



IDAHO SOIL & WATER CONSERVATION COMMISSION

REGULAR MEETING NOTICE & AGENDA

Idaho Soil & Water Conservation Commission

July 25, 2019, 10 a.m. to 3:00 p.m. MT

Location: Idaho Water Center, 322 E Front St, Suite 560, Conference Room, Boise

TELECONFERENCE # 1-877-820-7831 Passcode: 922837

Members of the public may address any item on the Agenda during consideration of that item. Those wishing to comment on any agenda item are requested to so indicate on the sign-in sheet in advance. Copies of agenda items, staff reports and/or written documentation relating to items of business on the agenda are on file in the office of the Idaho Soil & Water Conservation Commission in Boise. Upon request, copies can be emailed and will also be available for review at the meeting.

The Commission will occasionally convene in Executive Session, pursuant to Idaho Code § 74-206(1). Executive Session is closed to the public.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

The meeting will be held in facilities that meet the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations to attend, participate in, or understand the meeting, please contact the Idaho Soil & Water Conservation Commission at (208) 332-1790 or Info@swc.idaho.gov so advance arrangements can be made.

1.	WELCOME, SELF-INTRODUCTIONS, AND ROLL CALL	Chairman Wright
2.	PARTNER REPORTS (for information only)	
* 3.	AGENDA REVIEW (<u>potential action item</u>) The Agenda may be amended by formal Board action if necessary at the meeting. If so, a motion that states the reason for the amendment and the good faith reason the item was not included in the original agenda will be made and approved by the Board.	Chairman Wright
ACTION ITEMS		
4.	ADMINISTRATIVE	
* a.	Administrator's Report <ul style="list-style-type: none">ActivitiesNRCS Agreement to Facilitate Hiring of Staff by DistrictsStaff Attendance at National Association of State Conservation Agencies (NASCA) 2019 Annual MeetingUpdate on New Commissioner Appointment to ISWCC BoardFY 2020 Commission Meeting Schedule ACTION: Authorize out of state travel and payment of related expenses for two field staff to attend the Joint NASCA and Watershed Coalition Conference in Lexington, KY, Sept. 29-October 3, 2019.	Murrison

(*) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission consideration

Thursday, July 25, 2019 Meeting Agenda

Date of Notice: July 18, 2019

*#	b.	Minutes 1. June 7, 2019 Regular Commission Meeting 2. June 8, 2019, Special Joint Board Meeting with Idaho Association of Soil Conservation Districts <u>ACTION:</u> Approve	Chairman Wright
*#	c.	Financial Reports 1. FY 2019 Monthly Report, June 30, 2019. 2. FY 2019 YTD Financial Summary through June 30, 2019. <u>ACTION:</u> Approve	Beals
	5.	PROGRAMS	
*#	a.	Resource Conservation and Rangeland Development Program Negotiated Rulemaking Update <u>ACTION:</u> Approve proposed RCRDP Rules to be submitted to the Division of Financial	Dalzell/ Hoebelheinrich
NON-ACTION ITEMS			
	6.	ADMINISTRATIVE	
#	a.	PROPOSED FY 2021 BUDGET REQUEST <u>ACTION:</u> None, for information and discussion only.	Beals
#	b.	Omnibus Rulemaking Process Update <u>ACTION:</u> None, for information and discussion only	Dalzell
	7.	PROGRAMS	
#	a.	District Support Services FY 2020 Trustee and Benefit Funds Distribution Update <u>ACTION:</u> None, for information and discussion only.	Trefz
	b.	Resource Conservation and Rangeland Development Program Update <ul style="list-style-type: none"> Activities RCRDP Marketing Plan for FY 2020 <u>ACTION:</u> For information only.	Hoebelheinrich
POSSIBLE ACTION ITEMS			
	8.	EXECUTIVE SESSION <i>Executive Session is closed to the public. Under the relevant Idaho Code Section(s) noted below, any Board action will be taken publicly in open session directly following Executive Session.</i> <u>ACTION:</u> Move to enter Executive Session pursuant to Idaho Codes § 74-206(1)(d) for the purpose of discussing a loan application and §74-206(1)(f) to discuss with legal counsel pending litigation, or controversies not yet being litigated but imminently likely to be litigated. <u>Roll Call Vote</u>	Chairman Wright
	a.	RESOURCE CONSERVATION & RANGELAND DEVELOPMENT PROGRAM The Commission will convene in Executive Session to consider approval or denial of a loan application. <ul style="list-style-type: none"> # X 04-19-2019 <u>ACTION:</u> For consideration and possible action outside of Executive Session	Hoebelheinrich
	b.	PENDING LITIGATION The Commission will discuss pending or imminent litigation with legal counsel. <u>ACTION:</u> For information and possible action to direct legal counsel to take action in pending or imminent litigation.	Chapple Knowlton
	9.	REPORTS <u>ACTION:</u> None, for information only	Commissioners, Staff
ADJOURN			
The next Regular Commission Meeting will be on August 29, 2019, at 10:00a.m. MT in Boise, Idaho.			Chairman Wright

(*) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission consideration

Thursday, July 25, 2019 Meeting Agenda
Date of Notice: July 18, 2019



**SOIL & WATER
CONSERVATION
COMMISSION**

H. Norman Wright
Chairman

Cathy Roemer
Vice Chairman

Erik Olson
Secretary

Gerald Trebesch
Commissioner

Vacant
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER,
RADFORD, TREBESCH, AND OLSON**
FROM: TERI MURRISON, ADMINISTRATOR
DATE: JULY 11, 2019
RE: ADMINISTRATOR'S REPORT

Activities

June and July have been extremely busy given our reorganization, working on a potential agreement with NRCS, the usual end of year activities, reporting, distributing district funds, and trying to hire a new fiscal person. I hope to have made an offer to a candidate by the time of your meeting.

NRCS Agreement to Facilitate Hiring of Staff by Districts

A few days ago, Curtis Elke, State Conservationist for NRCS, informed us that any agreements signed to facilitate Farm Bill implementation via the hiring of staff by districts will only reimburse for actual expenditures (in other words, there will be no advances of federal funding). In addition, overhead (indirect) costs incurred to administer the agreements will not be allowed.

Both of these create insurmountable obstacles for the Commission (and likely, for most districts). We will inform districts that they should evaluate contracting directly with NRCS should they have the ability and desire to do so.

Staff Attendance at National Association of State Conservation Agencies (NASCA) 2019 Annual Meeting

As you know, NASCA represents us at the national level much the same as the National Association of Conservation Districts serves districts. NASCA is our voice in the national partnership with NRCS and has been helpful in assisting state agencies and those they serve. NASCA provides a forum for networking and information exchange that is helpful at all levels. The annual meetings are tremendous opportunities for ISWCC staff to see things done differently in other states and improve the partnership and our own operation.

Last February your Board authorized me to travel out of state to attend the Annual NASCA Conference in Lexington, KY. The conference this year will be held in conjunction with the Biennial National Watershed Coalition from September 30-Oct. 3.

If your Board approves, I propose to take Delwyne Trefz (District Support Services) and Bill Lillibridge (Engineering Manager) to attend the field staff sessions at the annual conference this year. In addition, topics at this year's conference include Farm Bill programs, planning conservation strategies to mitigate weather events, partnerships (non-traditional and traditional), planning for conservation/watershed needs in the future, and infrastructure – demonstrating the impact of conservation practices on public infrastructure.

We have recently reorganized our internal operations and I believe they will bring home new ideas and methods of providing voluntary conservation services and programs. They will also prepare presentations to share with other field staff from around the nation, improving service delivery to partners and ISWCC.

The cost will be approximately \$2,400 for both of them. Funds are available - I intend to utilize the Professional Services fund to pay for their related registration and travel expenses (in the end of June there was about \$26,000 in that account). These funds are typically spent on special one-time expenses like this.

Update on New Commissioner Appointment to ISWCC Board

As of today, there has been no announcement of an appointment to the Board. Chairman Wright spoke to the Governor about this recently and will report.

FY 2020 Commission Meeting Schedule The following is the current Meeting Schedule for FY 2020. As always, we will make changes in the schedule as the Board directs.

Date & Time	Meeting, Location	Meeting Type
July 25, 2019, 10 am - 3 pm, MT	Special Meeting, Negotiated Rule Making, 322 E. Front Street, Suite 560, Boise	In person
August 29, 2019, 10 am – 3 pm, MT	Regular meeting, 322 E. Front Street, Suite 560, Boise	In person
September 26, 2019, 10 am – 3 pm, MT	Regular meeting, 322 E. Front Street, Suite 560, Boise	Teleconference
November 6, 2019, 10 am – 12 pm, MT	Special meeting to Approve Negotiated Rule Making, 322 E. Front Street, Suite 560, Boise	Teleconference
November 12-14, 2019 in conjunction with IASCD Annual Conference	Listening Session, Boise, Idaho	In person
December 12, 2019, 10 am – 3 pm MT (if necessary)	Regular meeting, 322 E. Front Street, Suite 560, Boise	Teleconference
January 2020 (to be held in conjunction with JFAC presentation or IASCD Board meeting)	Regular meeting, Regular meeting, 322 E. Front Street, Suite 560, Boise Tentative - Joint Board Meeting with IASCD (location and time TBD)	In person
February 17, 2020, 1 pm – 5 pm MT, held in conjunction with Strolling Supper and Ag Summit	Regular meeting, 322 E. Front Street, Suite 560, Boise	In person or teleconference (TBD)
April 9, 2020, 10 am – 3 pm, MT	Regular meeting, 322 E. Front Street, Suite 560, Boise	In person

May 14, 2020, 10 am – 3 pm, MT	Regular meeting, 322 E. Front Street, Suite 560, Boise	In person
June 11, 2020, 10 am – 3 pm, MT and TBD (Joint Meeting with IASCD Board)	Regular meeting, 322 E. Front Street, Suite 560, Boise Special Joint Board Meeting with IASCD, location and time TBD	In person In person

REQUESTED ACTION: Authorize out of state travel and payment of related expenses for two field staff to attend the Joint NASCA and Watershed Coalition Conference in Lexington, KY Sept. 29-October 3, 2019.

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Idaho Soil & Water Conservation Commission

322 E Front St, Suite 560 • Boise Idaho 83702
Telephone: 208-332-1790 • Fax: 208-332-1799

Item #4b-1

IDAHO SOIL & WATER CONSERVATION COMMISSION PUBLIC MEETING & TELECONFERENCE

Date and Time:

Friday, June 7, 2019
9:30 AM – 12:56 PM MT

Location:

322 E. Front St., Suite 560
Boise, Idaho 83702

MINUTES

COMMISSION MEMBERS PRESENT:

Norman Wright (Chair)
Erik Olson

Cathy Roemer (Vice-Chair)

COMMISSION STAFF PRESENT:

Teri Murrison
Corrine Dalzell
Maria Minicucci

Crystal Rosen
Jon Beals
Rhonda Yadon

PARTNERS AND GUESTS PRESENT:

Shantel Chapple Knowlton, Office of the Attorney General
Curtis Elke, NRCS
Rob Sepich, Legislative Services (teleconference)

ITEM #1: WELCOME AND ROLL CALL

Chairman Wright called the meeting to order at 9:30 AM.

Roll call: Chairman Norman Wright, Commissioners Cathy Roemer, and Erik Olson were present. Commissioner Trebesch was absent.

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ITEM #2: PARTNER REPORTS

Action: None taken

ITEM #3a: AGENDA REVIEW

Action: None taken.

ITEM #4a: ELECT COMMISSION OFFICERS TO SERVE BEGINNING JULY 1, 2019

Chairman Wright yielded the gavel to Crystal Rosen.

Action: Commissioner Olson made a motion to nominate Commissioner Wright to serve as Chairman. Commissioner Roemer seconded the motion. Motion carried by unanimous vote.

Ms. Rosen yielded the gavel to Chairman Wright.

Action: Commissioner Olson made a motion to nominate Commissioner Roemer to serve as Vice-Chair. Commissioner Wright seconded the motion. Motion carried by unanimous vote.

Action: Commissioner Wright made a motion to nominate Commissioner Olson to serve as Secretary. Commissioner Roemer seconded the motion. Motion carried by unanimous vote.

ITEM #4b: APPOINTMENT AND DELEGATION OF POWERS AND DUTIES TO ADMINISTRATOR IN FY 2020

Action: Commissioner Olson made a motion to *appoint Administrator, Delegate Powers and Duties, and authorize Chairman to sign FY 2020 Delegation of Powers and Duties*. Commissioner Roemer seconded the motion. Motion carried by unanimous vote.

ITEM #4c: MINUTES

Action: Commissioner Roemer made a motion to *approve the May 9, 2019 minutes as submitted*. Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ITEM #4d: FINANCIAL REPORTS

Action: Commissioner Olson made a motion to *approve the Financial Reports for the month ended on May 31, 2019*. Commissioner Roemer seconded the motion. Motion carried by unanimous vote.

Action: Commissioner Olson made a motion to *accept the Management Audit Follow-up*. Commissioner Roemer seconded the motion. Motion carried by unanimous vote.

Meeting recessed at 11:16 AM.

Meeting reconvened at 11:28 AM.

ITEM #4e: ADMINISTRATOR'S REPORT

Action: Commissioner Olson made a motion to *Authorize Chairman to submit names and supporting documentation to Governor's Committee*. Commissioner Roemer seconded the motion. Motion carried by unanimous vote.

Meeting recessed at 11:41 AM.

Meeting reconvened at 11:48 AM.

ITEM #4f: ADOPTION OF FY 2020-2023 STRATEGIC PLAN

Action: Commissioner Roemer made a motion to *approve FY 2020-2023 Strategic Plan as presented*. Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ITEM #5a: FY 2020 CONSERVATION DISTRICT FUNDING REQUEST

Action: Commissioner Olson made a motion to *accept the FY 2020 Conservation District Funding Request report as presented*. Commissioner Roemer seconded the motion. Motion carried by unanimous vote.

ITEM #5b: DISTRICT CAPACITY BUILDING FUND REQUESTS

Action: Commissioner Romer made a motion to *approve distributing \$10,000 in regional event Capacity Building Funds as recommended by staff and also approve dividing the remaining \$40,000 equally among all conservation districts (\$800 to each.)*. Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ITEM #6a: DRAFT 2019 LOCAL, STATE AND FEDERAL CONSERVATION PARTNERSHIP AGREEMENT

Action: None taken

ITEM #7a: DISTRICT SUPPORT SERVICES FY2021 TRUSTEE AND BENEFIT FUNDS BUDGET REQUEST

Action: None taken

ITEM #7b: DISTRICT TECHNICAL ASSISTANCE REQUESTS FOR FY2020

Action: None taken

ITEM #7c: DISTRICT REFERENCE MANUAL UPDATES FOR FY 2020

Action: None taken

ITEM #8: REPORTS

Action: None taken

ADJOURN

The meeting was adjourned at 12:56 PM. The next Commission Meeting will be a Joint Board Meeting with the IASCD held in Burley, ID on June 8, 2019 at 9:30 AM.

Respectfully submitted,

Erik Olson, Secretary

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Idaho Soil & Water Conservation Commission

322 E Front St, Suite 560 • Boise Idaho 83702
Telephone: 208-332-1790 • Fax: 208-332-1799

Item #4b-2

IDAHO SOIL & WATER CONSERVATION COMMISSION & IDAHO ASSOCIATION OF SOIL CONSERVATION DISTRICTS (IASCD) JOINT BOARD MEETING & TELECONFERENCE

Date and Time:

Saturday, June 8, 2019
9:33 AM – 11:29 PM MT

Location:

Best Western Burley Inn
800 N. Overland Ave.
Burley, Idaho 83318

MINUTES

COMMISSION MEMBERS PRESENT:

Norman Wright (Chair)
Erik Olson

Cathy Roemer (Vice-Chair)

COMMISSION STAFF PRESENT:

Teri Murrison

Jon Beals

PARTNERS AND GUESTS PRESENT:

Matt Woodard, IASCD

Mike Sommerville, IASCD

Tom Daniel, IASCD

Benjamin Kelly, IASCD

Steve Becker, IASCD

Kit Tillotson, IASCD

Richard Kunau, IASCD

Curtis Elke, USDA-NRCS

Chris Simons, IDEA

Chris Hatch, Franklin SWCD

Ariel Rivers, NACD

Shantel Chapple Knowlton, Office of the Attorney General

ITEM #1: WELCOME AND ROLL CALL

Chairman Wright called the meeting to order at 9:33 a.m.

Roll call: Chairman Norman Wright, Commissioners Cathy Roemer, and Erik Olson were present. Commissioner Trebesch was absent.

ITEM #3: AGENDA REVIEW

Action: None taken.

ITEM #3: DRAFT 2019 LOCAL, STATE AND FEDERAL CONSERVATION PARTNERSHIP AGREEMENT

Action: None taken.

ITEM #4: FY 2021 CONSERVATION DISTRICT FUNDING REQUEST

Action: None taken.

ITEM #5: DISTRICT TECHNICAL ASSISTANCE REQUESTS FOR FY 2020

Action: None taken.

ITEM #6: DISTRICT REFERENCE MANUAL UPDATES FOR FY 2020

Action: None taken.

ITEM #7: COMMISSION RULES UPDATE

Action: None taken

ITEM #6: REPORTS

Action: None taken.

ADJOURN

The meeting was adjourned at 11:29 AM. The next Commission Meeting will be held in on July 25, 2019 in Boise, ID.

Respectfully submitted,

Erik Olson, Secretary

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**SOIL & WATER
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H. Norman Wright
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Gerald Trebesch
Commissioner

Vacant
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS
ROEMER, OLSON , AND TREBESCH**
FROM: JON BEALS
DATE: JULY, 18 2019
RE: FINANCIAL REPORTS

FINANCIAL REPORTS

We have wrapped up the fiscal year and we are finalizing fiscal reporting for FY2019. There were no unusual expenditures to report and we ended the year under budget in all categories. The Financial Detail Report for FY2019 will be available in hard copy at your meeting.

COMMISSIONER HONORARIUMS

The fiscal year has been concluded and as of May 31, the percent of honorarium budget spent was 77.5%. The balance has not been adjusted to account for the special meeting in June, but it is expected that final honorarium expenses for FY2019 will be under budget. A full schedule of honorarium balances will be provided at your meeting.

RECOMMENDED ACTION: Approve the Financial Reports for the month ended June 30, 2019

ATTACHMENTS: Will be provided at the meeting.

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SWC DETAIL FINANCIAL REPORT AS OF JUNE 30, 2019

GENERAL FUND & OTHER FUNDS		PERSONNEL			OPERATING			CAPITAL OUTLAY			TRUSTEE & BENEFITS			CASH				
FY19	INDEX	ACTUAL EXPENSE		Thru End of Current Month	ACTUAL EXPENSE		Thru End of Current Month	ACTUAL EXPENSE		Thru End of Current Month	ACTUAL EXPENSE		Thru End of Current Month	PLUS TOTAL			ACTUAL CASH BALANCE	
		BUDGET			BUDGET			BUDGET			BUDGET			BEG CASH AT 7/1/18	REC TO DATE	LESS TOTAL EXP TO DATE		End of Current
	7101 MANAGEMENT ADMIN	353,750	349,686	4,064	34,226	35,629	(1,403)	1,013	822	191				388,989		386,137	2,852	
	7111 MANAGEMENT BOARD	5,250	4,378	872	9,400	9,677	(277)							14,650		14,055	595	
	7201 FIELD STAFF	457,600	460,166	(2,566)	80,486	82,051	(1,565)	1,168	1,239	(71)				539,254		543,456	(4,202)	
	7301 PROGRAMS	248,500	247,323	1,177	39,245	38,443	802	723	597	126				288,468		286,363	2,105	
	7310 DISTRICT ALLOCATIONS										1,103,200	1,103,200	0	1,103,200		1,103,200	0	
	7320 DISTRICT CAPACITY BLDG										150,000	150,000	0	150,000		150,000	0	
	7350 CREP	150,400	144,204	6,196	23,943	21,490	2,453	296	219	77				174,639		165,913	8,726	
	TOTAL GENERAL FUND 0001	1,215,500	1,205,757	9,743	187,300	187,290	10	3,200	2,878	322	1,253,200	1,253,200	0	2,659,200	0	2,649,125	10,075	
			99.20%			99.99%			89.92%			100.00%				99.62%		
	7315 FEDERAL GRANT-NRCS TRS	15,800	8,428	7,372										14,568	5,494	8,428	11,634	
	7316 FEDERAL GRANT-NRCS CTA	169,000	159,940	9,060	17,500	4,247	13,253							55,821	111,159	164,187	2,793	
	7317 NFWF GRANT	86,800	85,748	1,052										3,824	75,352	85,748	(6,572)	
	TOTAL FEDERAL FUND 0348	271,600	254,116	17,484	17,500	4,247	13,253	0	0	0	0	0	0	74,213	192,005	258,363	7,855	
			93.56%			24.27%										Borrowing Limit	(40,000)	
																114.21%	(32,145)	
	7325 SWC PROFESSIONAL SERV				30,000	11,034	18,966							24,727	11,676	11,034	25,369	
	TOTAL DEDICATED FUND 0450	0	0	0	30,000	11,034	18,966	0	0	0	0	0	0	24,727	11,676	11,034	25,369	
						36.78%										30.31%		
LOAN FUNDS		PERSONNEL			OPERATING			CAPITAL OUTLAY			CASH				BALANCE SHEET			
FY19	INDEX	ACTUAL EXPENSE		thru End of Current Month	ACTUAL EXPENSE		Thru End of Current Month	ACTUAL EXPENSE		Thru End of Current Month	PLUS TOTAL		LESS TOTAL EXP	ACTUAL CASH BALANCE	NOTES RECEIVABLE 7/1/18	LOANS PAID OUT, COLLECTIONS /ADJUSTMENT S TO DATE		NOTES RECEIVABLE End of Cur period
		BUDGET			BUDGET			BUDGET			BEG CASH AT 7/1/18	REC TO DATE				TO DATE	End of Current	
	7351 RCRDP LOAN ADMIN	168,300	160,253	8,047	147,300	111,931	35,369	548	548	0	6,656,334	837,176	578,475	6,915,035	3,056,384	305,708	2,750,679	
	TOTAL RCRDP ADMIN 0522-01	168,300	160,253	8,047	147,300	111,931	35,369	548	548	0	6,656,334	837,176	578,475	6,915,035		(611,413)		
			95.22%			75.99%			99.95%				7.72%					
	7361 REVOLVING LOAN - DEQ				30,000	27,299	2,701				29,777	15,566	27,299	18,044	352,968	0	277,803	
	TOTAL DEQ LOAN 0529-16	0	0	0	30,000	27,299	2,701	0	0	0	29,777	15,566	27,299	18,044		(75,165)		
						91.00%							60.20%		ADV FROM 301,436	PAYMENTS/AD J TO DATE (70,094)	ADV FROM END OF CUR 231,342	

Soil and Water Conservation Commission
FY2019 YTD Financial Summary Through June 30, 2019

Updated: [7/19/2019](#)

Fund Summaries

Appropriation

Fund Source	General Fund				Federal Grants				Professional Services				RCRDP Loan Administration				Revolving Loan			
Personnel Funds	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining					Budget	Expenditures	Expenditures Projected	Remaining				
	\$1,215,500	\$ 1,205,757	\$ -	\$ 9,743	\$ 271,600	\$ 254,116	\$ -	\$ 17,484					\$ 168,300	\$ 160,253	\$ -	\$ 8,047				
Operating Funds	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining
	\$ 187,300	\$ 187,290	\$ -	\$ 10	\$ 17,500	\$ 4,247	\$ -	\$ 13,253	\$ 30,000	\$ 11,034	\$ -	\$ 18,966	\$ 147,300	\$ 111,931	\$ 13,250	\$ 22,119	\$ 30,000	\$ 27,299	\$ -	\$ 2,701
Capital Funds	Budget	Expenditures	Expenditures Projected	Remaining									Budget	Expenditures	Expenditures Projected	Remaining				
	\$ 3,200	\$ 2,878	\$ -	\$ 322									\$ 548	\$ 548	\$ -	\$ -				
Trustee and Benefit	Budget	Expenditures	Expenditures Projected	Remaining																
	\$1,253,200	\$ 1,253,200	\$ -	\$ -																

Cash Balance at May 31, 2019

Fund Source	General Fund				Federal Grants				Professional Services				RCRDP Loan Administration				Revolving Loan			
	Beg Cash at 7/1/18	Plus Total Receipts	Less Total Expenses	Actual Cash balance	Beg Cash at 7/1/18	Plus Total Receipts	Less Total Expenses	Actual Cash balance	Beg Cash at 7/1/18	Plus Total Receipts	Less Total Expenses	Actual Cash balance	Beg Cash at 7/1/18	Plus Total Receipts	Less Total Expenses	Actual Cash balance	Beg Cash at 7/1/18	Plus Total Receipts	Less Total Expenses	Actual Cash balance
	\$2,659,200	\$ -	\$ 2,649,125	\$ 10,075	\$ 74,213	\$ 192,005	\$ 258,363	\$ 7,855	\$ 24,727	\$ 11,676	\$ 11,034	\$ 25,369	\$6,656,334	\$ 837,176	\$ 578,475	\$6,915,035	\$ 29,777	\$ 15,566	\$ 27,299	\$ 18,044



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MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER,
TREBESCH, AND OLSON**
FROM: CORRINE DALZELL, RULES REVIEW OFFICER
DATE: July 11, 2019
**RE: RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT
PROGRAM NEGOTIATED RULEMAKING UPDATE**

During our April 11, 2019 Commission meeting, Commissioner Olson moved to submit an Administrative Rules Request form to DFM for sections 103 and 151 of the RCRDP rules. Commissioner Trebesch seconded the motion. Motion carried by unanimous roll call vote.

Since that time, as Rules Review Officer, I have been working with Terry Hoebelheinrich, Loan Officer and Shantel Chapple Knowlton, DAG, in the negotiated rulemaking process to promulgate RCRDP rule 60.05.01 (Docket No. 60-0501-1901). The Administrative Rules Request form (ARRF) was submitted to Division of Financial Management (DFM) in April 2019.

The Notice of Intent to Promulgate Rules was submitted to the Office of Administrative Rules (OAR) in May and was posted in the June 2019 Bulletin. The meeting notice was also posted on our website along with the rules to be discussed. An e-mail was sent out to all Districts, IASCD and NRCS contacts as well as the Commission on June 6, 2019. The meeting was accessible via teleconference or in-person.

On June 25, 2019 ISWCC held a public meeting on the preliminary draft of the RCRDP rule changes. There was one teleconference attendee, Colby Cameron of DFM. No others called in.

Subsequently, there was a two-week period for our agency to receive written comments. The deadline for written comments on the preliminary draft rule ended on July 2, 2019. Our agency did not receive any comments.

On July 8, 2019, we held a teleconference with Senator Mortimer to identify and address his concerns with section 103. IMPLEMENTATION OF AGREED TO PRACTICES. In attendance were staff, Chairman Wright, and Shantel Chapple Knowlton. Senator Mortimer expressed interest in the process where title companies provide insurance against materialmen's liens when construction has started before we have recorded a lien. Shantel Chapple-Knowlton suggested that Senator Mortimer's concerns might already be addressed in section 101.03 DUTY TO INFORM and that the agency might be able to allay his concerns with updates to our Commitment letters to borrowers. Terry Hoebelheinrich is researching these options and will inform us of his findings.

If approved by the Board, we will submit the proposed rule to DFM for review by August 16, 2019 and will submit a Notice of Proposed Rulemaking to OAR by August 30, 2019 to be posted in their October Bulletin.

An updated RCRDP Rulemaking Schedule is attached to this memo for your reference.

RECOMMENDED ACTION: Approve proposed RCRDP rules as submitted (or with noted changes) for submittal to DFM by August 16, 2019 deadline.

ATTACHMENTS:

- DRAFT RCRDP Rulemaking Schedule – Public
- RCRDP Rules with Suggested Changes

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RULEMAKING SCHEDULE

RCRDP Rules
Docket Number 60-0501-1901

Action	Date
Notice of Negotiated Rulemaking posted in Bulletin	6/5/2019
Negotiated Rulemaking Meeting	6/25/2019
Deadline for Written Comments	7/2/2019
Board Meeting approving proposed rules	7/25/2019
Notice of Proposed Rulemaking posted in Bulletin	10/2/2019
Public Hearing on Proposed Rule	10/16/2019
21 Day Comment Period Runs	10/23/2018
Board Meeting to consider and adopt Pending Rule	11/6/2019 (tentative)
Notice of Adoption of Pending Rule published in Bulletin	1/1/2020
Pending rule becomes final and effective if approved by Legislature	2020 sine die

Updated 07/02/2019

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**IDAPA 60
TITLE 05
CHAPTER 01**

IDAPA 60 – IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION

**60.05.01 – RULES FOR ADMINISTRATION OF THE IDAHO RESOURCE CONSERVATION
AND RANGELAND DEVELOPMENT PROGRAM**

000. LEGAL AUTHORITY.

The Idaho State Soil and Water Conservation Commission, pursuant to the authority granted in Section 22-2718, Idaho Code, has been granted the authority to adopt the following rules for the administration of the Resource Conservation and Rangeland Development Program (RCRDP) for Idaho. (3-28-19)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 60.05.01, “Rules for Administration of the Idaho Resource Conservation and Rangeland Development Program.” (3-28-19)

02. Scope. The provisions of these rules set forth procedures and requirements for establishing, implementing, and administering a state loan from the RCRDP fund as provided in Sections 22-2730, through 22-2732, Idaho Code. (3-28-19)

002. WRITTEN INTERPRETATIONS — AGENCY GUIDELINES.

Written interpretations and agency guidance on these rules are available at the Idaho Soil and Water Conservation Commission, 322 E. Front St., Suite 560, Boise, ID 83702. (3-28-19)

003. ADMINISTRATIVE APPEALS.

Reconsideration of loan disapproval or any matter affecting the amount of loan funds must be done in accordance with Paragraph 056.02.d. of these rules. Persons may be entitled to appeal final agency actions authorized under this chapter pursuant to Title 67, Chapter 52, Idaho Code. (3-28-19)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (3-28-19)

005. OFFICE — OFFICE HOURS — MAILING ADDRESS AND STREET ADDRESS.

The office of the Idaho Soil and Water Conservation Commission is in Boise, Idaho. This office is open from 8:00 a.m. to 5:00 p.m. except Saturdays, Sundays and legal holidays. The Commission’s mailing address is P.O. Box 83720, Boise, ID 83720-0083. The Commission’s street address is 322 E. Front St., Suite 560, Boise, ID 83702. (3-28-19)

006. PUBLIC RECORDS ACT COMPLIANCE.

All records relating to this chapter are public records except to the extent such records are exempt from disclosure by law. (3-28-19)

007. -- 009. (RESERVED)

010. DEFINITIONS.

For the purpose of these rules, unless the context indicates otherwise, the terms and phrases are used as defined herein: (3-28-19)

01. **Applicant.** An eligible applicant as defined in Section 22-2717, Idaho Code. (3-28-19)
02. **Application.** The loan request document that sets forth the information required by Section 22-2732, Idaho Code and Subsection 057.03 of these rules, including a conservation plan. (3-28-19)
03. **Commission.** The Idaho State Soil and Water Conservation Commission as defined in Section 22-2718, Idaho Code. (9-9-86)
04. **Conservation Plan.** A conservation plan as defined in Sections 22-2717 and 22-2732, Idaho Code that sets forth the information required by Paragraph 057.03.i. of these rules. (3-28-19)
05. **Contractee.** The applicant when the loan has been closed and recorded. (9-9-86)
06. **Coordinated Resource Planning Process.** A process that considers all the resources and resource users within a geographical area and encourages active involvement and input from all interested parties. (9-9-86)
07. **District.** A Conservation District, Soil Conservation District, or Soil and Water Conservation District as defined in Section 22-2717, Idaho Code. (3-28-19)
08. **Eligible Land.** Private, state, county, or federal lands within the state of Idaho. (3-28-19)
09. **Field Office.** The local United States Department of Agriculture Natural Resources Conservation Service (NRCS) office usually located with the principal headquarters of the local District. (3-28-19)
10. **Field Office Technical Guide.** The primary scientific reference for NRCS that contains technical information about the conservation of soil, water, air, and related plant and animal resources. Technical guides used in each field office are localized so that they apply specifically to the geographic area for which they are prepared. Copies of the field office technical guides may be obtained from a local District or field office. (3-28-19)
11. **Five (5) Year Plan.** The plan prepared by each District as defined in Section ~~025-010~~ of IDAPA 60.05.0204, “Rules for Allocation of Funds to Conservation Districts of the Antidegradation Plan for Agriculture for the Idaho Soil Conservation Commission and Soil Conservation Districts.” (3-28-19) ()
12. **Fund.** The RCRDP fund established pursuant to Section 22-2730, Idaho Code. (3-28-19)
13. **Other Funds.** Funds to be dedicated to conservation practice implementation costs which are not from the RCRDP fund or provided by the applicant. (3-28-19)
14. **Practice or Eligible Practice for Loans.** A practice listed in the field office technical guide or a special practice approved under Section 058 of these rules. (3-28-19)
15. **Practice Life.** The number of years, with proper maintenance and operation, that a practice is expected to last, as shown in the field office technical guide. (3-29-10)
16. **Program Year.** The state fiscal year as provided in Section 67-2201, Idaho Code. (3-28-19)
17. **Project.** One (1) or more practices to be installed with a RCRDP loan. (3-29-10)
18. **Rangeland.** Land used primarily for the grazing of domestic livestock and wildlife. (9-9-86)
19. **Riparian Areas.** Riparian areas are sites directly influenced by free water. They have visible

vegetation or physical characteristics that reflect free water influence. Lake shores and stream banks are typical riparian areas. Excluded are sites such as ephemeral streams or washes that do not exhibit the presence of vegetation dependent upon free water in the soil. (4-1-94)

20. Security. Collateral provided by an approved applicant to secure requested RCRDP funds. (3-28-19)

21. Special Practice. A practice (not listed in the field office technical guide) that includes a proven, modern technique that is necessary to solve a resource problem and meet program objectives. (3-28-19)

011. ABBREVIATIONS.

01. RCRDP. The Idaho Resource Conservation and Rangeland Development Program. (3-28-19)

02. NRCS. United States Department of Agriculture Natural Resources Conservation Service. (3-28-19)

012. PROGRAM POLICY.

01. Administration. It is the policy of the Idaho State Soil and Water Conservation Commission to administer the Resource Conservation and Rangeland Development Program to provide the greatest benefits to all concerned from the agricultural lands and rangelands within the state. (4-1-94)

02. Equal Opportunity. Each applicant regardless of handicap, race, age, sex, creed, color or national origin, must be given the opportunity to apply for a loan. (3-28-19)

03. Filing Applications. An application may be filed at anytime during the program year. (4-1-94)

04. Use of Loan Money in Conjunction with State or Federal Programs. Requests for state or federal cost-share assistance and for loan approval are handled by different governmental agencies and approval for one does not guarantee approval for the other. (3-28-19)

013. PROGRAM OBJECTIVES.

01. Objectives. The objectives of the Resource Conservation and Rangeland Development Program are to: (9-9-86)

a. Conserve soil resources. (9-9-86)

b. Conserve water resources. (9-9-86)

c. Improve riparian areas for multiple use benefits. (9-9-86)

d. Protect or improve existing beneficial uses of the state's waters. (9-9-86)

e. Conserve and improve fish and wildlife habitat. (9-9-86)

f. Increase agricultural productivity of: (9-9-86)

i. Cropland. (9-9-86)

ii. Orchards. (9-9-86)

iii. Pasture and Hayland. (9-9-86)

iv. Rangeland. (9-9-86)

- v. Woodland. (9-9-86)

02. Achieving Program Objectives. Decisions concerning the use of program funds must be based on achievement of program objectives. The administration of the program must emphasize coordinated resource management planning and decision-making to ensure maximum benefit of funds. Program objectives must be achieved when the conservation plan is implemented. (3-28-19)

014. -- 055. (RESERVED)

056. RESPONSIBILITIES.

- 01. District.** The local District must: (3-29-10)
 - a. Receive the conservation plan for program participation. (3-28-19)
 - b. Within sixty (60) days of receipt, review and evaluate the conservation plan to determine if the project is consistent with the District's program goals and objectives. (3-28-19)
 - c. Assign a priority of high, medium, or low to the project. (3-28-19)
 - d. Forward conservation plans to the Commission with a recommendation for funding. (3-28-19)
 - e. Prepare and forward to the Commission special practice requests. (9-9-86)
 - f. The local District may assign a priority to practices in the field office technical guide and have that priority ranking apply to all future projects seeking to implement the pre-ranked practices. The local District Board must consider pre-ranking practices at a scheduled Board meeting. The Board's decision including the name and identification number of the practice(s), the assigned ranking and the recommendation for funding must be reflected in the meeting minutes and be forwarded to the Commission. (3-28-19)
 - g. If the local District does not review and evaluate a conservation plan within sixty (60) days of receipt, the Commission may review and evaluate the conservation plan and assign a priority ranking for the project based on the District's five (5) year plan. (3-28-19)
- 02. Commission.** The Idaho State Soil and Water Conservation Commission must: (3-28-19)
 - a. Review and evaluate applications. (4-1-94)
 - b. Approve loans, if: (9-9-86)
 - i. The applicant has adequate assets for security to protect the state from risk of loss. (3-28-19)
 - ii. There is reasonable assurance that the borrower can repay the loan. (9-9-86)
 - iii. Money is available in the RCRDP fund. (3-28-19)
 - c. Disapprove loans for reasons including but not limited to: (4-1-94)
 - i. The purpose of the loan is to pay for conservation plan practices that have been implemented prior to Commission approval. (3-28-19)
 - ii. If all the requirements in Paragraph 056.02.b. of these rules are not met. (3-28-19)
 - d. Reconsider loan disapproval if the applicant, within fifteen (15) business days after notice of disapproval, requests the Commission, in writing, to reconsider its determination in any matter affecting the loan or

the amount of loan funds. Reconsideration of the determination must take place within ninety (90) business days from the date the written request is received. The time, place, and date must be determined by the Commission. The applicant must be notified of the time, place, and date and must have the right to appear. (3-28-19)

e. After loan approval, execute a promissory note and other security documents with the applicant for loan repayment. (3-28-19)

f. Not less than once per year, determine the loan interest rate not to exceed six percent (6%) annually. (9-9-86)

g. Prepare an annual report showing RCRDP accomplishments and benefits resulting from use of loan and grant funds. (4-1-94)

h. Administer and monitor loan proceeds to assure that the intent of the law is met. (9-9-86)

i. Approve or disapprove special practice requests. (9-9-86)

057. APPLICATION FOR LOAN.

01. How to Apply. Any applicant desiring a loan from the RCRDP fund must: (3-28-19)

a. Prepare and submit a conservation plan. The conservation plan must be presented by the applicant (or representative appointed by the applicant) to the local District Board at a scheduled meeting unless the project includes only practices that have been pre-ranked by the local District in accordance with Paragraph 56.01.f. of these rules. If the project includes only pre-ranked practices, the applicant must submit the conservation plan to the Commission. (3-28-19)

b. Prepare and submit a completed application. The application including all information required under Subsection 57.03 of these rules must be submitted to the Commission. (3-28-19)

02. Two or More Applicants. Two (2) or more applicants may install a practice(s) as a group providing the loan can be adequately collateralized and all parties agree to joint and several liability. (4-1-94)

03. Application Form. The application must be on a form prescribed by the Commission and must include: (3-28-19)

a. Name of applicant, and the location, size, and type of agricultural enterprise. (9-9-86)

b. Identification and extent of the resource problem (erosion, plant community deterioration, water loss, water quality, low production, etc.). (9-9-86)

c. Statement of applicant's objectives and expected benefits. (9-9-86)

d. Estimate of costs of implementing the project and of total loan funds needed. (3-28-19)

i. Applicant must be required to supply at least five percent (5%) of the total project costs through personal funds or in-kind services. (3-28-19)

ii. Total RCRDP loan funds combined with other funds cannot exceed ninety-five percent (95%) of total project costs. (3-29-10)

e. Applicant's statement of security offered. (4-1-94)

f. Applicant's statement of willingness to allow continued monitoring and evaluation of impacts resulting from applied land treatment and management practices. (9-9-86)

g. All documentation required under Subsection 101.03 of these rules and any other documentation requested by the Commission needed to determine whether there is reasonable assurance that the applicant can repay the loan. (3-28-19)

h. A copy of the applicant's conservation plan which becomes a part of the application for assistance. The conservation plan must include: (3-28-19)

i. A map showing project location and extent of the resource problem. (4-1-94)

ii. The eligible practices to be installed. (4-1-94)

iii. Estimated costs of applying the practices. (4-1-94)

iv. An implementation schedule. (4-1-94)

v. A statement whereby the applicant agrees to properly maintain and operate installed practices. (4-1-94)

vi. Needed clearances, easements and rights of way. (4-1-94)

vii. Any other appropriate documentation needed to complete the implementation of the conservation plan as requested by the local District or Commission. (3-28-19)

058. SPECIAL PRACTICE(S) APPROVAL FOR LOANS.

01. Special Practice Approval. A special practice must be approved by the Commission before it becomes an eligible practice. (9-9-86)

02. Special Practice Requests. Special practice requests may be prepared by the local District or the Commission and must include: (3-28-19)

a. A description of the proposed practice. (9-9-86)

b. A justification of need for the special practice. (9-9-86)

c. Standards and specifications for the proposed practice. (9-9-86)

d. A statement from the appropriate agency as to the technical adequacy of the special practice in solving the resource problem. (9-9-86)

059. -- 080. (RESERVED)

081. ENCOURAGING PUBLIC BENEFITS WHEN INSTALLING PRACTICES.

District Boards must encourage persons responsible for any aspect of performing practices to promote public benefit by improving or preserving environmental quality and ecological balance when the practices are being installed. Multiple objective achievement and total resource evaluation and treatment must receive high priority consideration for loan funds. When reviewing loan requests the following considerations must be made: (3-28-19)

01. Preventing Degradation. Preventing or abating pollution and other environmental degradation. (9-9-86)

02. Benefiting the Community. Benefiting the community by means such as outdoor recreational opportunities or enhancing the appearance of the area. (9-9-86)

03. Benefiting Habitat. Benefiting fish and wildlife habitat. (9-9-86)

082. -- 100. (RESERVED)

101. CREDIT GUIDELINES.

01. Standards for Acceptable Loans. There must be adequate assets and collateral for security to protect the state from risk of loss. (3-28-19)

02. Required Documentation. The Commission must obtain and the applicant must provide documentation sufficient to determine the applicant's ability and willingness to repay the loan. Such documentation may include: financial statements; balance sheets; profit and loss statements; driver's license; income tax returns; budgets; credit reports; estimates/quotes; deeds; leases; and other supporting documents as deemed necessary relative to the size, complexity, and financial responsibility of the individual or entity being financed. (3-28-19)

03. Duty to Inform. After submitting the application and before funds are dispersed, the applicant must inform and provide documentation to the Commission of any significant change of circumstance that may impact their financial standing or ability to repay the loan. (3-28-19)

04. Field Inspections. The Commission may require a field inspection in order to: (3-28-19)

a. Determine loan and security positions, provide repayment estimates and verify assets. (3-28-19)

b. Indicate the applicant's management ability. (4-1-94)

c. Secure a complete and accurate description of collateral for the security agreement. (4-1-94)

05. Additional Information Required for Loans Secured with Real Estate. Where real estate is offered as collateral the following information must be provided: (3-28-19)

a. A legal description of the offered collateral. (4-1-94)

b. Real estate appraisal, consisting of at least one (1) of the following: (3-28-19)

i. Copy of appraisal made by a licensed professional appraiser approved by the Commission. (3-28-19)

ii. Copy of the most recent property tax assessment. (3-28-19)

iii. Evaluation made by Commission or the local District according to its knowledge of the estimated average value of the property in the area in which the project is to be implemented. (3-28-19)

c. A map designating the location of the real estate. (3-28-19)

06. Other Collateral. Any item having tangible value may be accepted as security for these loans. Condition of the collateral must be updated periodically and additions to the security agreement may be required over time. (3-28-19)

102. LOAN CLOSURE AND ADMINISTRATION.

01. Servicing and Documentation. All loans must be assigned to a loan officer (Commission employee) who must be responsible for servicing the loan. (3-28-19)

02. Loan Securing Documents. Following approval of the application, the Commission, must prepare all necessary loan securing documents. (3-28-19)

03. Loan Note and Security Agreement. The loan must be secured by utilizing a promissory note and security document listing the parties and the collateral, as well as terms and conditions of the loan. A mortgage or

deed of trust must be executed and recorded with the county recorder where the collateral is located if the collateral is real property. A security agreement and any other necessary documents must be executed if the collateral is not real property. Appropriate financing statements must be executed and filed with the Secretary of State on all collateral consisting of personal property. (3-28-19)

04. Fund Obligation. Funds must be obligated when all loan conditions established by the Commission have been met and when all necessary loan securing documents are in order and appropriately signed by the applicant. Funds will then be obligated. Upon notification of fund obligation, the applicant who is now the contractee, may complete implementation of the project. (3-28-19)

05. Cost Incurred. The applicant is required to cover all costs incurred for loan closure, title insurance, and recording fees. (9-9-86)

103. IMPLEMENTATION OF AGREED TO PRACTICES.

The contractee may, at their own risk, begin installing practices but must not complete the project until the loan has been approved and the conditions of approval have been met. The contractee must install practices as identified and scheduled in the conservation plan. Should the contractee choose to begin installing practices prior to the conditions of approval being met, the Commission may require additional title insurance to protect against intervening materialman's liens. Once the loan has been approved and the conditions of approval have been met, the contractee may install practices as identified and scheduled in the resource conservation plan. The contractee has the responsibility to obtain the appropriate technical assistance. Technical personnel shall assist the contractee in implementation activities to ensure that practices are properly designed, constructed, and managed. The contractee may install practices or subcontract work out to a subcontractor. Whatever method is used, the contractee shall be responsible to ensure that the quality of materials and workmanship in the installation of practices meets the approved standards and specifications for each practice. (4-1-94)()

01. Practice Completion. Upon completion of the scheduled practice the applicant/contractee must notify the provider of technical assistance. The provider of technical assistance must inspect and document the amount and extent of the installed practice and certify its completion if it meets the quality standards and construction specifications of the practice and notify the applicant/contractee. If the practice does not meet practice standards and specifications the applicant/contractee must be notified by the provider of technical assistance, in writing, of the deficiencies and what needs to be done so the practice meets standards and specifications. (3-28-19)

02. Submitting Vouchers and Bills. (3-29-10)

a. The provider of technical assistance must provide a written certification of completion of the project to the Commission. The applicant/contractee must submit invoices, vouchers and bills for the project to the Commission. (3-28-19)

b. Up to ninety-five percent (95%) of loan funds can be disbursed toward submitted bills during the loan installment period. The remaining loan funds will be disbursed upon receipt of written certification of project completion from the provider of technical assistance. (3-29-10)

03. Warrant Requests. The Commission staff must prepare warrant request(s). The warrant(s) are paid to the order of the contractee(s) and the vendor, and are mailed to the contractee. (3-28-19)

04. Drawing Loan Funds. The applicant/contractee must implement the practices as scheduled and the contractee may draw loan funds in multiple disbursements during installation of the project. (3-28-19)

104. -- 125. (RESERVED)

126. REPAYMENT OF LOAN.

01. Repayment of the Loan. Repayment of the loan, together with interest, must commence no later than two (2) full years from the date the note is signed. (3-28-19)

02. Repayment Schedule. The repayment schedule must be identified in the loan documents with a fifteen (15) year maximum loan period. One (1) month before payment is due, the commission will mail the contractee a notice of payment due. (3-28-19)

03. First Payment. The first payment must be due as required on the signed loan documents as prepared by the Commission. Any additional interest incurred during the installment period of the loan will be added to the first payment notice. (3-28-19)

127. FORECLOSURE.

In the event of a contractee not adhering to the payment terms and conditions of the mortgage, promissory note, or security agreement, the Commission may seek foreclosure according to the laws of the state of Idaho. (3-28-19)

128. -- 150. (RESERVED)

151. LOAN POLICIES.

01. Maximum Amount of Any One Loan. The maximum amount of any one (1) loan ~~shall~~ must be ~~two-six~~ hundred thousand dollars (\$~~62~~00,000). (3-29-10)()

152. -- 999. (RESERVED)

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**SOIL & WATER
CONSERVATION
COMMISSION**

H. Norman Wright
Chairman

Cathy Roemer
Vice Chairman

Erik Olson
Secretary

Gerald Trebesch
Commissioner

Vacant
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS
ROEMER, OLSON, AND TREBESCH**
FROM: TERI MURRISON, ADMINISTRATOR
DATE: JULY 17, 2019
RE: PROPOSED FY 2021 BUDGET REQUEST

The Commission's FY 2021 Budget Request must be approved by the Board and submitted to the Division of Financial Management (DFM) and the Legislative Services Office (LSO) by September 1, 2019, along with the Performance Measures Report. The details below are provided for your consideration in approving the draft budget request (*amounts may not total due to rounding*):

FROM	FTPs	PERSONNEL	OPERATING	CAPITAL	TRUSTEE & BENEFIT	TOTAL
General Fund: Administration & Board	15.52	1,261,800	224,900	26,600	3,753,200	5,266,500
Dedicated Fund: RCRDP Administration	2.23	172,900	161,400			334,300
Dedicated Fund: Professional			30,000			30,000
Dedicated Fund: Revolving Fund			30,000			30,000
Temporary positions (NRCS CTAs, NFWF)	4.00	379,200				379,200
TOTAL	21.75	1,813,900	446,300	26,600	3,753,200	6,040,000

I will cover the specifics contained in the Draft Budget Request Synopsis (attached). Highlights include:

- **PERSONNEL** – Request additional \$13k ongoing increase for FSS Personnel hours from 1,570 hours to 2,080 hours.

- TRUSTEE AND BENEFITS – Request \$2.5M in general fund Trustee and Benefit as a placeholder until we receive IASCD's letter pertaining to their legislative ask.
- TRUSTEE AND BENEFITS – Request an additional \$100k in federal fund Trustee and Benefit in case we receive NFWF phase 2 funding.
- Water Center Lease Cost Increase: As provided for in our lease with the Department of Water Resources, the rate increases annually for the life of the lease. The FY 2019 Budget requests an additional \$609.24 to cover the anticipated rate increase. SWC also needs to allocate the cost of rents more accurately between general funds and the RCRDP Program. As the size of our Boise Office staff has increased, it is more accurate to allocate approximately 20% of the lease cost to RCRDP instead of 50%.

RECOMMENDED ACTION: For information only.

Attachments:

- FY 2021 Draft Budget Request Synopsis

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FY 2020 Appropriation	FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee / Benefit	Total
General Fund - Administration & Board	15.37	1,248,800.00	224,900.00	26,600.00	1,253,200.00	2,753,500.00
Dedicated Fund - Federal Grants	4.25	279,200.00	11,100.00	-	-	290,300.00
Dedicated Fund - RCRDP Administration	2.13	172,900.00	160,400.00	-	-	333,300.00
Dedicated Fund - Professional Services	-	-	30,000.00	-	-	30,000.00
Dedicated Fund - Revolving Loan	-	-	30,000.00	-	-	30,000.00
Total	21.75	1,700,900.00	456,400.00	26,600.00	1,253,200.00	3,437,100.00

FY 2021 Request	FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee / Benefit	Total
General Fund - Administration & Board	15.52	1,261,800.00	224,900.00	26,600.00	3,753,200.00	5,266,500.00
Dedicated Fund - Federal Grants	4.00	379,200.00	-	-	-	379,200.00
Dedicated Fund - RCRDP Administration	2.23	172,900.00	161,400.00	-	-	334,300.00
Dedicated Fund - Professional Services	-	-	30,000.00	-	-	30,000.00
Dedicated Fund - Revolving Loan	-	-	30,000.00	-	-	30,000.00
Total	21.75	1,813,900.00	446,300.00	26,600.00	3,753,200.00	6,040,000.00

FSS_G-Fund Personnel ~ ^ \$13,000

13,000.00

FSS Personnel Cost for FY19

1,572 Hours

\$67,864.97

FSS Personnel Cost FY21 Estimate

2080 Hours

~\$22.00/Hour

~\$80,000.00

~\$13,000 increase for FSS Personnel

IASCD Legislative Ask_G-Fund T&B = \$2,500,000

2,500,000.00

NFWF_2 yrs of Personnel_F-Fund = \$200,000

100,000.00

Decrease of \$100,000 due to end of CTA

Increases of \$200,000 for new NFWF funding

Net increase of \$100,000 of FY21 request



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Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER, TREBESCH,
AND OLSON**
FROM: CORRINE DALZELL, RULES REVIEW OFFICER
DATE: JULY 17, 2019
RE: OMNIBUS RULEMAKING PROCESS UPDATE

Governor Little's Red Tape Reduction Act, Executive Order No. 2019-02, was issued on January 21, 2019, directing state agencies to eliminate excessive and burdensome regulations. All state agencies were required to appoint a Rules Review Officer to undertake an extensive, comprehensive review of existing rules to "identify costly, ineffective, or outdated regulations" for elimination. In the meantime, as you may be aware, the 2019 Legislature adjourned without passing its annual extension of existing state agency rules.

The Commission requested that the District Allocation Rules (60.05.04) and RCRDP Rules (60.05.01) be reauthorized, with minor adjustments, as Temporary and Proposed rules on June 30th, 2019. The changes to the District Allocation Rules incorporated suggestions by DFM to add a definition of Five-Year Plan to allow for the expiration of the Antidegradation Rules and to update the Commission's address. The suggested changes to the RCRDP Rules update the definition of Five-Year Plan to refer to the District Allocation Rules rather than the Antidegradation Rules.

Recent communications came from the Legislative Services Office (LSO) in the form of two memorandums that "submits notice of temporary and proposed rules that reauthorize and re-publish" our two rules, as noted above, to the Rules Review Subcommittees of both the Senate and House Agricultural Affairs Committees. Copies of the memorandums are attached for your reference.

On July 11, 2019, we received e-mail instructions regarding the process to finalize pending rules for the reauthorization process. We have scheduled to have omnibus rules submittals approved by the Board at our August 29, 2019 meeting.

RECOMMENDED ACTION: None. For information only.

ATTACHMENTS:

- LSO Memorandum regarding Docket No. 60-0000-1900
- LSO Memorandum regarding Docket No. 60-0000-1900F

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Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Agricultural Affairs Committee and the House Agricultural Affairs Committee

FROM: Deputy Division Manager - Katharine Gerrity

DATE: July 1, 2019

SUBJECT: Idaho Soil and Water Conservation Commission

IDAPA 60.00.00 - Notice of Omnibus Rulemaking - Temporary and Proposed Rulemaking (Docket No. 60-0000-1900) - Idaho Soil and Water Conservation Commission

The Idaho Soil and Water Conservation Commission submits notice of temporary and proposed rules that reauthorize and re-publish the following previously approved chapters at IDAPA 60.05.04 - Rules For Allocation of Funds to Conservation Districts.

These rules were previously analyzed and reviewed by the Legislative Services Office upon their initial promulgation. **Changes from the previously approved rules include the following: The rulemaking adds a definition and requirements for Five Year Plans, previously set forth in IDAPA 60.05.02, and updates the address of the commission as set forth in Section 006 of the rules.** No other changes from existing rules have been noted. Rulemaking appears to be authorized pursuant to Section 22-2718, Idaho Code.

cc: Idaho Soil and Water Conservation Commission
Corrine Dalzell

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Agricultural Affairs Committee and the House Agricultural Affairs Committee

FROM: Deputy Division Manager - Katharine Gerrity

DATE: July 2, 2019

SUBJECT: Idaho Soil and Water Conservation Commission

IDAPA 60.00.00 - Notice of Omnibus Rulemaking - Temporary and Proposed Fee Rulemaking (Docket No. 60-0000-1900F)

The Idaho Soil and Water Conservation Commission submits notice of temporary and proposed rules that reauthorize and re-publish the following previously approved chapter at IDAPA 60.05.01 - Rules for Administration of the Idaho Resource Conservation and Rangeland Development Program.

These rules were previously analyzed and reviewed by the Legislative Services Office upon their initial promulgation. There are minor nonsubstantive changes in the rulemaking. No other changes from the existing rules have been noted.

This is a fee rule. According to the commission, this rulemaking does not impose a fee or charge, or increase a fee or charge, beyond what was previously approved and codified in the prior rules.

Rulemaking appears to be authorized pursuant to Section 22-2718, Idaho Code.

cc: Idaho Soil and Water Conservation Commission
Corrine Dalzell

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

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**SOIL & WATER
CONSERVATION
COMMISSION**

H. Norman Wright
Chairman

Cathy Roemer
Vice Chairman

Gerald Trebesch
Commissioner

Erik Olson
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER,
TREBESCH, AND OLSON**
FROM: DELWYNE TREFZ, DISTRICT SUPPORT SERVICES
DATE: JULY 11, 2019
**RE: DISTRICT SUPPORT SERVICES FY2020 TRUSTEE AND BENEFIT FUNDS
DISTRIBUTION UPDATE**

District Funds Allocations

- \$575,000 of Trustee and Benefit funds will be disbursed to districts by the end of July (see attached 'FY 2020 District Allocations – July 2019 Report' for details). At present (July 11th), invoices have been submitted and the payments are in process.
 - Base Allocation (\$8,500/district)
 - Operations Allocation (\$2,000/district)
 - Capacity Building Allocation (\$800-\$2,466.67/district)
- \$678,200 Trustee and Benefit funds remain to be disbursed as District Match Allocations

District Match Allocations

- District Financial & Match reports are due no later than August 16th.
- Staff are reviewing and organizing reports as they are received in preparation for the District Allocations Work Group (DAWG) meeting.
- In September or October, staff will convene a meeting during which the DAWG will review District reports and make a recommendation regarding the value of local funds and services that are eligible for state match funds. This meeting will be scheduled for as early a date as possible dependent upon the time required for staff to collect and organize District reports that comply with this year's new reporting requirements.
- Commission will consider DAWG-recommended match allocations during the regularly scheduled September meeting or during a special meeting in October.
- Match allocations will be distributed to Districts before the end of November.

RECOMMENDED ACTION: For information only.

Attachments:

- FY 2020 District Allocations – July 2019 Report

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FY 2020 District Allocations -- July, 2019 Report

District	Base Allocation	Operations Allocation	Capacity Building Funds			Total FY2020 Allocations for July, 2019 Distribution
			Standard Cap Bldg Allocation	Regional Programs Cap Bldg Allocation	Total Cap Bldg Allocation	
Ada	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Adams	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.66	\$ 2,466.66	\$ 12,966.66
Balanced Rock	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Bear Lake	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Benewah	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Blaine	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Bonner	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
Boundary	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Bruneau River	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Butte	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Camas	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Canyon	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Caribou	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
Central Bingham	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Clark	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Clearwater	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Custer	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
East Cassia	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
East Side	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
Elmore	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Franklin	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Gem	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Gooding	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Idaho	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.66	\$ 2,466.66	\$ 12,966.66
Jefferson	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Kootenai - Shoshone	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Latah	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Lemhi	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Lewis	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Madison	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Minidoka	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Nez Perce	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
North Bingham	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
North Side	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Oneida	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Owyhee	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Payette	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Portneuf	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Power	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Snake River	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
South Bingham	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Squaw Creek	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Teton	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Twin Falls	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Valley	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Weiser River	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
West Cassia	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
West Side	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Wood River	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Yellowstone	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Total	\$ 425,000.00	\$ 100,000.00	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 575,000.00

FY2020 District Allocations -- July, 2019 Report (Cont.)

Regional or state-wide prgrams which were awarded capacity building funds for FY2020

DIVISION	DISTRICT	PROGRAM	CAPACITY BLDG FUNDS
1	Bonner	State Forestry Contest	\$1,666.67
2	Idaho	Grazing Conf & Soil Health	\$1,666.66
3	Adams	Rangeland Skillathon & Ag	\$1,666.66
4	West Cassia	State Land & Soil Evaluation	\$1,666.67
5	Caribou	Idaho Envirothon	\$1,666.67
6	East Side	Idaho Envirothon	\$1,666.67
TOTAL:			\$10,000.00

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**SOIL & WATER
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Vice Chairman

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Commissioner

Vacant
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS TREBESCH,
ROEMER AND OLSON**
FROM: TERRY HOEBELHEINRICH, LOAN OFFICER & PROGRAM MANAGER
DATE: July 17, 2019
**RE: RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT
PROGRAM UPDATE**

Activities

Since February 11, the following activities have been conducted by staff:

Marketing (completed)	<ul style="list-style-type: none"> • Soil Health Symposium, Ontario • Idaho Hay & Forage Association, Burley • Soil Health Workshop, Idaho Falls
Education	<ul style="list-style-type: none"> • Rule Officer Training • A Soil Health Workshop with Dr. Christine Jones, Bioferments, Biostimulants, & Biofertilizers, C. of Idaho
Loan Inquiries & Applications	<ul style="list-style-type: none"> • 15 loan inquiries have been received since the last update dated February 11 (43 for FY19) • 6 new loan application received (19 for FY19)
Loans Approved	<ul style="list-style-type: none"> • 7 loans approved for FY 2019 (\$391,374) • \$35,610 yet to be disbursed • 9 loans denied for FY20 • 0 Loan Applications Pending
Loan Portfolio	<ul style="list-style-type: none"> • 70 loans, \$2,828,871 (7-17-19) • No Delinquencies
Administrative Rule	<ul style="list-style-type: none"> • To be discussed by the Rule Review Officer

RCRDP Marketing Plan for FY 2020

Outreach to Partners Districts and NRCS	<ul style="list-style-type: none"> • \$3,000 Budget • District Meetings • Division Meetings (6) • IASCD Annual Conference (1) • SCD newsletters • RCRDP brochures in NRCS offices
Print Media	<ul style="list-style-type: none"> • \$7,000 budget • Distribute brochure (NRCS, Districts, Trade Shows, Commodity Groups) • Farm Bureau(monthly) • Intermountain Farm & Ranch (weekly)

Electronic Media	<ul style="list-style-type: none">• SWCC Website, Newsletters, Facebook, Twitter• \$1,000 video clips budget
Conferences & Trade Shows	<ul style="list-style-type: none">• \$9,000 Budget• 9 Shows including:<ul style="list-style-type: none">○ 3 Rivers Grazing Conference (Lewiston)○ Treasure Valley Irrigation Conference (Nampa)○ Idaho Irrigation Equipment Show & Conference (Burley)○ Soil Health Symposium (Ontario)○ Soil Health Workshop (Burley, Idaho Falls, Ferdinand)○ Hay & Forage Conference (Twin Falls)○ Idaho Family Forest Landowners & Mgrs. Conference (Moscow)○ UI Ag Extension (tbd)
Interest Rates	<ul style="list-style-type: none">• 2.75%; up to 7 Years• 3.00%; 8 to 10 Years• 3.25%; 11 To 12 Years• 3.5%; 13 to 15 Years

ACTION: For information only

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