protection.
	Managed grazing. Requires a conservation grazing plan that meets NRCS Grazing Management Plan standards and must be completed by a certified plan writer.
Agricultural Activities	**Perennial crops.** A crop rotation including at least three consecutive years of a perennial crop. One year of an annual crop is allowed following the perennial crop. 1. Low nitrogen application rates on the perennial crop are allowed following University of Minnesota Extension Guidance. See RIM Drinking Water Program Nitrogen Limitations. 2. No nitrogen is allowed on the annual crop except in forms of ammoniated phosphorus that do not exceed 40 pounds of nitrogen per acre. 3. This activity is only allowed on cropland acres. 4. Cost-share is not available for these activities.

RIM Conservation Plan

A conservation plan is required for all RIM easements. For land under an existing CRP contract, no changes in vegetative cover will be required. However, vegetative diversity of the area should be reviewed and increased if necessary and possible.

RIM conservation plans use practice codes that identify the type of practice to be established or that exist within the easement. Practice codes that include restoration (vegetative or hydrologic) have an associated per acre maximum reimbursement.

Only restoration work that is completed after the RIM easement agreement has been fully executed can be reimbursed, therefore seed purchase and restoration work should not be done until the agreement has been executed. Requests for reimbursement can only be made after the easement has been recorded and final legal review has been completed. BWSR will not reimburse for restoration costs incurred if the easement is not recorded and approved. Common RIM practices on easements are listed below along with maximum state reimbursement.

Maximum Reimbursement Amount per Acre by Conservation Practice

Practice Code/Name	Reimbursement Rate	Perpetual Easement	25-year Easement
		Not to Exceed	
RR-1a Introduced Grasses to be Established	$0	0%	0%
RR-2a Native Grasses to be Established	$450/acre	100%	75%
RR-2PP Pollinator Planting to be Established	$600/acre	100%	75%
RR-3a Tree and/or Shrub Planting to be Established	$400/acre	100%	75%
RR-8 Wetland Restoration	$1200/acre	100%	75%
RR-15 Grazing Infrastructure	$300/acre	50%	25%
RR-GP Grazing Plan Development	$3800/plan	100%	25%
RR-FP Wildlife Food Plot	$0	0%	0%

RR-3a (Tree and/or Shrub Planting to be Established) is not eligible for reimbursement in the Prairie Parkland Province of Minnesota.
RR-15 (Grazing Infrastructure) is available for permanent fence, water tanks, plastic piping, and pumps.
RR-FP (Wildlife Food Plot) *may* be an eligible practice for easements enrolled under this sign-up. See the RIM Food Plot Guidance document for critera on planning food plots.

If Agricultural Activities are discontinued, the site must immediately established to high-quality, permanent vegetative cover and the associated costs are the responsibility of the landonwer(s).

Conservation Plans that opt to use perennial crops *must* include a Perennial Crop Schedule Form as an attachement to the Conservation Plan. This must be collectively approved by BWSR and the SWCD. Nitrogen limitations as described in the Perennial Crop Schedule Form must be followed.

For additional information on conservation plans, refer to the following sections in the RIM Handbook:

- *Conservation Plan Development* for RIM conservation plan development
- *Practice Specifications* for information on practices and eligible costs
- *Conservation Plan Implementation* for installation periods and reimbursement process

Forms and Items Needed to Complete the RIM Application Materials

A complete application package containing all the items listed in the document titled RIM Application Guidance should be prepared and submitted directly via mail to:

MN Board of Water and Soil Resources
Attn: BWSR Easement Section
520 Lafayette Road North
St. Paul, MN 55155-1616

Email GIS shapefile of proposed easement boundary to the General RIM inbox (bwsr.rim@state.mn.us). Include name of applicant, county, and easement program in the email subject line, and attach the signed first page of the application document for reference. Shapefile must include at least .shp, .shx, .dbf, and .prj files. Easement acres in shapefile must match acres listed on application and CEFW. **Do not include any other application materials when emailing shapefile.**

Program and policy questions can be directed to Sara Reagan (sara.reagan@state.mn.us), and easement processing questions can be directed to Lucy Dahl (lucy.dahl@state.mn.us).