



IDAHO SOIL & WATER CONSERVATION COMMISSION

REGULAR MEETING NOTICE & AGENDA

Idaho Soil & Water Conservation Commission

August 29, 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.	Minutes 1. July 25, 2019 Regular Commission Meeting ACTION: Approve	Chairman Wright
*#	b.	Financial Reports 1. FY 2020 Monthly Report, July 31, 2019. 2. FY 2020 YTD Financial Summary through July 31, 2019. ACTION: Approve	Young
*#	c.	FY 2021 Budget Request Synopsis ACTION: Approve the FY 2021 Budget Request	Young, Beals

(*) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission consideration

Thursday, August 29, 2019 Meeting Agenda

Date of Notice: August 22, 2019

*#	d.	Omnibus Rulemaking <ul style="list-style-type: none"> Combine dockets 60-0000-1900F RCRDP and 60-0000-1900 District Allocations Submit rule to DFM by October 16, 2019 <ul style="list-style-type: none"> Notice of Omnibus Rulemaking – Adoption of Pending Rule Docket 60-0000-1900F, and Cover Sheet Notice of Vacation of Proposed Rule Docket 60-0000-1900 ACTIONS: <ol style="list-style-type: none"> Approve the pending rule for docket 60-0000-1900F as presented Approve vacation of proposed rule docket 60-0000-1900 Authorize staff to make additional adjustments to submittal forms as needed 	Dalzell
*#	e.	FY 2019 Performance Measures Report ACTION: Approve the FY 2019 Performance Measures Report	Dalzell
	5.	PROGRAMS	
*#	a.	Resource Conservation and Rangeland Development Program (RCRDP) Rulemaking Process Update <ul style="list-style-type: none"> Review DFM changes to proposed rule. Review Proposed Rule Bulletin Notice for Docket No. 60-0801-1901 ACTIONS: <ol style="list-style-type: none"> Approve DFM's suggested changes to the proposed RCRDP Rule to be published in the Administrative Bulletin Approve Proposed Rule Bulletin Notice for Docket No. 60-0801-1901 	Dalzell/ Hoebelheinrich
*	b.	RCRDP: Annual Review & Setting of RCRDP Program Interest Rates ACTION: Approve interest rates and loan terms for FY 2020	Hoebelheinrich
NON-ACTION ITEMS			
	6.	PROGRAMS	
	a.	District Match Fund Allocation Update <ul style="list-style-type: none"> Update on District Match Allocation reports and District Allocation Workgroup (DAWG) review meeting ACTION: None, for information only	Minicucci
#	b.	District Support Services Report <ul style="list-style-type: none"> Disbursement of Trustee and Benefit funds FY 2019 District Survey Results ACTION: None, for information only	Trefz
#	c.	Total Maximum Daily Load (TMDL) Annual Report <ul style="list-style-type: none"> TMDL Implementation Plan 5 – Year Review Update ACTION: None, for information only	Trefz
POSSIBLE ACTION ITEMS			
	7.	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> ACTION: Move to enter Executive Session pursuant to Idaho Code §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

(*) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission consideration

Thursday, August 29, 2019 Meeting Agenda
Date of Notice: August 22, 2019

	a.	PENDING LITIGATION The Commission will discuss pending or imminent litigation with legal counsel. ACTION: For information and possible action outside Executive Session.	Chapple Knowlton
	8.	REPORTS ACTION: None, for information only	Commissioners, Staff
ADJOURN The next Regular Commission Meeting will be on September 26, 2019, at 10:00a.m. MT in Boise, Idaho.			Chairman Wright

(*) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission consideration

Thursday, August 29, 2019 Meeting Agenda
Date of Notice: August 22, 2019



Idaho Soil & Water Conservation Commission

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

Item #4a

IDAHO SOIL & WATER CONSERVATION COMMISSION PUBLIC MEETING & TELECONFERENCE

Date and Time:

Thursday, July 25, 2019
10:02 AM – 3:12 PM MT

Location:

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

MINUTES

COMMISSION MEMBERS PRESENT:

Norman Wright (Chair)	Cathy Roemer (Vice-Chair)
Erik Olson (Secretary) (teleconference)	Jerry Trebesch

COMMISSION STAFF PRESENT:

Teri Murrison	Crystal Rosen
Corrine Dalzell	Delwyne Trefz
Maria Minicucci	Jill Young
Terry Hoebelheinrich	

PARTNERS AND GUESTS PRESENT:

Mike Sommerville, IASCD	Benjamin Kelly, IASCD
Janelle White, DHR	Jade Rodgers, DHR
David Hahn, DFM	Mary Goode, NRCS (teleconference)
Nate Fisher, Governor's Office	
Shantel Chapple Knowlton, Office of the Attorney General	

ITEM #1: WELCOME AND ROLL CALL

Chairman Wright called the meeting to order at 10:02 a.m.

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

ITEM #2: PARTNER REPORTS

Action: None taken

ITEM #3a: AGENDA REVIEW

Action: None taken.

ITEM #4a: ADMINISTRATOR'S REPORT

Action: Commissioner Roemer made a motion to *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.* Commissioner Trebesch seconded the motion. Motion carried by unanimous vote.

ITEM #4b: MINUTES

Action: Commissioner Roemer made a motion to *approve the June 7, 2019 minutes as submitted.* Commissioner Trebesch seconded the motion. Motion carried by unanimous vote.

Action: Commissioner Roemer made a motion to *approve the June 8, 2019 minutes as submitted.* Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ITEM #4c: FINANCIAL REPORTS

Action: Commissioner Olson made a motion to *approve the Financial Reports for the month ended on June 30, 2019.* Commissioner Trebesch seconded the motion. Motion carried by unanimous vote.

**ITEM #5a: RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM
NEGOTIATED RULEMAKING UPDATE**

Action: Commissioner Roemer made a motion to *approve proposed RCRDP Rules to be submitted to the Division of Financial Management by the August 16, 2019 deadline.* Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ITEM #6a: PROPOSED FY2021 BUDGET REQUEST

Action: None taken.

Meeting recessed at 12:25 PM.

Meeting reconvened at 12:50 PM.

ITEM #6b: OMNIBUS RULEMAKING PROCESS UPDATE

Action: None taken.

**ITEM #7a: DISTRICT SUPPORT SERVICES FY 2020 TRUSTEE AND BENEFIT FUNDS
DISTRIBUTION UPDATE**

Action: None taken.

ITEM #7b: RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM UPDATE

Action: None taken.

ITEM #8: EXECUTIVE SESSION

Action: Commissioner Roemer made a motion to *enter Executive Session pursuant to Idaho Code § 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.* Commissioner Trebesch seconded the motion. Motion carried by unanimous roll call vote.

Executive Session commenced at 1:40 PM

Executive Session ended at 3:05 PM

Commission reconvened in Open Session at 3:07 PM

ITEM #8a: RESOURCE CONSERVATION & RANGELAND DEVELOPMENT PROGRAM

Action: Commissioner Roemer made a motion to *concur with the loan officer's decision to deny the loan application X 4-19-2019.* Commissioner Trebesch seconded the motion. Motion carried by unanimous vote.

ITEM #8: PENDING LITIGATION

Action: Commissioner Roemer made a motion to *act on the recommendation of the Attorney General's Office and pursue civil lawsuit to collect match funds distributed to Franklin SWCD based on misrepresented local match claims.* Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ITEM #9: OTHER REPORTS

Action: None taken

ADJOURN

The meeting was adjourned at 3:12 PM. The next Commission Meeting will be held in Boise on August 29, 2019.

Respectfully submitted,

Erik Olson, Secretary

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IDAHO SOIL & WATER CONSERVATION COMMISSION

ITEM #4b

TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER, OLSON, AND TREBESCH
FROM: JILL YOUNG, FINANCIAL SPECIALIST SENIOR
DATE: AUGUST 21, 2019
RE: FINANCIAL REPORTS, FISCAL MATTERS

FINANCIAL REPORTS

The Financial Detail Report and Financial Summary Report for the month ending July 31, 2019 will be available at the August 29, 2019 meeting.

COMMISSIONER HONORARIUMS AND TRAVEL

Below is a schedule of the honorarium balances as of July 31, 2019. So far, this fiscal year, we have spent approximately 11% of the \$5,442 Honorarium Budget. Approximately 4% of the \$11,280 Operating Travel Budget has been spent. For FY 2020, the Honorarium Budget is set at \$5,500 and the Operating Travel Budget is set at \$15,780.

Commissioner	Days Budgeted/ Traveled to Date	Benefit Costs included in Honorariums	Honorariums Budgeted	Expended to Date	Projected Balance/ (Overage)
Wright	30 / 3	\$132	\$1,632	\$422	\$1,210
Roemer	20 / 1	\$88	\$1,088	\$54	\$1,034
Trebesch	10 / 1	\$44	\$544	\$54	\$490
Vacant	20 / 0	\$88	\$1,088	\$0	\$1,088
Olson	20 / 1	\$88	\$1,088	\$54	\$1,034
Totals		\$442	\$5,442	\$583	\$4,858

Commissioner	FY 2019 Travel & Per Diem Costs	FY 2020 Budget Travel & Per Diem Costs	YTD from 7111	YTD from 7351	Expended to Date	Avg. Cost per Day	Remaining	# of Days Remaining
Wright	\$5,887	\$4,734	337	143	\$480	\$34.29	\$4,254	27
Roemer	\$2,900	\$3,156	84	56	\$140	\$11.67	\$3,016	19
Trebesch	\$75	\$1,578	22	15	\$37	\$5.29	\$1,541	9
Vacant	\$1,727	\$3,156			\$0	\$0.00	\$3,156	20
Olson	\$2,032	\$3,156			\$0	\$0.00	\$3,156	19
Totals	\$12,621	\$15,780	443	214	\$657		\$15,123	

RECOMMENDED ACTION: Approve July 31, 2018 Monthly Reports.

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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: JILL YOUNG, FINANCIAL SPECIALIST SENIOR
DATE: AUGUST 21, 2019
RE: 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 August 30, 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	15.37	1,296,300	225,200		1,253,200	2,774,700
Dedicated Fund: RCRDP Administration	2.13	179,200	159,500			338,700
Dedicated Fund: Professional			30,000			30,000
Dedicated Fund: Revolving Fund			30,000			30,000
Temporary positions (NRCS CTAs, NFWF)	3.25	199,000	10,900			209,900
TOTAL	20.75	1,674,500	455,600		1,253,200	3,383,300

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

- 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 2021 Budget requests an additional \$609.24 to cover the anticipated rate increase.

RECOMMENDED ACTION: Approve FY 2021 Budget Request, granting authority to Administrator to make minor adjustments to request amounts, if necessary.

ATTACHMENTS:

- FY 2021 Draft Budget Request Synopsis

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Soil and Water Conservation Commission

FY 2021 Budget (Preliminary)

Wednesday, August 21, 2019

	FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee / Benefit	Total
FY 2020 Appropriation						
General Fund - Administration & Board	15.37	1,248,800	224,900	26,600	1,253,200	2,753,500
Dedicated Fund - Federal Grants	4.25	279,200	11,100	-	-	290,300
Dedicated Fund - RCRDP Administration	2.13	172,900	160,400	-	-	333,300
Dedicated Fund - Professional Services	-	-	30,000	-	-	30,000
Dedicated Fund - Revolving Loan	-	-	30,000	-	-	30,000
Total	21.75	1,700,900	456,400	26,600	1,253,200	3,437,100
Program Maintenance Adjustments						
DU 8.41 - Removal of One-Time Expenditures						
General Fund - Field, Programs, CREP	-	-	-	(26,600)	-	(26,600)
Dedicated Fund - Federal Grants	-	-	(200)	-	-	(200)
Dedicated Fund - RCRDP Administration	-	-	(1,200)	-	-	(1,200)
DU 8.51 - Base Reduction						
Dedicated Fund - Federal Grants	(1)	(89,100)	-	-	-	(89,100)
DU 10.11 - Health Insurance						
General Fund - Administration & Board	-	34,700	-	-	-	34,700
Dedicated Fund - Federal Grants	-	6,600	-	-	-	6,600
Dedicated Fund - RCRDP Administration	-	4,500	-	-	-	4,500
DU 10.12 - Variable Benefit Costs						
General Fund - Administration & Board	-	2,100	-	-	-	2,100
Dedicated Fund - Federal Grants	-	-	-	-	-	-
Dedicated Fund - RCRDP Administration	-	300	-	-	-	300
DU 10.23 - Contract Inflation						
General Fund - Administration & Board	-	-	300	-	-	300
Dedicated Fund - Federal Grants	-	-	-	-	-	-
Dedicated Fund - RCRDP Administration	-	-	300	-	-	300
DU 10.31 - Repair, Replacement Items						
General Fund - Administration & Board	-	-	-	-	-	-
Dedicated Fund - RCRDP Administration	-	-	-	-	-	-
DU 10.61 - CEC Regular Employees						
General Fund - Administration & Board	-	10,700	-	-	-	10,700
Dedicated Fund - Federal Grants	-	2,300	-	-	-	2,300
Dedicated Fund - RCRDP Administration	-	1,500	-	-	-	1,500
FY 2021 Request:						
General Fund - Administration & Board	15.37	1,296,300	225,200	-	1,253,200	2,774,700
Dedicated Fund - Federal Grants	3.25	199,000	10,900	-	-	209,900
Dedicated Fund - RCRDP Administration	2.13	179,200	159,500	-	-	338,700
Dedicated Fund - Professional Services	-	-	30,000	-	-	30,000
Dedicated Fund - Revolving Loan	-	-	30,000	-	-	30,000
	<u>20.75</u>	<u>1,674,500</u>	<u>455,600</u>	<u>-</u>	<u>1,253,200</u>	<u>3,383,300</u>
Change from FY 2020	<u>-1.00</u>	<u>(26,400)</u>	<u>(800)</u>	<u>(26,600)</u>	<u>0</u>	<u>(53,800)</u>
Percentage Change from FY 2020	<u>-0.045977</u>	<u>-1.55%</u>	<u>-0.18%</u>	<u>-100.00%</u>	<u>0.00%</u>	<u>-1.57%</u>
General Fund Increase from FY 2020						<u>21,200</u>
General Fund Percentage Change from FY 2020						<u>0.77%</u>



**SOIL & WATER
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Gerald Trebesch
Commissioner

Vacant
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER, TREBESCH,
AND OLSON**
FROM: CORRINE DALZELL, RULES REVIEW OFFICER
DATE: AUGUST 8, 2019
RE: OMNIBUS RULEMAKING PROCESS UPDATE

In May of this year, the Commission requested that the RCRDP Rules 60.05.01 (Docket No. 60-0000-1900F) and District Allocation Rules 60.05.04 (Docket No. 60-0000-1900) be reauthorized, with minor adjustments, as Temporary and Proposed rules on June 30th, 2019. The Notice of Temporary and Proposed Rules were published in the June 19 Special Administrative Bulletin. No comments were received on the temporary or proposed rules.

On July 19 and 22, we received notification from the Legislative Services Office that there will be no meetings held by the Senate and House Subcommittees for review of Dockets 60-0000-1900 and 60-0000-1900F, respectively. Copies of notices are attached for your reference.

The Commission needs to approve the rules as pending rules to be published in the Administrative Bulletin and to be reviewed by the Legislature in the upcoming legislative session. On August 1, 2019, Teri and I met with Alex Adams and Colby Cameron of DFM to discuss changes to the proposed rules that would result in the consolidation of 60.05.01 – RCRDP and 60.05.04 – District Allocations into one chapter of rules. The purpose of these changes is to further simplify our rules to comply with the Governor's Red Tape Reduction Act. The suggested changes do not make any substantive changes to the RCRDP or District Allocation Rules. The suggested changes have been reviewed by staff and our deputy attorney general and are attached to this memo for your review.

As a result of the consolidation, the Commission would have one chapter of rules under 60.05.01 that would be published in the Administrative Bulletin under Docket No. 60-0000-1900F. Because both rules would now proceed under Docket No. 60-0000-1900F, it would be necessary for the Commission to vacate the proposed rule Docket No. 60-0000-1900.

If approved by the Commission, the pending rule for Docket No. 60-0000-1900F consolidating the RCRDP and District Allocation Rules, will need to be submitted to DFM along with the required forms by October 16, 2019.

RECOMMENDED ACTIONS:

1. Approve the pending rule for Docket No. 60-0000-1900F as presented
2. Approve vacation of proposed rule Docket No. 60-0000-1900
3. Authorize staff to make additional adjustments to submittal forms as needed

ATTACHMENTS:

- 07/19/2019 LSO Memorandum regarding Docket No. 60-0000-1900
- 07/22/2019 LSO Memorandum regarding Docket No. 60-0000-1900F
- Red-line copy of Rules 60.05.01 and 60.05.04 consolidation
- Notice of Vacation of Proposed Rule 60.05.04
- Bulletin Notice of Omnibus Rulemaking for 60.05.01

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Eric Milstead
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

July 19, 2019

Corrine Dalzell
Rules Review Officer
Idaho Soil and Water Conservation Commission
650 West State St., Room 145
Boise, ID 83702

Dear Corrine Dalzell:

The Senate and House Subcommittees for review of administrative rules have reviewed the proposed changes to the Idaho Soil and Water Conservation Commission rules:

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

No meeting will be held, and we are pleased to report that no objections will be filed.

Sincerely yours,

A handwritten signature in black ink that reads "Katharine J. Gerrity".

Katharine Gerrity
Deputy Division Manager

KAG/jk

cc:

Kristin Ford, Manager
Research & Legislation

Paul Headlee, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
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Eric Milstead
Director

Legislative Services Office Idaho State Legislature

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July 22, 2019

Corrine Dalzell
Rules Review Officer
Idaho Soil and Water Conservation Commission
322 E. Front St., Suite 560
Boise, ID 83702

Dear Corrine Dalzell:

The Senate and House Subcommittees for review of administrative rules have reviewed the proposed changes to the Idaho Soil and Water Conservation Commission rules:

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

No meeting will be held, and we are pleased to report that no objections will be filed.

Sincerely yours,

A handwritten signature in black ink that reads "Katharine J. Gerrity". The signature is fluid and cursive.

Katharine Gerrity
Deputy Division Manager

KAG/jk

cc:

Kristin Ford, Manager
Research & Legislation

Paul Headlee, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

Statehouse, P.O. Box 83720
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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 STATE SOIL AND WATER
CONSERVATION COMMISSION
AND RANGELAND DEVELOPMENT PROGRAM**

000. LEGAL AUTHORITY.

~~This chapter is adopted by The Idaho State Soil and Water Conservation Commission, pursuant to under the legal authority granted in of Sections 22-2718 and 22-2727 and 22-2730, 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 State Soil and Water Conservation Commission 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, and provide for the allocation of state funds appropriated for distribution to conservation districts pursuant to Section 22-2727, 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 will 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. Base Funding. Funds appropriated to the Commission to be allocated equally to the various soil conservation districts in a sum not to exceed eight thousand five hundred dollars (\$8,500) per district per year. ()

04. Board of Supervisors. Governing body of a district as provided in Section 22-2717(25), Idaho Code. ()

05. Certify. To confirm formally as true, accurate, or genuine. ()

036. Commission. The Idaho State Soil and Water Conservation Commission as defined in Section 22-2718, Idaho Code. (9-9-86)

07. Conservation District or District. A soil (and water) conservation district as defined in Section 22-2717, Idaho Code. ()

048. Conservation Plan. A conservation plan as defined in Sections 22-2717 and 22-2732, Idaho Code that sets forth the information required by Subchapter A of Paragraph 057.03.i. of these rules. (3-28-19) ()

059. Contractee. The applicant when the loan has been closed and recorded. (9-9-86)

0610. 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)

0711. District. A Conservation District, Soil Conservation District, or Soil and Water Conservation District as defined in Section 22-2717, Idaho Code. (3-28-19)

0812. Eligible Land. Private, state, county, or federal lands within the state of Idaho. (3-28-19)

0913. 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)

104. 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)

15. Financial and Match Report. Documentation certified by the Board of Supervisors that: ()

a. Itemizes local funds and services received by a district during the previous fiscal year; and ()

b. Describes how state base and match funds were utilized during the previous fiscal year. ()

16. Fiscal Year. As set forth in Section 67-2201, Idaho Code, the fiscal year will begin on July 1 and close on June 30 of the following year. ()

117. Five (5) Year Plan. The plan prepared by each District as defined in Section 010 of IDAPA 60.05.04, "Rules for Allocation of Funds to Conservation Districts," reviewed and updated annually by each district pursuant to the Final Agreement to implement an Antidegradation Policy for the State of Idaho (August 18, 1988). The plan will contain the following components, as further specified by Commission policy: physical characteristics, economic condition and outlook, assessment of the District's resource conditions and conservation needs, prioritized objectives, water quality component, and an annual work plan. (6-30-19)T ()

128. Fund. The RCRDP fund established pursuant to Section 22-2730, Idaho Code. (3-28-19)

19. Funding Criteria. Criteria considered by the Commission to determine the amount of base and match funding to be allocated to the conservation districts. Criteria may include district budgets, district budget requests, district programs and work plans, and district work load analysis. The following documents may be required on an annual basis in order to consistently apply the criteria to all districts: ()

a. Five (5) year plans; ()

b. Financial and match reports; and ()

c. Performance reports. ()

20. Local Funds. Monies received in the previous fiscal year from local units of government and organizations for the general purposes of a conservation district. Funds received for special projects, used as required match for specific grants or projects, or on a fee-for-service basis will not be used to calculate match funding. ()

21. Local Services. Non-cash contributions received in the previous fiscal year from local units of government and organizations for the general purposes of a conservation district. Services received for special projects, used as required match for specific grants or projects, or on a fee-for-service basis will not be used to calculate match funding. ()

22. Local Units of Government. Any general or special purpose political subdivision of the state which has the power to levy taxes and/or appropriate and spend funds. ()

23. Match Funding. Funds appropriated to the Commission for distribution to conservation districts in excess of base funding not to exceed twice the amount of local funds and services received by each district in the previous fiscal year. ()

24. Maximum Allocation. The total of base funding and match funding allocated to any one (1) conservation district shall not exceed fifty-eight thousand and five hundred dollars (\$58,500) in a fiscal year. ()

25. Organizations. A group of two (2) or more persons structured and managed to pursue a collective goal on a continuing basis. ()

1326. 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)

27. Performance Report. Documentation summarizing conservation activities, projects, and programs implemented by a conservation district during the previous fiscal year. ()

1428. 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)

1529. 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)

1630. Program Year. The state fiscal year as provided in Section 67-2201, Idaho Code. (3-28-19)

1731. Project. One (1) or more practices to be installed with a RCRDP loan. (3-29-10)

1832. Rangeland. Land used primarily for the grazing of domestic livestock and wildlife. (9-9-86)

1933. 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)

2034. Security. Collateral provided by an approved applicant to secure requested RCRDP funds. (3-28-19)

2135. 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)

SUBCHAPTER A – RULES FOR ADMINISTRATION OF THE IDAHO RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM

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 any time 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~~ **RCRDP** 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: **cropland, orchards, pasture and hayland, rangeland, and woodland** (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- **at 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)~~ ()
- 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 **to the Commission** 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.

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~~ **is** 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~~ **is** 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 be~~ **is** two hundred thousand dollars (\$200,000). (3-29-10)

152. -- ~~91~~99. (RESERVED)

SUBCHAPTER B – RULES FOR ALLOCATION OF FUNDS TO CONSERVATION DISTRICTS

~~000. LEGAL AUTHORITY.~~

~~This chapter is adopted by the Idaho State Soil and Water Conservation Commission under the legal authority of Sections 22-2718 and 22-2727, Idaho Code.~~ (3-29-12)

~~001. TITLE AND SCOPE.~~

~~**01. Title.** These rules are titled IDAPA 60.05.04, “Rules for Allocation of Funds to Conservation Districts.”~~ (3-29-12)

~~**02. Scope.** These rules establish the procedures to be followed by the Commission and the conservation districts in the implementation of Section 22-2727, Idaho Code, providing for the allocation of state funds appropriated for distribution to conservation districts.~~ (3-29-12)

~~002. WRITTEN INTERPRETATIONS.~~

~~There are no written interpretations of these rules.~~ (3-29-12)

~~003. ADMINISTRATIVE APPEAL.~~

~~There is no provision for administrative appeals before the Commission under this chapter. Persons may be entitled to appeal final agency actions authorized under this chapter pursuant to Section 67-5270, Idaho Code.~~ (3-29-12)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (3-29-12)

005. IDAHO PUBLIC RECORDS ACT.

These rules are public records available for inspection and copying at the department. (3-29-12)

006. ADDRESS, OFFICE HOURS, TELEPHONE, AND FAX NUMBERS.

01. Physical Address. The central office of the Idaho State Soil and Water Conservation Commission, 322 E. Front Street, Suite 560, Boise, Idaho, 83702. (3-29-12)

02. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (3-29-12)

03. Telephone Number. The telephone number of the Idaho State Soil and Water Conservation Commission at the central office is (208) 332-1790. (3-29-12)

04. Fax Number. The fax number of the Idaho State Soil and Water Conservation Commission at the central office is (208) 332-1799. (3-29-12)

05. Website. The Commission's website address is <http://www.swc.idaho.gov/>. (3-29-12)

007. 009. (RESERVED)

010. DEFINITIONS.

For the rules contained in this chapter, the following definitions apply: (3-29-12)

01. Base Funding. Funds appropriated to the Commission to be allocated equally to the various soil conservation districts in a sum not to exceed eight thousand five hundred dollars (\$8,500) per district per year. (3-29-12)

02. Board of Supervisors. Governing body of a district as provided in Section 22-2717(25), Idaho Code. (3-29-12)

03. Certify. To confirm formally as true, accurate, or genuine. (3-29-12)

04. Commission. The Idaho State Soil and Water Conservation Commission as defined in Section 22-2718, Idaho Code. (3-29-12)

05. Conservation District or District. A soil (and water) conservation district as defined in Section 22-2717, Idaho Code. (3-29-12)

06. Financial and Match Report. Documentation certified by the Board of Supervisors that: (3-29-12)

a. Itemizes local funds and services received by a district during the previous fiscal year; and (3-29-12)

b. Describes how state base and match funds were utilized during the previous fiscal year. (3-29-12)

07. Fiscal Year. As set forth in Section 67-2201, Idaho Code, the fiscal year will begin on July 1 and close on June 30 of the following year. (3-29-12)

08. Five (5) Year Plan. The plan reviewed and updated annually by each district pursuant to the Final Agreement to implement an Antidegradation Policy for the State of Idaho (August 18, 1988). The plan will contain the following components, as further specified by Commission policy: physical characteristics, economic condition

and outlook, assessment of the District's resource conditions and conservation needs, prioritized objectives, water quality component, and an annual work plan. (6-30-19)T

09. Funding Criteria. Criteria considered by the Commission to determine the amount of base and match funding to be allocated to the conservation districts. Criteria may include district budgets, district budget requests, district programs and work plans, and district work load analysis. The following documents may be required on an annual basis in order to consistently apply the criteria to all districts: (3-29-12)

a. Five (5) year plans; (3-29-12)

b. Financial and match reports; and (3-29-12)

c. Performance reports. (3-29-12)

10. Local Funds. Monies received in the previous fiscal year from local units of government and organizations for the general purposes of a conservation district. Funds received for special projects, used as required match for specific grants or projects, or on a fee for service basis will not be used to calculate match funding. (3-29-12)

11. Local Services. Non cash contributions received in the previous fiscal year from local units of government and organizations for the general purposes of a conservation district. Services received for special projects, used as required match for specific grants or projects, or on a fee for service basis will not be used to calculate match funding. (3-29-12)

12. Local Units of Government. Any general or special purpose political subdivision of the state which has the power to levy taxes and/or appropriate and spend funds. (3-29-12)

13. Match Funding. Funds appropriated to the Commission for distribution to conservation districts in excess of base funding not to exceed twice the amount of local funds and services received by each district in the previous fiscal year. (3-29-12)

14. Maximum Allocation. The total of base funding and match funding allocated to any one (1) conservation district shall not exceed fifty eight thousand and five hundred dollars (\$58,500) in a fiscal year. (3-29-12)

15. Organizations. A group of two (2) or more persons structured and managed to pursue a collective goal on a continuing basis. (3-29-12)

16. Performance Report. Documentation summarizing conservation activities, projects, and programs implemented by a conservation district during the previous fiscal year. (3-29-12)

200. ALLOCATION OF FUNDS TO DISTRICTS.

01. Base Funding. The Commission shall determine the dollar amount to allocate equally to conservation districts on an annual basis. As soon as practicable after the start of the fiscal year, the Commission shall immediately distribute base funding to the districts that submitted the required documents during the previous fiscal year. (3-29-12)

02. Match Funding. Following determination of base funding, the Commission shall review and approve the additional amount of state appropriations available for proportional allocation to each district in match funding. The amount of match funding allocated will be based upon local funds and services received in the previous fiscal year by each conservation district for the general purposes of the district. Funds received for special projects, used as required match for specific grants or projects, or on a fee-for-service basis will not be used to calculate match funding. Once the required documents for match funding are submitted and determined to be complete, the Commission shall distribute match funding to each district as soon as practicable. (3-29-12)

03. Required Documents. The Commission may require submission of certain documents prior to allocation of base and match funding to districts. These documents may include five (5) year plans, financial and match reports, and performance reports. (3-29-12)

a. The Board of Supervisors shall certify in writing that the district has examined all documentation submitted and that the statements and representations in the documents are true and accurate. (3-29-12)

b. The district shall submit any required documents by a date established by the Commission. (3-29-12)

04. State Budget Requests. The Commission shall conduct a public hearing to consider the needs of the conservation districts on or before June 15th of each year, giving twenty (20) days' written notice of the hearing to each conservation district and to all other persons requesting notice of the hearing. The Commission shall hear and consider testimony at the hearing and all information submitted by the districts prior to submission of the annual budget request to the legislature and governor based upon the criteria of Subsection 010.0919. of this rule. (3-29-12) ()

201. -- 999. (RESERVED)

Notice of Vacation of Proposed Rulemaking

IDAPA 60 – IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION

60.05.04 - RULES FOR ALLOCATION OF FUNDS TO CONSERVATION DISTRICTS

DOCKET NO. 60-0000-1900

NOTICE OF RULEMAKING - VACATION OF PROPOSED RULEMAKING

AUTHORITY: In compliance with Section 67-5221, Idaho Code, notice is hereby given that this agency is vacating the rulemaking previously initiated under this docket. The action is authorized pursuant to Section 22-2718, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a summary of the reasons for vacating this rulemaking:

In compliance with the Governor's Red Tape Reduction Act (Executive Order No. 2019-02), the Idaho Soil and Water Conservation Commission has combined two rules into one. Docket 60-0000-1900F (IDAPA 60.05.01, Idaho Code) and docket 60-0000-1900 (IDAPA 60.05.04, Idaho Code) have been consolidated into one docket 60-0000-1900F (IDAPA 60.05.01 "RULES OF THE IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION") containing 2 subchapters (A and B). This further simplifies the rules but makes no substantive changes. Consolidating the rules into docket 60-0000-1900F has resulted in the need to vacate docket 60-0000-1900.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this vacation of rulemaking, contact Corrine Dalzell, Rules Review Officer, (208)332-1792.

DATED this August 6, 2019.

Corrine Dalzell
Rules Review Officer
Idaho Soil & Water Conservation Commission
322 E. Front St., Suite 560
P.O. Box 83720
Boise, ID 83720-0083
(208)332-1792
(208)332-1799 FAX

IDAPA 60 – IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION

DOCKET NO. 60-0000-1900F

NOTICE OF OMNIBUS RULEMAKING - ADOPTION OF PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2020 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending rule will not become final and effective until it has been approved by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The pending fee rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution unless the rule is rejected.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 22-2718, 22-2727, and 22-2730, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed fee rule and the text of the pending fee rule with an explanation of the reasons for the change.

This pending fee rule adopts and re-publishes the following existing and previously approved and codified chapter(s) under IDAPA 60, rules of the Idaho State Soil and Water Conservation Commission:

IDAPA 60

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

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The original text of the proposed rule was published in the June 19, 2019 Idaho Administrative Bulletin (Special Edition), Vol. 19-6SE, pages 7497 through 7504.

In compliance with the Governor's Red Tape Reduction Act (Executive Order No. 2019-02), the Idaho Soil and Water Conservation Commission has combined two rules into one. Docket 60-0000-1900F (IDAPA 60.05.01, Idaho Code) and docket 60-0000-1900 (IDAPA 60.05.04, Idaho Code) have been consolidated into one docket 60-0000-1900F (IDAPA 60.05.01 "RULES OF THE IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION") containing 2 subchapters (A and B). This further simplifies the rules but makes no substantive changes.

FEE SUMMARY: The preceding section and the attached rules provide a specific description of the fee or charge imposed or increased by this rulemaking. 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. Rule 60.05.01.102.05 states, "[t]he applicant is required to cover all costs incurred for loan closure, title insurance, and recording fees."

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: This rulemaking is not anticipated to have any fiscal impact on the state general fund because the FY2020 budget has already been set by the Legislature, and approved by the Governor, anticipating the existence of the rules and fees being reauthorized by this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Corrine Dalzell, Rules Review Officer, (208)332-1792.

DATED this August 6, 2019.

Corrine Dalzell
Rules Review Officer

Idaho Soil & Water Conservation Commission
322 E. Front St., Suite 560
P.O. Box 83720
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(208)332-1792
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**SOIL & WATER
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Administrator

MEMO

TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER, TREBESCH, and OLSON
FROM: CORRINE DALZELL, RULES REVIEW OFFICER
DATE: AUGUST 2, 2019
RE: FY 2019 PERFORMANCE MEASURES REPORT

Attached is a copy of the final draft of the Commission's FY 2019 Performance Measures Report. A final report must be submitted to the Division of Financial Management (DFM) and the Legislative Services Office with the FY 2021 Budget Request.

The PMR is purposefully not all-inclusive and is condensed per instructions from DFM. The following elements of the PMR are mandatory:

- Agency Profile
- Core Functions
- General Fund Revenue & Expenditures
- Profile of Key Services
- Performance Highlights
- Performance Measurements

Staff will review the draft PMR at the meeting for your consideration.

RECOMMENDED ACTION: Approve FY 2019 Performance Measures Report

ATTACHMENT: DRAFT FY 2019 Performance Measures Report

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Soil and Water Conservation Commission

Performance Report

Part I – Agency Profile**Agency Overview**

The Idaho Soil and Water Conservation Commission (ISWCC) was created in 1939 under Idaho Code § 22-2716, et. seq.) to form local conservation districts to work on reducing soil erosion generated by agricultural land management practices. ISWCC is now also the lead agency for a number of voluntary conservation programs that address water quality and other natural resource issues. ISWCC has no regulatory authority. The ISWCC was led in FY 2019 by five Commissioners appointed by the Governor: Chairman H. Norman Wright, Vice Chairman Cathy Roemer, Secretary Dave Radford (Mr. Radford resigned in March 2019), and members Gerald Trebesch and Erik Olson. The administrator was Teri Murrison. In FY 2019, the agency had 21.75 administrative and technical staff located in offices around the state.

Core Functions/Idaho Code

1. **District Support and Services:** provides technical, financial, and other assistance to Idaho's 50 conservation districts.
2. **Comprehensive Conservation Services:** provides/promotes non-regulatory incentive and science-based programs to support voluntary conservation activities enhancing environmental quality and economic productivity.
3. **Administration:** ensures fiscally responsible operations to support Commissioners, programs, and staff.
4. **Outreach:** engages local, state, and federal partners, non-governmental organizations, and resource and agricultural production groups to promote agricultural stewardship (voluntary conservation).

Revenue and Expenditures

Revenue	FY 2016	FY 2017	FY 2018	FY 2019
General Fund	\$2,590,700	\$2,730,900	2,759,200	2,659,200
Receipts	29,600	300	33,400	11,100
RCRDP Loan Program	960,800	910,800	889,100	722,600
SRF Loan Program	99,300	86,300	92,300	92,300
Federal Grant Funds	0	0	170,900	201,800
Total	\$3,680,400	\$3,728,300	3,944,900	3,687,000
Expenditures	FY 2016	FY 2017	FY 2018	FY 2019
Personnel Costs	\$1,239,400	\$1,331,000	1,368,500	1,620,127
Operating Expenditures	272,100*	290,500	329,800	341,802
Capital Outlay	80,100	74,100	111,200	3,425
Trustee/Benefit Payments	1,253,200	1,353,200	1,253,200	1,253,200
RCRDP Loan Disbursements	415,200	604,200	939,100	305,800
DEQ Loan	86,700	\$73,700	79,700	104,700
Federal Grant Funds			136,600	270,000
Total	\$3,346,700*	\$3,726,700	\$4,218,100	3,899,054

* indicates where numbers have been updated to correct prior year errors.

Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2016	FY 2017	FY 2018	FY 2019
Conservation systems implemented on all cropland (acres)	133,586	97,776	99,982	109,144
Conservation implemented on other land uses (acres)	6,348	6,549	8,199	1,300
Grazing/pasture management systems implemented (acres)	506,625	339,356	282,851	339,955
Riparian acres implemented with protection, restoration, enhancement or creation (acres)	3,399	3,981	4,783	2,750

Cases Managed and/or Key Services Provided	FY 2016	FY 2017	FY 2018	FY 2019
Conservation Reserve Program (CRP) – Private agricultural land removed from tillage-induced erosion through financial incentive for a contractual time period.	568,839	568,729	538,994	542,772

Red Tape Reduction Act

In response to Governor Little's Red Tape Reduction Act, Executive Order No. 2019-02, ISWCC has appointed a Rules Review Officer (RRO) to undertake an extensive, comprehensive review of existing rules to "identify costly, ineffective, or outdated regulations" for elimination. An annual review of the agency's rules will be conducted by the RRO and discussed with the Board, Agency Administrator, and Deputy Attorney General. Our agency will also quantify and track the following data:

	As of July 1, 2019	As of July 1, 2020
Number of Chapters	2	
Number of Words	4,662	
Number of Restrictions	79	

FY 2019 Performance Highlights

In FY 2019 the Idaho Soil and Water Conservation Commission reduced their rules by 50%. ISWCC began the year with four chapters of rule and ended the year with two. ISWCC will continue to work towards further reduction of ineffective or outdated regulations in the new fiscal year.

Part II – Performance Measures

Note: There is a disconnect between some of the actual FY 2017 numbers and FY 2018 targets caused by establishing performance measure targets in the updated Strategic Plan (June 30th deadline) prior to collecting the previous year's performance data (July 30th deadline). For FY 2019, 38 of the surveys returned were identified as having been submitted by districts. An additional 18 survey respondents did not identify themselves as being associated with a specific district.

Performance Measure		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
District Support & Services						
1. # of District Surveys on Commission Satisfaction - Strongly agree - Somewhat agree - Neutral - Somewhat Disagree - Strongly Disagree N/A	actual	34 of 50	42 of 50	40 of 50	56 of 50	
		29%	43%	40%	50%	
		62%	48%	48%	30%	
		3%	2%	3%	13%	
		3%	7%	5%	7%	
		3%	0%	5%	0%	
		0%	0%	0%	0%	
	target	50 of 50	50 of 50	50 of 50	50 of 50	50 of 50
		34%	36%	34%	47.5%	47.5%
		47%	46%	47%	47.5%	47.5%
		7%	8%	7%	0%	0%
2. District five-year plans updated	actual	50	50	50	50	-----
	target	50	50	50	50	50

Performance Measure		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
3. Technical Assistance Provided to districts						
# of technical assistance hours requested/awarded (new)	actual	10,751/5,733	7,360/6,071	7,630/6,061	7,654/6,061	-----
	target	-----	-----	7,400/6,100	7,400/6,100	7,500/6,000
# of districts w/projects	actual	38	39	42	40	-----
	target	39	40	40	40	40
# of new projects	actual	34	19	19	29	-----
	target	50	50	50	25	25
# of ongoing projects	actual	101	70	89	64	-----
	target	100	75	100	100	75
# of landowners served	actual	241	316	407	536	-----
	target	300	245	300	350	350
Comprehensive Conservation Programs						
4. CREP Program Deliverables						
Total Contracts	actual	155	168	181	178	-----
	target	175	160	160	201	201
Total Acres	actual	16,526	17,257	18,351	18,161	-----
	target	21,000	22,000	17,500	20,000	20,000
Certified Contracts	actual	6 (88 total contracts)	2 (90 total contracts)	5 (95 total contracts)	49 (144 total contracts)	-----
	target	15	10	10	8	5
Certified Acres	actual	647 (9,527 total acres)	131 (9,658 total acres)	1,837 (11,495 total acres)	3,740 (15,235 total acres)	-----
	target	1,500	1,500	800	500	350
Water Conserved (new)	actual	-----	34,514 ac- ft.	36,700 ac-ft.	36,322 ac-ft.	-----
	target	-----	-----	36,000 ac-ft.	40,000 ac-ft.	40,000 ac-ft.
5. Ground Water Quality/Nitrate Priority Areas						
Acres Treated	actual	42,594	42,194	43,778	47,704	-----
	target	37,700	42,000	37,700	43,000	48,500
Nitrates Reduced (lbs.)	actual	145,370	142,000	147,500	152,500	-----
	target	132,100	140,000	132,100	147,000	154,000
Phosphorus Reduced (lbs.)	actual	29,575	28,500	30,100	30,800	-----
	target	26,500	28,000	26,500	29,500	31,500
Sediment Reduced (tons)	actual	150,170	148,500	151,400	155,500	-----
	target	142,600	150,000	142,600	150,500	157,000
6. RCRDP Loan Program						
# of new loans	actual	12	5	12	7	-----
	target	12	15	12	15	15
	actual	\$875,049	\$335,784	1,017,163	391,374	-----

Performance Measure		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Total \$ conservation projects	target	\$850,000	\$900,000	\$850,000	1,000,000	1,000,000
Inquiries received	actual	63	36	45	43	-----
	target	50	65	50	55	55
Applications submitted	actual	15	5	17	19	-----
	target	25	28	25	25	25
Pending @ end of FY	actual	0	0	0	0	-----
	target	2	2	2	2	2
Applications denied or withdrawn	actual	3	1	5	3	-----
	target	5	5	5	2	2
Satisfied customers (new)	actual	-----	5	12	7	-----
	target	-----	-----	5	15	15
7. TMDL Ag Implementation Plans (subject to DEQ priorities)						
# of new plans assigned by DEQ (new)	actual	-----	7	3	7	-----
	target	-----	-----	7	5	5
Completed	actual	7	10	5	10	-----
	target	6	7	6	5	7
In Progress	actual	17	22	12	12	-----
	target	12	15	12	12	12
Pending	actual	18	10	10	10	-----
	target	19	18	19	10	10
Outreach						
8. Communications Note: performance measures listed below in gray have been determined not to be meaningful for this report and will no longer be tracked.						
Website (Total Visitors)	actual	-----	19,607*	2635*	3,969	-----
	target	-----	-----	74,000*	5,000*	5,000
(Ave. Page Views) per visitor	actual	26	204.73	N/A**	N/A**	-----
	target	-----	26	N/A**	N/A**	N/A**
(Ave. Hits/Day)	actual	31,936	22,000	32,647	N/A**	-----
	target	-----	33,000	33,000	N/A**	N/A**
(Total Hits)	actual	1,018,241	669,967	995,051	N/A**	-----
	target	-----	1,100,000	1,020,000	N/A**	N/A**
Facebook (impressions/# of posts)*	actual	230	163	N/A**	N/A**	-----
	target	275	275	N/A**	N/A**	N/A**
Facebook (Post Reach)	actual	48,046	38,851	31,274	60,431	-----
	target	-----	50,000	50,000	50,000	50,000
Facebook - New Page Likes	actual	170	72	40	61	-----
	target	-----	200	200	75	75
Twitter - # of Tweets	actual	40	115	35	157	-----
	target	150	75	55	45	100
(Twitter Impressions)	actual	11,144	19,059	16,332	N/A**	-----

Performance Measure		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
	<i>target</i>	-----	12,000	11,200	N/A**	N/A**
(Profile Views)	<i>actual</i>	762	434	559	N/A**	-----
	<i>target</i>	-----	800	700	N/A**	N/A**
Twitter - New Followers	<i>actual</i>	111	70	25	28	-----
	<i>target</i>	-----	200	200	50	50
Newsletter subscriptions	<i>actual</i>	591***	620	632	744	-----
	<i>target</i>	750	675	700	700	700
Project Tracker - Districts trained to use Tracker	<i>actual</i>	-----	-----	-----	25	-----
	<i>target</i>	-----	-----	-----	-----	30

Performance Measure Explanatory Notes

* Reporting methodology changed by website host in late FY 2017 leading to discrepancy in numbers the following year. Discrepancy has been accounted for and consistent data should once again be available to address FY 2019 target. (FY19 target number was inadvertently left unchanged until 7/1/2019)

** N/A indicates that these performance measures are no longer to be included in annual reporting.

***FY 2016 reduction in newsletter distribution list due to the cleanup and consolidation of subscription lists.

For More Information Contact

Idaho Soil & Water Conservation Commission
 322 East Front Street, Suite 560
 Boise, ID 83702
 Phone: (208) 332-1790
 Fax: (208) 332-1799
 E-mail: info@swc.idaho.gov

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**SOIL & WATER
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Commissioner

Vacant
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER, TREBESCH,
AND OLSON**
FROM: CORRINE DALZELL, RULES REVIEW OFFICER
DATE: AUGUST 15, 2019
RE: RCRDP RULEMAKING PROCESS UPDATE

At the July 25, 2019 Commission meeting, the Board approved the proposed RCRDP Rules to be submitted to the Division of Financial Management (DFM).

Since that meeting, our agency submitted the proposed rule to DFM and DFM has suggested certain changes to the wording of the proposed rules. I have attached a copy of the pages of RCRDP Rules, IDAPA 60.05.01 (Docket No. 60-0501-1901), with DFM's suggested changes for your reference. Staff have reviewed the changes and recommend that they be approved by the Board.

If approved by the Board, I will submit the revised proposed rules along with the Notice of Proposed Rulemaking to the Office of the Administrative Rules Coordinator (OAR) by the August 30, 2019 deadline to be posted in the October bulletin.

RECOMMENDED ACTIONS:

1. Approve DFM's suggested changes to the proposed RCRDP Rule to be published in the October Administrative Bulletin
2. Approve Proposed Rule Bulletin Notice for Docket No. 60-0501-1901

ATTACHMENTS:

- Proposed RCRDP Rules, IDAPA 60.05.01 (Docket No. 60-0501-1901) with DFM's suggested changes
- Notice of Proposed Rulemaking Docket No. 60-0501-1901

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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 applicant may, at their own risk, begin installing practices as identified and scheduled in the conservation plan provided the project is not completed before the loan is approved and the conditions of approval are met. Should the applicant 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 applicant/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 applicant/contractee may install practices themselves or subcontract work out to a subcontractor. Whatever method is used, the applicant/contractee shall be is 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 be ~~is~~ **two** ~~six~~ hundred thousand dollars (\$~~26~~00,000). (3-29-19) ()

152. -- 999. (RESERVED)

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**IDAPA 60 – IDAHO SOIL AND WATER CONSERVATION COMMISSION
60.05.01 RESOURCE CONSERVATION & RANGELAND DEVELOPMENT PROGRAM
DOCKET NO. 60-0501-1901**

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221, Idaho Code, and IDAPA 04.11.01, the Idaho Rules of Administrative Procedure of the Attorney General, Section 830, notice is hereby given that this agency has initiated proposed rulemaking procedures. This rulemaking action is authorized by Sections 22-2718 and 22-2731, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing on the proposed rule will be held as follows.

October 16, 2019, 9 a.m. MDT

LIVE MEETING LOCATION

**Idaho Water Center
322 E. Front Street, Boise, Idaho
5th Floor, Suite 560 Conference Room**

**Teleconference Number: 1-877-820-7831
Participation Code: 922837**

The hearing location will be accessible to persons with disabilities, and language translators will be made available upon request. Requests for these accommodations must be made no later than five (5) days prior to the hearing date. For arrangements, contact the undersigned.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking: ISWCC initiated this rulemaking to modify Section 103 to expedite the loan process by allowing applicants to begin construction before liens are filed and modifying Section 151 to allow a higher maximum loan limit for applicants.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: This proposed rule change has no associated fee.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: There is no effect to the state general fund.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules-Negotiated Rulemaking was published in the June 5, 2019 Idaho Administrative Bulletins, Volume 19-6, pages 106.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference in this rule: Not Applicable.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on questions concerning this rulemaking, contact Corrine Dalzell at corrine.dalzell@swc.idaho.gov, (208) 332-1792. Anyone may submit written comments regarding this proposed rule. All written comments must be directed to the undersigned and must be delivered on or before 5:00 PM MDT on October 23, 2019.

Dated this 2nd day of October, 2019.

Corrine Dalzell, Rules Review Officer
Idaho Soil and Water Conservation Commission
corrine.dalzell@swc.idaho.gov

P.O. Box 83720
Boise, ID 83720-0083
Telephone: (208)332-1792 / Fax: (208)332-1799



IDAHO SOIL & WATER CONSERVATION COMMISSION

Item #5b

TO: CHAIRMAN WRIGHT, COMMISSIONERS ROEMER, OLSON, AND TREBESCH
FROM: TERRY HOEBELHEINRICH, LOAN OFFICER
DATE: AUGUST 15, 2019
RE: ANNUAL REVIEW & SETTING OF RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM INTEREST RATES

Per administrative rule 60.05.01 the Commission shall determine interest rates not to exceed 6% annually.

FISCAL YEAR			APPROPRIATION / SPENDING AUTHORITY	EXPENSES	APPROPRIATION LESS EXPENSES
2013			\$290,100	\$276,248	\$13,852
2014			\$290,100	\$242,531	\$47,569
2015			\$297,500	\$239,385	\$58,115
2016			\$301,300	\$235,573	\$65,727
2017			\$312,000	\$237,009	\$75,999
2018			\$313,500	\$263,282	\$50,218
2019			\$316,100	\$285,982	\$30,118
2020			\$330,300	\$265,000	\$65,300

FISCAL YEAR	RCRDP REVENUE (ACTUAL OR PROJECTED)	TREASURY (REVENUE) (ACTUAL OR PROJECTED)	TOTAL REVENUE PROJECTED)	EXPENSES	REVENUE LESS EXPENSES
2013	\$238,480	\$20,233	\$258,713	\$276,248	(\$17,535)
2014	\$170,452	\$17,425	\$187,877	\$242,531	(\$54,654)
2015	\$136,047	*(\$13,660)	\$122,387	\$239,385	(\$116,998)
2016	\$112,267	\$32,619	\$144,886	\$235,573	(\$90,487)
2017	\$101,700	\$59,310	\$161,010	\$237,009	(\$75,999)
2018	\$90,592	\$101,207	\$191,799	\$266,282	(\$74,483)
2019	\$85,550	\$151,944	\$237,494	\$285,982	(\$48,488)
2020	\$76,253	\$140,000	\$216,253	\$265,000	(\$48,747)
Change ('19-'20)	(\$9,297)	-\$11,944	(\$21,241)	\$20,982	(\$259)

*Includes \$32,931 loss from Idaho Treasury Bond Losses

Assumes

- 2.72% average interest rate for RCRDP portfolio (3.01% in FY 19, 3.17% in FY 18, 3.67% in FY 17)
- 2.0% estimated FY 2020 interest rate for treasury (cash) (2.25% in FY 19, 1.44% in FY 18, 0.85% in FY 17)
(0.47 % in FY 16)

RCRDP LOAN PORTFOLIO BALANCE AS OF 6-30-2019	\$ 2,729,018	2.72%
RCRDP TREASURY CASH BALANCE AS OF 6-30-2019	\$ 6,915,035	2.30%
RCRDP TOTAL LOAN PORTFOLIO & CASH AS OF 6-30-2019	\$ 9,644,053	2.45%

FY 2019 Term & Interest Rate Requests	<ul style="list-style-type: none">• 8 - 2.75% - 7 year terms• 11 -3.0% - 10 year terms• 2.9% is Weighted Average Interest Rates of FY 2019 Approved Loans																														
Interest Rate Trends	<ul style="list-style-type: none">• 5 year treasury rates have increased . Currently 1.42%.• Ave. FY 14 1.55%• Ave FY 15 1.57%• Ave FY 16 1.44• Ave FY 17 1.62• Ave FY 18 2.46%• Ave FY 19 2.57%• 10 year treasury rates have increased. Currently 1.52%.• Ave. FY 14 2.71%• Ave FY 15 2.23%• Ave FY 16 2.02%• Ave FY 17 2.09%• Ave FY 18 2.62%• Ave FY 19 2.74%• The Federal Reserve did not change the Federal Funds Rate in FY 2019. The Fed. Has reduced rates by ¼ point to the target range of 2.0% to 2.25% in the near term.• US Treasury Bond Yield Curve has recently and briefly inverted (2 year versus 10 year) suggested recession in 6-18 months.• Historical Federal Reserve Rates<table><tr><td>FY 2019</td><td>2.00</td><td>FY 2014</td><td>0.08</td><td>FY 2009</td><td>0.70</td></tr><tr><td>FY 2018</td><td>1.75</td><td>FY 2013</td><td>0.14</td><td>FY 2008</td><td>3.71</td></tr><tr><td>FY 2017</td><td>1.16</td><td>FY 2012</td><td>0.10</td><td>FY 2007</td><td>5.25</td></tr><tr><td>FY 2016</td><td>0.26</td><td>FY 2011</td><td>0.16</td><td></td><td></td></tr><tr><td>FY 2015</td><td>0.11</td><td>FY 2010</td><td>0.15</td><td></td><td></td></tr></table>	FY 2019	2.00	FY 2014	0.08	FY 2009	0.70	FY 2018	1.75	FY 2013	0.14	FY 2008	3.71	FY 2017	1.16	FY 2012	0.10	FY 2007	5.25	FY 2016	0.26	FY 2011	0.16			FY 2015	0.11	FY 2010	0.15		
FY 2019	2.00	FY 2014	0.08	FY 2009	0.70																										
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FY 2016	0.26	FY 2011	0.16																												
FY 2015	0.11	FY 2010	0.15																												
Interest Rate Recommendations for FY 2020	<ul style="list-style-type: none">• No Change Recommended• 2.75%, 7 year term (new and used equipment)• 3.00%, 7 year term, high credit score, undersecured• 3.00%, 10 year term (new equipment and real estate)• 3.25% 10 year terms, high credit score, undersecured• 3.25%, 8 - 12 year term• 3.5%, 12 year term, high credit score, undersecured• 3.50 %, 13 – 15 year term• 3.75%, high credit score, undersecured• 5.25% Combination 1st lien equipment and 2nd mortgage• 6% second mortgages																														

RECOMMENDED ACTION: Approve interest rates and loan terms for FY 2020.

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Vice Chairman

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Gerald Trebesch
Commissioner

Vacant
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS
ROEMER, OLSON , AND TREBESCH
FROM: MARIA MINICUCCI, TECHNICAL RECORDS SPECIALIST
DATE: AUGUST 15, 2019
RE: DISTRICT MATCH FUND ALLOCATION UPDATE**

District Match Allocations

\$678,200 Trustee and Benefit funds will be disbursed as District Match Allocations

- District Financial & Match reports have been received from every district.
- Staff is analyzing reports to develop staff recommended allocations.
- Staff recommendations will be sent to each district. Districts will be encouraged to contact their DAWG Division representative with comments or concerns. This is a new step in our process.
- All district reports will be sent to the DAWG, along with copies of the Reference Manual, IDAPA, and State Statute. The DAWG will meet September 12th to develop allocation recommendations for each district.
- The DAWG recommendations will be sent to each district. This is another new step in our process.
- Commission will consider DAWG-recommended match allocations during the regularly scheduled September meeting or during a special meeting. Staff will note if the DAWG recommendations differ from staff recommendations.
- Match allocations will be distributed to Districts after the statutory 30-day appeal window that follows Commission's decision on the allocation amounts.

RECOMMENDED ACTION: For information only.

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MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER,
TREBESCH, AND OLSON**
FROM: DELWYNE TREFZ, DISTRICT SUPPORT SERVICES
DATE: AUGUST 9, 2019
RE: DISTRICT SUPPORT SERVICES REPORT

District Funds Allocations

- As reported in your July 25th meeting, \$575,000 of Trustee and Benefit funds were disbursed to districts in July. The remaining \$678,200 of FY 2020 Trustee and Benefit funds will be distributed to districts as match allocations.
- Maria administers the match allocation process and provided an update earlier in this meeting.

District Survey Results

- We received 56 responses to our FY 2019 survey. A total of 54 respondents identified themselves as either a District, District Supervisor or District Employee, 1 identified as a County, and 1 as a Conservation Partner.
- Results are presented in the enclosed 'FY 2019 District Survey Results' spreadsheet

RECOMMENDED ACTION: For information only.

ATTACHMENT:

- FY 2019 District Survey Results

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FY 2019 DISTRICT SURVEY RESULTS

Survey Statement	Response Options	2015	2016	2017	2018	2019	2019 Compared To 2018
ISWCC connects districts by providing opportunities to share information about district activities.	Agree	94.2%	94.0%	83.3%	82.5%	80.0%	-2%
	Neutral	2.9%	3.0%	14.3%	12.5%	13.0%	1%
	Disagree	2.9%	3.0%	2.4%	5.0%	7.0%	2%
ISWCC informs Districts, its newsletter is informative and features stories that are interesting to Districts.	Agree			93.0%	97.5%	93.0%	-4%
	Neutral	Question not included in surveys prior to 2017		4.7%	2.5%	4.0%	2%
	Disagree			2.3%	0.0%	4.0%	4%
ISWCC includes districts by inviting district to serve on important work groups, to comment on new policies and/or processes, and to provide opinions and input on key decisions that impact us.	Agree	85.7%	74.0%	85.7%	70.0%	79.0%	9%
	Neutral	2.9%	18.0%	11.9%	22.5%	14.0%	-9%
	Disagree	11.5%	9.0%	2.4%	7.5%	7.0%	0%
The staffing levels and geographic distribution of SWCC engineering and field staff have been sufficient to meet all our technical assistance needs over the past year.	Agree	62.9%	63.0%	50.0%	65.0%	63.0%	-2%
	Neutral	8.6%	16.0%	25.0%	12.5%	11.0%	-2%
	Disagree	28.6%	22.0%	25.0%	22.5%	27.0%	5%
Overall we are satisfied with the services and support provided by SWCC.	Agree	74.3%	91.2%	90.5%	87.5%	86.0%	-2%
	Neutral	8.6%	2.9%	2.4%	2.5%	9.0%	7%
	Disagree	17.2%	5.9%	7.1%	10.0%	5.0%	-5%

Districts prioritized thier funding needs as follows:

- 1 Additional funds for District Operations
- 2 Additional funds for District Outreach and Education efforts
- 3 Re-fund the Water Quality Program for Agriculture (WQPA)
- 4 Re-fund the Conservation Improvement Grant (CIG) program
- 5 Additional funds for Rangeland Health issues
- 6 Additional funds for Threatened and Endangered Fish and Wildlife Species related projects
- 7 Additional funds for Forest Health and Wildfire Mitigation projects
- 8 Additional funds to address Rural/Urban Interface issues



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MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER,
TREBESCH, AND OLSON**
FROM: DELWYNE TREFZ, DISTRICT SUPPORT SERVICES
DATE: AUGUST 9, 2019
RE: TMDL ANNUAL REPORT

TMDL Implementation Plan & 5-Year Review Update

The attached FY 2019 TMDL Work Plan Final Report shows we completed five implementation plans and three 5-year reviews this year. Our goal for the year was to complete a combined total of seven plans and 5-year reviews.

The attached FY 2020 TMDL Work Plan identifies the implementation plans and 5-year reviews assigned to staff for this year. In order to keep making progress, staff have begun work on several plans for TMDLs that DEQ has not yet completed or EPA has not yet approved. Because we can complete development of an implementation plan only after DEQ has written, and EPA approved, a TMDL, and we cannot be certain when these other agencies will complete their work, for FY 2020 a reasonable goal is to complete seven implementation plans and 5-year reviews

RECOMMENDED ACTION: For information only.

ATTACHMENTS:

- FY 2019 TMDL Work Plan Final Report
- FY 2020 TMDL Work Plan

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FY 2019 TMDL Work Plan Final Report
Benchmark: Total of 7 Implementation Plans or Reviews Completed in FY2019
Completed: Total of 10; 7 Reviews and 3 Implementation Plans

REGION	SUBBASIN	TMDL DOCUMENT	HOURS	DELIVERABLES/COMMENTS
Panhandle Brad S.	St Joe River	St Maries R Watershed 5-Year Review	26	Complete--assisted DEQ to complete 5-year review
	CdA River (S Fork)	SF CdA River 5-Year Review	27	Complete--assisted DEQ to complete 5-year review
	Clark Fork River	Clark Fk River (Lower) 5-Year Review	27	Complete--assisted DEQ to complete 5-year review
	Pend Oreille Lk	Boyer Slough TMDL	40	WIP--DEQ completing pre-TMDL monitoring this summer
	CdA River (S Fork)	Temp Addendum	80	WIP--DEQ completing pre-TMDL monitoring this summer
	Div I Districts	TMDL Implementation Assistance	632	Provided TMDL project planning & implementation assistance
Clearwater Eileen R.	Clearwater River	Lolo Creek 5-Yr Review	45	Complete--assisted DEQ to complete 5-year review
	Clearwater River	Lolo Creek Addendum		Complete Implementation Plan for Lolo Creek TMDL Addendum
	Clearwater River	Lindsay Creek 5-Year Review	28	WIP--Working with WAG to complete
	Clearwater River	Hatwai Creek 5-Year Review	13	WIP--Working with WAG to complete
	Clearwater R (S Fork)	Clearwater River (South Fork) 5-Year Review	4	Complete--assisted DEQ to complete 5-year review
Southwest Jon B.	DEQ	5-Yr Review of TMDL Chosen by DEQ	0	DEQ didn't require assistance with a 5-year review in the region
	Bruneau River	Temp Addendum	0	Waiting for DEQ to produce TMDL Addendum
	Mid-Snake/Succor	TMDL Addendum	180	WIP--sediment addendum added to temp addendum
Southwest Loretta S.	Snake River	Hell's Canyon Subbasin 5-Yr Review	0	Waiting for DEQ
	DEQ	5-Yr Review of TMDL Chosen by DEQ	0	DEQ didn't require assistance with a 5-year review in the region
	Payette, Snake	TMDL Implementation Assistance	677	Provided TMDL project planning & implementation assistance
Southwest Delwyne T.	DEQ	5-Yr Review of TMDL Chosen by DEQ	0	DEQ didn't require assistance with a 5-year review in the region
	Mid-Snake River	Sediment Addendum	20	WIP--assisting Jon to combine w/earlier temp addendum
	State-Wide	Coordinate & Review All Plans	969	Manage all staff so TMDL deliverables are achieved
Magic Valley Carolyn F.	Walcott Lake	Lake Walcott-Marsh Cr Temp & E. coli TMDL	120	75% Complete
	Walcott Lake	Lake Walcott-Marsh Cr 5-Yr Review	123	Complete 5-Yr Review of Walcott Lake Subbasin
	Salmon Falls Cr	Salmon Falls Cr 5-Yr Review	44	Complete 5-Yr Review of Salmon Falls Cr TMDL
	Salmon Falls Cr	Salmon Falls Cr Addendum	0	Waiting on DEQ to complete addendum
Magic Valley Chuck P.	Big Wood River	Big Wood River Temp Addendum	70	WIP--50% complete
	Little Wood R.	Little Wood River TMDL 5-Yr Review	8	WIP--50% complete
	Little Wood R.	Little Wood River Temp Addendum	70	WIP--DEQ hasn't completed the addendum
Southeast George H.	DEQ	5-Yr Review of TMDL Chosen by DEQ	0	DEQ didn't require assistance with a 5-year review in the region
	Bear River	Bear River Basin Addendums	95	90% Complete Imp Plan for Bear Basin TMDL Addendums
	Portneuf River	Portneuf River TMDL Addendum	75	Complete Implementation Plan for TMDL Addendum
	Salt River	Salt River TMDL	225	Complete Implementation Plan for Salt River TMDL
	Portneuf, Salt, Bear	TMDL Implementation Assistance	95	Provide TA for TMDL implementation efforts
Upper Snake Brian R.	DEQ	5-Yr Review of TMDL Chosen by DEQ	0	DEQ didn't require assistance with a 5-year review in the region
	Medicine Lodge Cr	Medicine Lodge Cr Addendum	160	WIP--90% complete, to WAG in July, 2019
	Teton River	Teton River Temp Addendum	99	WIP--50% complete
Salmon Rob S.	DEQ	5-Yr Review of TMDL Chosen by DEQ	0	DEQ didn't require assistance with a 5-year review in the region
	Little Lost River	Temp Addendum	40	WIP--50% complete

FY 2020 TMDL Work Plan

Benchmark: Total of 7 Implementation Plans or Reviews Completed in FY2020

REGION	SUBBASIN	TMDL DOCUMENT	HOURS	DELIVERABLES/COMMENTS
Panhandle Brad S.	Pend Oreille Lk	Boyer Slough TMDL	200	50% Complete Implementation Plan. DEQ completing pre-TMDL monitoring this summer
	CdA River (S Fork)	Temp Addendum	200	50% Complete Implementation Plan. DEQ completing pre-TMDL monitoring this summer
	Div I Districts	TMDL Implementation Assistance	187	Provide TMDL project planning & implementation assistance
Clearwater Eileen R.	Clearwater River	Lindsay Creek 5-Year Review	80	Assist DEQ to complete 5-Year Review
	Clearwater River	Hatwai Creek 5-Year Review	80	Assist DEQ to complete 5-Year Review
	Clearwater River	Orofino Creek	50	10% Complete Implementation Plan. DEQ now working on SBA.
	Div II Districts	TMDL Implementation Assistance	52	Provide TMDL project planning & implementation assistance
Southwest Jon B.	DEQ	5-Yr Review of TMDL Chosen by DEQ	40	Complete 5-Yr Review of a TMDL selected by DEQ
	Bruneau River	Temp Addendum	160	50% Complete Ag Imp Plan for Bruneau River TMDL Addendum
	Mid-Snake/Succor	TMDL Temp & Sediment Addendums	120	Complete Ag Imp Plan for Mid-Snake Temp & Sed Addendums
Southwest Loretta S.	Snake River	Hell's Canyon Subbasin 5-Yr Review	80	Assist DEQ to complete Hell's Canyon 5-Year Review
	DEQ	5-Yr Review of TMDL Chosen by DEQ	40	Assist DEQ to complete 5-Yr Review of a watershed they choose
	Id Falls Region	Teton River & Medicine Lodge Creek	225	Help Brian Complete Addendums for these 2 watersheds
Southwest Delwyne T.	DEQ	TMDL Program Coordination	40	Coordinate Statewide TMDL Program
	State-Wide	TMDL Program Supervision	533	Manage all staff so TMDL deliverables are achieved
Magic Valley Carolyn F.	Walcott Lake	Lake Walcott-Marsh Cr TMDL Addendum	120	Complete Temp & E. coli Addendum
	Salmon Falls Cr	Salmon Falls Cr Addendum	261	50% Complete Salmon Falls Cr Addendum--contingent on DEQ
Magic Valley Chuck P.	Big Wood River	Big Wood River Temp Addendum	168	Complete Implementation Plan for 2013 TMDL Addendum
	Little Wood River	Little Wood River TMDL 5-Yr Review	40	Assist DEQ to Complete 5-Yr Review
Southeast George H.	Curlew Valley	TMDL expected to be approved by EPA soon	200	50% Complete Curlew Valley Imp Plan--contingent on DEQ/EPA
	Portneuf River	Portneuf River 5-Year Review	50	Assist DEQ to Complete 5-Yr Review
	American Falls	American Falls 5-Year Review	50	Assist DEQ to Complete 5-Yr Review
	Bear River	Bear River Basin Addendums	300	90% Complete Imp Plan for Bear Basin TMDL Addendums
	Portneuf, Salt, Bear	TMDL Implementation Assistance	105	Provide TA for District TMDL implementation efforts
Upper Snake Brian R.	Medicine Lodge Cr	5-Year Review	40	Assist DEQ to complete 5-Yr Review of Medicine Lodge Cr
	Medicine Lodge Cr	TMDL Addendum	30	With Loretta, Complete Imp Plan, 2017 Addendum
	Teton River	Teton River Temp Addendum	30	With Loretta, Complete Imp Plan, 2016 Addendum
Salmon Rob S.	Lemhi River	Temp & E. coli Addendum	80	Complete Implementation Plan
	Pahsimeroi River	Sediment, Temp & Bact Addendum	80	Complete Implementation Plan
	Little Lost River	5-Year Review	80	Assist DEQ to Complete 5-Yr Rev--Contingent on DEQ
	Little Lost River	Temp Addendum	135	Complete Implementation Plan