



IDAHO SOIL & WATER CONSERVATION COMMISSION

REGULAR MEETING NOTICE & AGENDA

Idaho Soil & Water Conservation Commission

March 18, 2021, 10:00 a.m. to 1:00 p.m. MT

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

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

[ZOOM Meeting Link](#)

Zoom Meeting ID: 977 2550 6648 Zoom Password: 648736

*In order to ensure compliance with social distancing requirements at the meeting, we ask that any person planning on attending the meeting in person provide forty-eight (48) hour notice to Crystal Rosen at (208) 332-1790. Pursuant to the city of Boise's Public Health Emergency Order 20-10, persons attending the meeting in person are required to wear face covering that completely cover their nose and mouth.

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 (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
NON-ACTION ITEMS		
# 4.	DISTRICT OUTREACH UPDATE ON TRUSTEE AND BENEFITS FUNDING ALLOCATION, TECHNICAL ASSISTANCE <u>ACTION:</u> None, for information only.	Trefz
5.	REPORTS <i>Commissioners and staff only, no discussion</i> <u>ACTION:</u> None, for information only.	Commissioners, Staff

(*) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission consideration

Thursday, Feb. 18, 2021 Meeting Agenda

Date of Notice: Feb. 11, 2021

ACTION ITEMS			
*#	6.	MINUTES 1. Feb 18, 2021 <u>ACTION:</u> Approve.	Chairman Wright
*#	7.	FINANCIAL REPORTS 2. February 28, 2021 <u>ACTION:</u> Approve.	Misnick
*#	8.	ADMINISTRATOR’S REPORT <ul style="list-style-type: none">• Activities• Legislative Update<ul style="list-style-type: none">○ S1145 (appropriations bill)○ S1122 (statute cleanup bill)○ H0297 (Representative Troy’s bill)• Mandatory Cybersecurity training by March 25, 2021• Meeting Schedule for FY 2021 <u>ACTION:</u> For discussion and possible action.	Murrison
*	9.	DISTRICT SUPPORT SERVICES UPDATE <ul style="list-style-type: none">• Eastern Idaho Engineer Hiring Update• Distribution of Withheld Trustee and Benefit Funds• Likely allocation of Withheld Trustee and Benefits Funding <u>ACTION:</u> <ol style="list-style-type: none">1. Rescind June 11, 2020 Board action to designate \$50,000 of FY 2021 Trustee and Benefits funding as Capacity Building for equal distribution in spring 20212. Designate remaining \$50,000 of FY 2021 Trustee and Benefits funding to be distributed as State Matching funds in spring 2021	Trefz
ADJOURN <i>The next Regular Commission Meeting will be on April 15, 2021, at 10:00 AM MT in Boise, Idaho.</i>			

(*) Action Item

(#) Attachment

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Thursday, Feb. 18, 2021 Meeting Agenda

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**SOIL & WATER
CONSERVATION
COMMISSION**

H. Norman Wright
Chairman

Cathy Roemer
Vice Chairman

Erik Olson
Secretary

Gerald Trebesch
Commissioner

Wendy Pratt
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS
ROEMER, OLSON, TREBESCH, AND PRATT**
FROM: DELWYNE TREFZ, DEPUTY ADMINISTRATOR
DATE: MARCH 10, 2021
**RE: DISTRICT OUTREACH UPDATE ON TRUSTEE AND BENEFITS FUNDING
ALLOCATION, TECHNICAL ASSISTANCE**

During February staff participated in as many District meetings as possible seeking suggestions for how statute and rule could be modified to improve the processes of distributing state funds to Districts. Districts were divided between Bill Lillibridge, responsible for those in Divisions I and II, Loretta Strickland for Division III Districts, George Hitz for Division V Districts, and me for those in Division IV and VI.

Forty-one of the 50 Districts held meetings during February and submitted suggestions as depicted in this table:

DISTRICT SUGGESTIONS FOR HOW TO IMPROVE THE DISTRICT FUNDS DISTRIBUTION PROCESS									
NUMBER OF DISTRICTS IN SUPPORT	SUGGESTED MODIFICATIONS								
9	Didn't have a meeting so provided no response								
13	Maintain the status quo--no changes								
10	Increase base to a level capable of sustaining every District								
6	Reduce cap on match, suggestions vary from \$15k-\$30k								
8	Divide all available T/B funds equally between the 50 Districts								
1	Distribute funds based on a tiered system that rewards District Performance. Details to be worked out.								
1	Comprehensive restructure of District funding:								
	a) Equal distribution, with goal of moving T/B appropriation to \$2.5M (\$50k/District) ASAP and giving Districts the option of contracting back to ISWCC for TA.								
	b) Transfer \$5,000,000 from the Resource Conservation and Rangeland Development Program loan funds to establish an equal access, non-competitive District Leverage fund providing each District with access to \$100,000 for use when they develop a resource conservation proposal that requires them to provide matching funds to undertake.								
	See attached "Comprehensive Restructuring Proposal_Assumptions_Background.pdf" for additional details.								
16	Will think about it and revisit in March								

Note that several Districts suggested multiple modifications, so the total number of Districts in support of the various suggestions is greater than the total number of Districts who provided suggestions.

During March staff are returning to Districts asking them to consider all the suggestions collected last month and to select their preferred suggestions by formal vote. We are also asking Districts to think about and submit to us any suggestions they have for improving our technical assistance process.

RECOMMENDED ACTION: For information only.

ENCLOSED:

- Comprehensive Restructuring Proposal_Assumptions_Background.pdf

February 25, 2021
Draft for Board Review

Latah SWCD Legislative Funding Proposal

Draft for Board Review

Latah SWCD Working Assumptions

- **Equity Between Districts** – Develop funding structures that do not create competition between districts for legislative funds. With the current 2:1 matching system, districts in bigger counties have a greater opportunity for county matching funds at the expense of districts in smaller counties.
- **Adequate Base Funding** – Establish a common base funding level to provide an increased capacity to provide longer-term professional staffing at each district allowing each conservation district the enhanced opportunities to secure external conservation funding from private and public sources. A common concern for many districts is the high turn-over of staff due to inadequate long-term funding. Each conservation district board would decide how best to use this funding capacity within their district.
- **Access to State Matching Funds** – Districts that seek to improve funding for conservation projects within their jurisdictions may need access to state matching funds to leverage additional private and federal resources.
- **District Leadership** – Conservation districts should embrace their leadership responsibilities consistent with state statute and the conservation district approved IASCD mission and vision statements:

IASCD's mission is to represent Idaho's conservation districts as the primary entities to coordinate voluntary, locally led efforts to sustain and enhance Idaho's natural resources and strengthen Idaho's conservation districts and thereby the non-regulatory approach to conservation.

We believe in strong, independently lead conservation districts fully exercising their role to lead non-regulatory conservation efforts throughout the State of Idaho.

Latah SWCD Funding Recommendations

- **District Base Capacity Funds** – Each of the 50 conservation districts would be allocated \$50,000/year from an enhanced \$2,500,000 T&B fund to establish and maintain a base of operations within each district. The local board of supervisors would determine how best to use these funds to develop and maintain their conservation leadership position within their jurisdiction. These funds could be used to maintain existing staff, hire additional staff or contract for professional services, including the option of contracting back to ISWCC for technical staff currently providing technical assistance to the affected conservation district.

The 2:1 state to local funding match distribution of funding is discontinued. Districts are strongly encouraged to secure funding for programs and projects from interested funding partners, including counties and cities within their jurisdictions.

- **District Leverage Funds** – An initial investment/transfer of \$5,000,000 (or \$500,000/year for 10 years) from the Resource Conservation and Rangeland Development Program loan funds to establish an equal access/non-competitive District Leverage Fund. This fund would be maintained by ISWCC and made equitably available for each district to access when an individual district develops a resource conservation proposal that requires state matching funds to undertake their proposal. This funding would be made available to each district until their individual district allocation was drawn down. If this system proves to be beneficial to the State of Idaho, the legislature could continue to fund the District Leverage Fund on an annual basis.

February 25, 2021
Draft for Board Review

Background

Legislative Funding Distribution between ISWCC and Idaho's 50 Conservation Districts

Total funding allocated to ISWCC – FY2021 appropriation \$3,084,300 (FY2022 Idaho Legislative Budget Book, p. 5-13).

Personnel Costs:	\$1,420,200 (17.75 FTEs)
Operating Expenditures:	\$ 436,000
Capital Outlay;	\$ 0
Trustee/Benefit (T&B):	\$1,228,100

Total TB potential funding to conservation districts – FY2021 \$1,228,100 (ISWCC Memo 9/15/20)

Base @ \$8,500/district	\$ 425,000
Operations @ \$2,000/district	\$ 100,000
<u>Matching Funds</u>	<u>\$ 525,378</u>
Total	\$1,050,378
FY21 Holdbacks	\$ 177,722

Range of TB legislative matching funds distributed to conservation districts FY21 – \$0.00 (Blaine)/\$1,928.69(South Bingham) to \$50,000 (Ada & Nez Perce).

ISWCC FY20 Technical Assistance to Districts

Range of hours/value of technical assistance to conservation districts – In FY2020, 5,406 hours of ISWCC technical assistance was allocated to 38 conservation districts. On average, the 5,406 hours available equates to ~ 110 hours of ISWCC TA per district. Hourly TA valued @ \$71/hour. Total TA value ~ \$383,826 or ~ \$7,677/district.

ISWCC FY20 Technical Assistance Distribution by District

Districts that received 0 hours of TA – 12

- Ada
- Bruneau River
- Butte
- Central Bingham
- Custer
- East Cassia
- Gooding
- Latah
- Lemhi
- South Bingham

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- Wood River
- Yellowstone

Districts that received < 10 hours of TA – 2

- East Side (6)
- West Side (6)

District that received between 11- 50 hours of TA – 11

- Balanced Rock (32)
- Blaine (30)
- Camas (20)
- Clark (32)
- Jefferson (16)
- Madison (28)
- North Bingham (30)
- North Side (40)
- Snake River (32)
- Twin Falls (32)
- West Cassia (40)

Districts that received between 51 – 100 of TA – 7

- Adams (125)
- Franklin (70)
- Minidoka (60)
- Portneuf (56)
- Power (90)
- Squaw Creek (90)
- Weiser River (60)

District that received between 101 – 200 hours of TA – 5

- Bonner (176)
- Boundary (135)
- Gem (190)
- Owyhee (150)
- Payette (110)

District that received between 201 - 300 hours of TA – 8

- Bear Lake (298)
- Benewah (261)
- Canyon (207)
- Elmore (274)
- Nez Perce (225)

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- Oneida (240)
- Teton (205)
- Valley (250)

Districts that received between 301 – 400 hours of TA – 4

- Clearwater (325)
- Idaho (325)
- Kootenai-Shone (360)
- Lewis (325)

Districts that received > 400 hours of TA – 1

- Caribou (455)

ISWCC FY20 Technical Assistance Hours by IASCD Division

Division I (4 Districts w/4 districts requesting TA) – Account for 8% of districts

- 932 hours
- ~ 17% of total

Division II (5 districts w/4 districts requesting TA) – Account for 10% of districts

- 1,200 Hours
- ~ 22% of total

Division III (11 districts w/9 districts requesting TA) – Account for 22% of districts

- 1,456 hours
- ~ 27% of total

Division IV (11 districts w/8 districts requesting TA) – Account for 22% of districts

- 286 hours
- ~ 5% of total

Division V (9 districts w/7 districts requesting TA) – Account for 18% of districts

- 1,239 hours
- 23% of total

Division VI (10 districts w/6 districts requesting TA) – Account for 20% of districts

- 293 hours
- 6% of total

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Soil and Water Conservation Commission

Historical Summary

OPERATING BUDGET	FY 2020 Total App	FY 2020 Actual	FY 2021 Approp	FY 2022 Request	FY 2022 Gov Rec
BY FUND CATEGORY					
General	2,723,600	2,644,100	2,695,800	2,738,300	2,727,200
Dedicated	393,000	282,800	388,500	404,200	402,600
Federal	289,800	178,500	0	0	0
Total:	3,406,400	3,105,400	3,084,300	3,142,500	3,129,800
Percent Change:		(8.8%)	(0.7%)	1.9%	1.5%
BY OBJECT OF EXPENDITURE					
Personnel Costs	1,682,700	1,515,900	1,420,200	1,464,300	1,397,600
Operating Expenditures	456,400	325,000	436,000	450,100	450,100
Capital Outlay	26,600	23,800	0	0	0
Trustee/Benefit	1,240,700	1,240,700	1,228,100	1,228,100	1,282,100
Total:	3,406,400	3,105,400	3,084,300	3,142,500	3,129,800
Full-Time Positions (FTP)	21.75	21.75	17.75	17.75	16.75

Division Description

The Legislature transferred the Soil and Water Conservation Commission from the Department of Lands to the Department of Agriculture effective July 1, 1997. The commission's five members are appointed to staggered five-year terms by the Governor to assist the 50 Soil and Water Conservation Districts (SWCDs) in accordance with Section 22-2718, Idaho Code. The commission's mission is to facilitate coordinated non-regulatory, voluntary, and locally-led conservation by federal, state, and local governments including Idaho's conservation districts and other partners, in order to conserve, sustain, improve, and enhance soil, water, air, plant and animal resources.

The responsibilities of the commission are to:

1. Provide technical assistance to owners and operators of private lands for the planning, implementation, and evaluation of agricultural Best Management Practices (BMPs).
2. Support local districts in the wise use and enhancement of soil, water, and related resources; and assist districts in the coordination of public outreach activities and offer technical and financial resources.
3. Offer assistance to districts in carrying out their powers and programs, and allocate state funds to districts to assist with conservation projects.
4. Inform district supervisors of actions and priorities of other districts to facilitate a sharing of information and to promote cooperation.
5. Develop the agricultural component of Total Maximum Daily Load (TMDL) water quality watershed implementation plans in consultation with districts and watershed advisory groups.
6. Provide technical and administrative assistance to districts and watershed advisory groups for TMDL planning and implementation.
7. Coordinate the periodic review and update of the Idaho Agricultural Pollution Plan (Ag Plan) in consultation with the Ag Plan advisory committee. Implement the Ag Plan for private and state agricultural lands.
8. Administer the Resource Conservation and Rangeland Development Program providing low interest conservation loans.
9. Administer, jointly with the Idaho State Department of Agriculture (ISDA), the Agricultural Water Quality Cost-Share Program for Idaho, and secure the cooperation and assistance of federal and state agencies.
10. Lead state efforts on the Conservation Reserve Enhancement Program (CREP), which offers federal financial incentives to landowners to reduce ground water consumption by taking farm ground out of production.
11. Assist the Idaho Department of Environmental Quality in administering a nonpoint source water quality loan under the State Revolving Fund Program.
12. Promote implementation of water quality projects across the state to maintain and enhance ground water quality.
13. Promote the Idaho OnePlan effort as the primary computer-based conservation planning process for all natural resource concerns.



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Administrator

MEMO

TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER, TREBESCH, PRATT, AND OLSON

FROM: DELWYNE TREFZ, DEPUTY ADMINISTRATOR

DATE: SEPTEMBER 15, 2020

RE: DISTRICT ALLOCATIONS WORK GROUP REPORT

RECOMMENDED NOVEMBER DISTRIBUTION OF AVAILABLE FY 2021 MATCH FUNDS

The District Allocations Work Group (DAWG) met via Zoom on September 14, 2020. Participating DAWG members were Tom Daniel (Boundary SCD, Division I), Julie Burkhardt (Adams SWCD, Division III), Jennifer Jenson (Bear Lake SWCD, Division IV) and ISWCC Commissioner Eric Olson. Staff appreciate the commitment of the DAWG members who help us accomplish the important work of allocating available match funds in a fair and transparent fashion.

Prior to the meeting, all District Financial and Match Reports had been sent to the DAWG on flash drives. During the meeting, the DAWG reviewed each District report and by voice vote acted to recommend which of the funds and services received by each District during FY 2020 were eligible to receive state match funding. Eligibility to receive match funding is based on criteria established by rule (IDAPA 60.05.01, Subchapter B) and detailed in the Reference Manual for Districts. This year the District match recommendation developed by the DAWG is identical to the match recommendation developed by SWCC staff and is attached (attachment 5a-1, FY 2021 District Match Eligibility Recommendation – Joint DAWG & SWCC Staff).

Most of the \$106,060 difference between the value of local support Districts reported and the value recommended as eligible for state match was due to Districts' misunderstanding of what is and is not eligible for match. The one exception involves Blaine SCD, which didn't receive their funds from Blaine County until August 7, 2020. To be eligible for match local funds must be received no later than June 30th, the last day of the previous fiscal year, so Blaine SCD will not receive state match for these funds in FY 2021. However, the District will be able to receive match for these County funds next year.

After the DAWG meeting, the match recommendation was distributed to all Districts and they were encouraged to contact SWCC staff if they had questions or concerns related to the recommendation. To date, no District has registered a disagreement with the recommendation.

For FY 2021, \$1,228,100 state general funds were appropriated for distribution to Districts. To date we have disbursed \$525,000 as District base and operations allocations. After accounting for the 5% (\$61,405) reduction in general fund appropriations ordered by the Governor's July 1st executive order as well as the \$50,000 of capacity building funds and the \$66,317.40 you directed staff to hold back as protection against future rescissions, \$525,377.60 is available for distribution as District match allocations in November. If you approve the match recommendation presented here, the recommended match fund allocation for each District will be as presented in attachment 5a-2, Recommended District Match Allocations for November 2020 Distribution.

Your action on District match allocations triggers the beginning of a 28-day period during which any person who believes they have been aggrieved by your action may file a petition for judicial review of your action. If no judicial reviews are pending at the end of the 28-day period, SWCC staff will begin processing District match allocations in early November and complete distribution of these funds before the end of November.

RECOMMENDED ACTION: Approve the FY 2021 District Allocation Matching Funds to be distributed as recommended by ISWCC staff and DAWG.

Attachments:

- FY 2021 District Match Eligibility Recommendation – Joint DAWG & SWCC Staff
- Recommended District Match Allocations for November 2020 Distribution

FY 2021 DISTRICT MATCH-ELIGIBILITY RECOMMENDATION -- JOINT DAWG & ISWCC STAFF

District	Local Support Submitted on District Report	DAWG & Staff Recommended Match-Eligible Local Support	Comments (see Notes, below)
Ada	\$60,000.00	\$60,000.00	
Adams	\$6,900.00	\$6,900.00	
Balanced Rock	\$9,000.00	\$9,000.00	
Bear Lake	\$12,741.95	\$12,741.95	
Benewah	\$5,000.00	\$5,000.00	
Blaine	\$18,000.00	\$0.00	County funds deposited 8/7/20, must be rec'd by 6/30/20 to be eligible for FY21 match (1)
Bonner	\$14,500.00	\$14,500.00	
Boundary	\$9,000.00	\$9,000.00	
Bruneau River	\$2,400.00	\$2,400.00	
Butte	\$10,060.00	\$10,060.00	
Camas	\$5,200.00	\$5,200.00	
Canyon	\$15,000.00	\$15,000.00	
Caribou	\$11,678.00	\$11,438.25	RC&D pymnt for Admin assistance (\$239.75) ineligible (2)
Central Bingham	\$3,850.00	\$3,850.00	
Clark	\$7,500.00	\$7,500.00	
Clearwater	\$30,000.00	\$30,000.00	
Custer	\$6,000.00	\$6,000.00	
East Cassia	\$6,000.00	\$6,000.00	
East Side	\$25,000.00	\$10,000.00	Volunteer time (\$15,000) ineligible (3)
Elmore	\$12,024.50	\$10,000.00	RC&D (\$1,318.63) and IDF&G (\$705.87) ineligible (2)
Franklin	\$6,800.00	\$6,800.00	
Gem	\$6,250.00	\$6,250.00	
Gooding	\$7,200.00	\$7,200.00	
Idaho	\$10,000.00	\$10,000.00	
Jefferson	\$21,500.00	\$9,500.00	Volunteer time (\$12,000) ineligible (3)
Kootenai-Shoshone	\$2,225.00	\$2,045.00	Donations from individuals (\$30 + \$100 + \$50) ineligible (4)
Latah	\$18,250.00	\$18,250.00	
Lemhi	\$11,100.00	\$11,100.00	

FY 2021 DISTRICT MATCH-ELIGIBILITY RECOMMENDATION -- JOINT DAWG & ISWCC STAFF

District	Local Support Submitted on District Report	DAWG & Staff Recommended Match-Eligible Local Support	Comments (see Notes, below)
Lewis	\$8,000.00	\$8,000.00	
Madison	\$6,500.00	\$6,500.00	
Minidoka	\$38,725.94	\$12,000.00	State funds (\$20,644.80) (5), tree sales (\$1,732.39) (6); and pymnt for Direct Seed program admin (\$4,348.75) (2) are ineligible.
Nez Perce	\$53,124.00	\$53,124.00	
North Bingham	\$2,200.00	\$2,200.00	
North Side	\$12,000.00	\$12,000.00	
Oneida	\$16,500.00	\$16,500.00	
Owyhee	\$4,500.00	\$4,500.00	
Payette	\$9,000.00	\$9,000.00	
Portneuf	\$22,500.00	\$22,500.00	
Power	\$8,500.00	\$8,500.00	
Snake River	\$8,500.00	\$8,500.00	
South Bingham	\$2,000.00	\$2,000.00	
Squaw Creek	\$7,950.00	\$7,950.00	
Teton	\$26,740.43	\$6,851.00	State funds (\$19,889.43) ineligible (5)
Twin Falls	\$8,500.00	\$8,500.00	
Valley	\$15,170.00	\$15,170.00	
Weiser River	\$14,000.00	\$14,000.00	
West Cassia	\$6,000.00	\$6,000.00	
West Side	\$24,500.00	\$12,500.00	Volunteer time (\$12,000) ineligible (3)
Wood River	\$7,200.00	\$7,200.00	
Yellowstone	\$5,000.00	\$5,000.00	
TOTALS	\$660,289.82	\$554,230.20	

NOTES

1. Criteria for Match (pg. 19, Reference Manual for Districts)

To qualify for state match funds, local funds and services must meet the following criteria:....

FY 2021 DISTRICT MATCH-ELIGIBILITY RECOMMENDATION -- JOINT DAWG & ISWCC STAFF

District	Local Support Submitted on District Report	DAWG & Staff Recommended Match-Eligible Local Support	Comments (see Notes, below)
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Funds and services must have been received during the previous fiscal year, i.e., from July 1st of the previous calendar year through June 30th of the current calendar year.

2. Funds that Do Not Qualify for State Match Funds (pg. 20, Reference Manual for Districts)

For purposes of calculating the amount of match funds to be distributed to each District, the following funds are not eligible for State match:....

4. Any funding designated for a special project. This includes, but is not limited to, funds received from any agency or individual intended as payment for services rendered (fee-for-service) or performed such as boat washing stations, weed management programs, or equipment rental fees.

3. Services that Do Not Qualify for State Match Funds (pg. 20, Reference Manual for Districts)

For purposes of calculating the amount of match funds to be distributed to Districts, the following sources of in-kind services are ineligible:....

5. The value of donated time. The value of time donated from local units of government, organizations or individuals including district supervisors, is not eligible for state match funding.

4. Funds that Do Not Qualify for State Match Funds (pg. 20, Reference Manual for Districts)

For purposes of calculating the amount of match funds to be distributed to each District, the following funds are not eligible for State match:....

5. Individual landowner contributions. Funds received from individual landowners are not eligible for state match funding. (Because families are considered to be "organizations", their contributions are eligible for match.)

5. Funds that Do Not Qualify for State Match Funds (pg. 20, Reference Manual for Districts)

For purposes of calculating the amount of match funds to be distributed to each District, the following funds are not eligible for State match:....

2. Any State funding. This includes, but is not limited to, funds received from other state agencies, prior District allocations and Water Quality Program for Agriculture cost-share funds.

6 Funds that Do Not Qualify for State Match Funds (pg. 20, Reference Manual for Districts)

For purposes of calculating the amount of match funds to be distributed to each District, the following funds are not eligible for State match:....

3. Any funds received from the sale of District assets. Receipts from tree sales, etc., do not qualify

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Recommended District Match Allocations for November, 2020 Distribution

District	Recommended Match Eligible Local Funds & Services	Match Allowed (2:1, not to exceed \$50,000)	Recommended Match for Distribution November, 2020
Ada	\$60,000.00	\$50,000.00	\$50,000.00
Adams	\$6,900.00	\$13,800.00	\$6,653.97
Balanced Rock	\$9,000.00	\$18,000.00	\$8,679.09
Bear Lake	\$12,741.95	\$25,483.90	\$12,287.61
Benewah	\$5,000.00	\$10,000.00	\$4,821.71
Blaine	\$0.00	\$0.00	\$0.00
Bonner	\$14,500.00	\$29,000.00	\$13,982.97
Boundary	\$9,000.00	\$18,000.00	\$8,679.09
Bruneau River	\$2,400.00	\$4,800.00	\$2,314.42
Butte	\$10,060.00	\$20,120.00	\$9,701.29
Camas	\$5,200.00	\$10,400.00	\$5,014.58
Canyon	\$15,000.00	\$30,000.00	\$14,465.14
Caribou	\$11,438.25	\$22,876.50	\$11,030.39
Central Bingham	\$3,850.00	\$7,700.00	\$3,712.72
Clark	\$7,500.00	\$15,000.00	\$7,232.57
Clearwater	\$30,000.00	\$50,000.00	\$28,930.28
Custer	\$6,000.00	\$12,000.00	\$5,786.06
East Cassia	\$6,000.00	\$12,000.00	\$5,786.06
East Side	\$10,000.00	\$20,000.00	\$9,643.43
Elmore	\$10,000.00	\$20,000.00	\$9,643.43
Franklin	\$6,800.00	\$13,600.00	\$6,557.53
Gem	\$6,250.00	\$12,500.00	\$6,027.14
Gooding	\$7,200.00	\$14,400.00	\$6,943.27
Idaho	\$10,000.00	\$20,000.00	\$9,643.43
Jefferson	\$9,500.00	\$19,000.00	\$9,161.26
Kootenai-Shoshone	\$2,045.00	\$4,090.00	\$1,972.08
Latah	\$18,250.00	\$36,500.00	\$17,599.26
Lemhi	\$11,100.00	\$22,200.00	\$10,704.21
Lewis	\$8,000.00	\$16,000.00	\$7,714.74
Madison	\$6,500.00	\$13,000.00	\$6,268.23
Minidoka	\$12,000.00	\$24,000.00	\$11,572.11
Nez Perce	\$53,124.00	\$50,000.00	\$50,000.00
North Bingham	\$2,200.00	\$4,400.00	\$2,121.55
North Side	\$12,000.00	\$24,000.00	\$11,572.11
Oneida	\$16,500.00	\$33,000.00	\$15,911.66
Owyhee	\$4,500.00	\$9,000.00	\$4,339.54
Payette	\$9,000.00	\$18,000.00	\$8,679.09
Portneuf	\$22,500.00	\$45,000.00	\$21,697.71
Power	\$8,500.00	\$17,000.00	\$8,196.91

District	Recommended Match Eligible Local Funds & Services	Match Allowed (2:1, not to exceed \$50,000)	Recommended Match for Distribution November, 2020
Snake River	\$8,500.00	\$17,000.00	\$8,196.91
South Bingham	\$2,000.00	\$4,000.00	\$1,928.69
Squaw Creek	\$7,950.00	\$15,900.00	\$7,666.53
Teton	\$6,851.00	\$13,702.00	\$6,606.71
Twin Falls	\$8,500.00	\$17,000.00	\$8,196.91
Valley	\$15,170.00	\$30,340.00	\$14,629.08
Weiser River	\$14,000.00	\$28,000.00	\$13,500.80
West Cassia	\$6,000.00	\$12,000.00	\$5,786.06
West Side	\$12,500.00	\$25,000.00	\$12,054.29
Wood River	\$7,200.00	\$14,400.00	\$6,943.27
Yellowstone	\$5,000.00	\$10,000.00	\$4,821.71
TOTAL	\$554,230.20	\$972,212.40	\$525,377.60

DISTRICT	PROJECT	HOURS REQUESTED	HOURS ALLOCATED	
			BRAD	BILL
BENEWAH SWCD	St. Joe R. Streambank Stabilization/Vegetation Project	20	20	
	Identify & Develop Potential Projects	96	96	
	District Mtng Attendance	15	15	
	Conifer seedlings sorting and delivery	10	10	
	BENEWAH TOTALS FOR BRAD	141	141	
	St. Joe River Streambank Stabilization & Vegetation Project Engineering	120		120
BONNER SWCD	District meeting attendance	20		
	Idaho State Forestry Contest	10	10	
	Water Festival	20	20	
	Natural Resource Inventory	40	31	
	Spring Cr Rd and Lighting Cr Breach 319	40	40	
	Grant Writing Assistance	40	31	
	Seedling Program	10	10	
	BONNER TOTAL FOR BRAD	180	142	
	Spring Cr Rd 319 Engineering	24		24
	Idaho State Forestry Contest(??)	10		10
	BONNER TOTALS FOR BILL	34		34
BOUNDARY SWCD	County Resource Inventory	50	50	
	TA for Tentative Future Grants (Fleming Cr., Kerr Lake Rd., Cow Cr.)	30	30	
	As Needed (HS Greenhouse, Ag Orchard, Outdoor School Fair)	25	25	
	BOUNDARY TOTALS FOR BRAD	105	105	
	Engineering support of ongoing projects	30		30
	Engineering support of tentative future grants	25		0
	BOUNDARY TOTALS FOR BILL	55		30
KOOTENAI-SHOSHONE SWCD	Mica Cr, work with property owners to develop projects funded by Mica Bay POA	20	20	
	Seedling Program Sorting and Delivery	15	15	
	CdA Lake Watershed Project Scoping, Development and Grant Writing Assistance	67	60	
	District Operations--Planning Tasks, Mtngs & Tours	45	45	
	Wolf Lodge Restoration Partnership	40	40	
	K-STOTALS FOR BRAD	187	180	
	Engineering Design & Implementation for CdA Lake Watershed Project	100		100
	District Operations--Planning Tasks, Mtngs & Tours	25		0
	Engineering for Wolf Lodge Restoration Partnership	80		80
	K-STOTALS FOR BILL	205		180
TOTAL BRAD'S HOURS (568 Available for Allocation)		613	568	
TOTAL BILL'S HOURS		414		364
TOTAL HOURS		1027	932	

DISTRICT	PROJECT	HOURS REQUESTED	HRS ALLOCATED	
			EILEEN	BILL
CLEARWATER SWCD, IDAHO SWCD, LEWIS SCD JOINT REQUEST	You th / Adu lt Education--Assist with workshops , field tours, info for newslett er art icles & fair boot h	80	80	
	TA--Minimum of 25 field visits & 8 new grant applications	1100	595	
	JOINT REQUEST TOTAL EILEEN'S HOURS	1180	675	
	Exist ing & Fut ure Pr o j e c t Engineering-- 4 engineering packages & const r u c t i o n oversight of 2 culvert proj e c t s	300		300
	JOINT REQUEST TOTAL BILL'S HOURS	300		300
NEZ PERCE SWCD (Eil een)	Environment al Awareness Days soils p r e s e n t a t i o n (2 days in May). Clas s r o o m p r e s e n t a t i o n s in March	60	20	
	Sweetwater Forest ry Project--deve lop forest thinning and stewardship plans	160	85	
	Soil Qualit y Monitor ing--Sample colle ction June-Aug post- har vest, pre-fall seeding	40	40	
	Thermograph monitor ing--Ret rieve 15 gages dur ing Oct., 2019; place 20 gages dur ing Mar, 2020	80	80	
	Spat ial analysis of land cover on hydric soi ls	80		
	NEZ PERCE SWCD TOTALS:	420	225	
EILEEN'S TOTAL HOURS (900 available for allocation)		1600	900	
BILL'S TOTAL HOURS (1,004 available for allocation, stat e-wide)		300		300
TOTAL HOURS		1900	1200	

Districts Receiving No Technical Assistance: Latah

DISTRICT	PROJECT	HOURS REQUESTED	HOURS ALLOCATED			
			LORETTA	JON	DELWYNE	BILL
ADAMSSWCD (Loretta)	319 Proj Development, Cons Plann ing, Contracting & Reporting	50	50			
	Enginee ring--Pro ject Design & Consul tation	75				75
CANYON SCD (Jon)	Col l abora ti v e w o r k w i t h F a r m e r s C o - O p o n r e t u r n f l o w s a n d s e d i m e n t / n u t r i e n t r e d u c t i o n . E d u c a t e / i n f o r m t h e p u b l i c & i n s t a l l s e d i m e n t b a s i n s	50		50		
	Pro v i d e d i s t r i c t t r a i n i n g o n 5 - Y r & A n n u a l P l a n d e v e l o p m e n t	20		20		
	CANYON TA TOTAL	70		70		
	Engineering--re view designs and project construc tion to certify NRCS Stds are met	137		0		137
ELMORE SWCD (Jon)	District Board Meeting Attendance	24		24		
	Develop Potent ial Atlanta Fire Supp ressi on and MH Irrig Dist Tunne l Upgrade Projects	150		150		
	ELMORE TA TOTAL	174		174		
	Engineering for Atlanta Fire Suppression and MH Irrig Tunne l Upgrade Projects	100				100
GEM SWCD (Lor ett a)	Low er Paye tt e Ri v e r P h a s e 5 319 P r o j e c t I m p l e m e n t a t i o n	150	150			
	Engineering for Low er Payette Phase 5 319 Stream bank Pro ject	40				40
OWYHEE CD (Jon)	Attend Monthly Board Meetings	25		25		
	Reserach part ne rships, potentia l grants	25		25		
	Ag. Lite racy, schoo l educa ti on, soil health classes	100		100		
	OWYHEE TA TOTAL	150		150		
PAYETTE SWCD (Loretta)	Attend meetings, tours, advise on SWCC requirements	60	50			
	Engineering Assistance Reviewing BMP Designs	60				60
SQUAW CREEK SCD (Loretta)	Payette Riv er 319 Pro jec t i m p l e m e n t a t i o n , B M P e f f e c t i v e n e s s m o n i t o r i n g & s e d i m e n t l o a d r e d u c t i o n c a l c u l a t i o n s	100	50			
	Engineering for Low er Payette Phase 5 319 Stream bank Pro ject	40				40
VALLEY SWCD (Loretta)	N Fork Payette Riv er 319 Invoicing, Reporting and New Grant App lications	150	150			
	Engineering for N Fork Payette Riv er 319	100				100
WEISER RIVER SCD (Delwyne)	Attend tours, pro v i d e s u p e r v i s o r a d v i s e a n d t r a i n i n g	30			30	
	Eng i n e e r i n g -- C o n s u l t , d e s i g n & i n s p e c t C i t y i n t a k e , G a l l o w a y D a m s p i l l w a y & M o n r o e C r p r o j e c t s	30				30
TOTAL LORETTA'S HOURS (450 Available for Allocatio n)		510	450			
TOTAL JON'S HOURS (511 Ava ilab le for Allocatio n)		394		394		
TOTAL MARIA'S HOURS (100 Available for Allocat ion)		0				
TOTAL DELWYNE'S HOURS (30 Avai lab le for Allocat io n)		30			30	
TOTAL BILL'S HOURS		582				582
TOTAL HOURS		1516	1456			

Districts Receiving No Technical Assistance: Ada and Bruneau River

DISTRICT	PROJECT	HOURS REQUESTED	HOURS ALLOCATED			
			CAROLYN	CHUCK	ROB	ALLAN
BALANCED ROCK Chuck	Soil Health Sampling Project	12		20		
	Soil Health Sampling Administrative	4		4		
	Monthly Meetings	32		0		
	Project Cooperator Plann ing Meeting	8		8		
	Balanced Rock Total	56		32		
BLAINE SCD Rob	Comprehensive Assistance - I and E With Board and Landown ers	30			30	
	Blaine Total	30			30	
CAMAS CD Rob	Attend Brd Mtngs, Assist wi th Dist Rpts , Collaborate with NRCS	20			20	
	Camas Total	20			20	
MINIDOKA SWCD Carolyn	Soil Health Sampling Project	40	40			
	Multi -media Campaign Assistance	20	20			
	Minidoka Total	60	60			
NORTH SIDE SWCD Chuck	Monthly Meetings, Report Assistance , Collabo rate with NRCS DC	20		20		
	Soil Health Sampling Proiect	20		20		
	North Side Total	40		40		
SNAKE RIVER SWCD Chuck	Soil Health Sampling Project	12		20		
	Soil Health Sampling Administrative	4		4		
	Monthly Meetings	32		0		
	Project Cooperator Plannin g Meeting	8		8		
	Snake River Total	56		32		
TWIN FALLS SWCD Chuck	Soil Health Sampling Proiect	12		20		
	Soil Health Sampling Administrative	4		4		
	Monthly Meetings	32		0		
	Proiect Cooperator Plann ing Meeting	8		8		
	Twin Falls Total	56		32		
West Cassia SWCD Carolyn	Soil Health Sampling Project	40	40			
	West Cassia Total	40	40			
TOTAL CHUCK'S HOURS (200 hour s available for allocation)		208		136		
TOTAL CAROLYN'S HOURS (200 hours availab le for allo cat ion)		100	100			
TOTAL ROB 'S HOURS (165 hours ava ilable for allocat ion)		50			50	
TOTAL ALLAN'S HOURS						
TOTAL HOURS		358		286		

Districts Receiving No Technical Assistance: East Cassia, Gooding and Wood River

DISTRICT	PROJECT	HOURS REQUESTED		HOURS ALLOCATED	
		GEORGE	ALLAN	GEORGE	ALLAN
BEARLAKE SWCD Allan J & George H	#1: Thomas Fork AFOs 319--Boehme, design retaining wall & wastestorage containment; Loert scher, design corral and water system; Joel Teuscher, design water system & wast storage containment; James Teuscher design Hershey Cr Diversion and irrig pipeline system, design Preuss Cr diversion & irrig pipeline system	128	170	128	170
	#2: Bear Lake Diversions and Stream bank Stabilization - Design Bennington Cr Irrig system & diversion; Design S Charles Cr irrig pipeline system; Design Georgetown Irrig pipelins system.	154	340		
	Bear Lake Totals	282	510	128	170
CARIBOU SCD Allan J	#1 : Middle Bear R 319 -- Barthlome, diversion design, well improvement; Toone, Stock water line design, storage tank, troughs; Nichols, diversion design, spring development design, pipeline & troughs; Sweers, spring development, stock water system design	150	305	150	305
	Caribou Totals	150	305	150	305
CENTRAL BINGHAM CD George H	#1 George: Water Quantity Project Development and Grant Application Grant Write-up and Mapping	30			
	#2 Tour, Workshop and Field Day	20			
	#3 Ag Day Presentations	20			
	Central Bingham TOTALS	70	0	0	0
FRANKLIN SWCD George H	#1 Allan: BoR--Engineering, of Hi Low Bypass Pipe & Riverdale canal projects, timeline 2017-3/31/2020.	24	44		44
	#2 Allan: ECC John Mussier, construction inspection and final certification	30	9		
	#1 George: Stream Flow Measurements	26	10	26	
	#2 George: Technical & Administrative Staff training, education & mentoring	108			
	Not ranked: Mink Creek Monitoring	12			
	Not ranked: Grant applications; Assist with development of pending applications				
	Not ranked: FCHS Ecology, provide education	10			
	Not ranked: 8th grade water fair, run a station	14			
	Franklin Totals	224	63	26	44
NORTH BINGHAM CD George H	#1 George: Tour, Field Day, & workshop presentation on soil health	30		30	
	#2 George: Assist with project development, grant application write-up & mapping assistance	30			
	#3 George: Assistance Developing Updated Outreach Materials for School Presentations	25			
	North Bingham TOTALS	85	0	30	0
ONEIDA SWCD George H	#1: Cottonwood Cr Off-Stream Watering Project; assist with maps, surveys, contracting & conservation plan development	120	120	120	120
	#2: Oneida No-Till: Assist with landowner meetings, contractig, demonstration projects, site visits, Board meetings & writing new grants	120			
	Oneida Totals	240	120	120	120

PORTNEUF SWCD George H	#1 : Assist in identifying & developing project proposals and grant applications . Assist with community education & landowner outreach efforts.	56		56	
	#2: Connor Academy , assist with windbreak tree planting & education day	16			
	#3: Marsh Creek Small Acreage Water Quality Improvement Project; assist with landowner outreach and project implementation	8			
	Portneuf Totals	80	0	56	0
POWERSWCD George H	#1: Education & outreach assistance; Assist with youth & landowner education (Ag Day, Workshops); Assist with project development & project education & outreach (workshop & project meetings); Assist with grant writing & application.	90		90	
TOTAL GEORGE 'S HOURS (615 hours available for allocation)		1221		600	
TOTAL ALLAN'S HOURS			998		639
TOTAL HOURS		2219		1239	

Districts Receiving No Technical Assistance: Central Bingham and South Bingham

DIVISION 6 -- TECHNICAL ASSISTANCE REQUESTED & ALLOCATED FOR FY2020

DISTRICT	PROJECT	HOURS REQUESTED	HOURS ALLOCATED		
			BRIAN	ROB	ALLAN
BUTTE SWCD (Rob)	2020 State Envirothon (not necessary to request hrs, SWCC will provide)	20		0	
CLARK SCD (Brian)	Attend Bd Mtngs, Tours, Etc	32	32		
EASTSIDE SWCD (Brian)	Attend District Bd Meetings	6	6		
JEFFERSON SWCD (Brian)	Attend District Bd Meetings	16	16		
MADISON SWCD (Brian)	Attend Bd Mtngs, Tours, Etc	20	28		
TETON SCD (Brian)	Attend Bd Mtngs, Workshops, Tours	100	70		
	Fox Cr Mitigation Proj Engineering Oversight & Final Inspection	5			5
	Fox Cr Mitigation Engineering Presentation	10			10
	Tonks Canal Diversion Engineering--Design Headgate, Construction Oversight	120			120
WESTSIDE SWCD (Brian)	Attend District Bd Meetings	6	6		
TOTAL BRIAN'S HOURS (158 AVAILABLE FOR ALLOCATION)		180	158		
TOTAL ROB'S HOURS		20		0	
TOTAL ALLAN'S HOURS		135			135
TOTAL HOURS		335	293		

Districts Receiving No Technical Assistance: Butte, Custer, Lemhi and Yellowstone

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Idaho Soil & Water Conservation Commission

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

ITEM #6

IDAHO SOIL & WATER CONSERVATION COMMISSION PUBLIC MEETING & TELECONFERENCE

Date and Time:

Thursday, February 18, 2021
9:01 AM – 1:10 PM MT

Location:

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

MINUTES

COMMISSION MEMBERS PRESENT:

Norman Wright (Chair) (Zoom)
Erik Olson (Secretary) (Zoom)
Wendy Pratt (Zoom)

Cathy Roemer (Vice-Chair) (teleconference)
Jerry Trebesch (teleconference)

COMMISSION STAFF PRESENT:

Teri Murrison
Rachel Misnick
Bill Lillibridge (Zoom)
Loretta Strickland (Zoom)
Terry Hoebelheinrich (teleconference)

Crystal Rosen
Delwyne Trefz
Chuck Pentzer (Zoom)
Joe Peterson (Zoom)

PARTNERS AND GUESTS PRESENT:

LeAnn Daman, Benewah SWCD (Zoom)
Tyler Nelson, Lewis SCD (Zoom)
Mike Sommerville, IASCD (Zoom)
Kit Tillotson, IASCD (Zoom)
Steve Becker, IASCD (Zoom)
Art Beal, Squaw Creek SCD (Zoom)
Allen Schmid, Payette SWCD (Zoom)
Curtis Elke, NRCS (Zoom)

Elaine Sonnen, Idaho SWCD (Zoom)
Tom Daniel, IASCD (Zoom)
Richard Kunau, IASCD (Zoom)
Matt Woodard, IASCD (Zoom)
Benjamin Kelly, IASCD (Zoom)
Karma Bragg, Custer SWCD (Zoom)
Shantel Chapple Knowlton, OAG (Zoom)

ITEM #1: WELCOME AND ROLL CALL

Chairman Wright called the meeting to order at 9:01 a.m.

Roll call: Chairman Norman Wright, Commissioners Cathy Roemer, Jerry Trebesch, and Wendy Pratt were present. Commissioner Olson was Absent.

ITEM #2: PARTNER REPORTS

Action: None taken

ITEM #3: AGENDA REVIEW

Action: None taken.

ITEM #4: DISCUSSION WITH IDAHO ASSOCIATION OF SOIL CONSERVATION DISTRICTS BOARD

Action: None taken.

Commissioner Olson joined the meeting at 9:23 a.m.

ITEM #5: REPORTS

Action: None taken.

ITEM #6: MINUTES

Action: Commissioner Olson made a motion to *approve the January 14, 2021 Regular Meeting minutes as submitted*. Commissioner Roemer seconded the motion. Motion carried by unanimous vote.

ITEM #7: FINANCIAL REPORTS

Action: Commissioner Roemer made a motion to *approve the Financial Reports for the month ended December 31, 2020*. Commissioner Pratt seconded the motion. Motion carried by unanimous vote.

Action: Commissioner Roemer made a motion to *approve the Financial Reports for the month ended January 31, 2021*. Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ITEM #8: OMNIBUS RULEMAKING PROCESS

Action: Commissioner Pratt made a motion *Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens.*

These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws.

The expiration of these rules without due consideration and processes would undermine the public health, safety, and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.

Therefore, we are adopting this temporary rule to be effective upon sine die of the 2021 session of the Idaho Legislature. The approval is conditional and will only become effective if the rules are not otherwise approved or rejected by the Legislature and/or not extended pursuant to the Idaho Administrative Procedure Act, including sections 67-5291 and 67-5292, Idaho Code. Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ITEM #9: ADMINISTRATOR’S REPORT

Action: Commissioner Roemer made a motion *to approve the payment of the Annual NSACA dues in the amount of \$3000.00.* Commissioner Pratt seconded the motion. Motion carried by unanimous vote.

Open Meetings Violation recognized and email exchange between Commissioners disclosed to cure violation.

ITEM #10: EXECUTIVE SESSION

Action: Commissioner Roemer made a motion *to enter Executive Session pursuant to Idaho Codes § 74-206(1)(d) for the purpose of discussing a loan application and § 74-206(1)(b) for employee review.* Commissioner Trebesch seconded the motion. Motion carried by unanimous roll call vote.

Executive Session commenced at 11:30 AM.

Executive Session concluded at 12:26 PM.

Open Session reconvened at 12:30 AM.

ITEM #10a: RESOURCE CONSERVATION & RANGELAND DEVELOPMENT PROGRAM

Action: Commissioner Olson made a motion *to approve loan application A-740 with the condition that more collateral be added as discussed.* Commissioner Pratt seconded the motion. Motion carried by unanimous roll call vote.

ITEM #10b: EMPLOYEE REVIEW

Action: None taken.

ITEM #7: ADJOURN

The meeting was adjourned at 1:10 PM. The next Commission Meeting will be held on March 18, 2021 in Boise.

Respectfully submitted,

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Erik Olson, Secretary



IDAHO SOIL & WATER CONSERVATION COMMISSION

ITEM #7

TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER, TREBESCH, PRATT, OLSON
FROM: RACHEL MISNICK, SENIOR FINANCIAL SPECIALIST
DATE: MARCH 9, 2021
RE: FINANCIAL REPORTS, FISCAL MATTERS

FINANCIAL REPORTS

The Financial Detail and Fund Summary year-to-date reports for the month ended February 28, 2021 are enclosed. These reports are scheduled to be reviewed with the Board Chair on March 17th.

FY 2022 BUDGET HEARINGS

As of the time this Memorandum was written, the Commission's Fiscal Year 2022 appropriations bill was approved by the Senate on March 4th and is scheduled for a third reading by the House on March 9th. The bill now includes an additional \$200,000 in Trustee & Benefit funds to be distributed to the Districts, and funding to convert the Technical Records Specialist 2 position into a Conservation Enhancement Reserve Program (CREP) Manager position.

COMMISSIONER HONORARIUMS

Below is a schedule of the honorarium balances as of March 8, 2021. Included in the schedule are the amounts budgeted for each Commissioner for FY21. We are in good standing with the Commissioners' budget as we have spent 51% of the honorarium allocation.

Commissioner	Benefit Costs included in Honorariums	Honorariums Budgeted	Expended to Date	Projected Balance/ (Overage)
Wright	\$132	\$1,632	\$624	\$1,008
Roemer	\$88	\$1,088	\$588	\$500
Trebesch	\$44	\$544	\$431	\$113
Pratt	\$88	\$1,088	\$538	\$550
Olson	\$88	\$1,088	\$592	\$496
Totals	\$440	\$5,440	\$2,773	\$2,667

RECOMMENDED ACTION:

- Approve the Financial Reports for the month ended February 28, 2021

ENCLOSED:

- Financial Detail Report for February 28, 2021
- Fund Summary Report for February 28, 2021

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Soil and Water Conservation Commission
FY2021 YTD Financial Summary Through February 28, 2021

Updated: [3/9/2021](#)

Fund Summaries					Appropriation																
Fund Source		General Fund				Federal Grants				Professional Services				RCRDP Loan Administration				Revolving Loan			
Personnel Funds																					
		Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining					Budget	Expenditures	Expenditures Projected	Remaining				
		\$1,182,600	\$ 704,360	\$ 409,901	\$ 68,339	\$ -	\$ -	\$ -	\$ -					\$ 175,400	\$ 104,222	\$ 60,760	\$ 10,418				
Operating Funds																					
		Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures		
		\$ 211,700	\$ 128,573	\$ 61,957	\$ 21,170	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ 2,270	\$ 12,730	\$ 15,000	\$ 153,100	\$ 55,802	\$ 27,901	\$ 69,397	\$ 30,000	\$ 869		
Capital Funds																					
		Budget	Expenditures	Expenditures Projected	Remaining																
		\$ -	\$ -	\$ -	\$ -																
Trustee and Benefit																					
		Budget	Expenditures	Expenditures Projected	Remaining																
		\$1,166,700	\$ 1,050,378	\$ 116,322	\$ -																

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**SOIL & WATER
CONSERVATION
COMMISSION**

H. Norman Wright
Chairman

Cathy Roemer
Vice Chairman

Erik Olson
Secretary

Gerald Trebesch
Commissioner

Wendy Pratt
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT, COMMISSIONERS ROEMER, OLSON,
PRATT, AND TREBESCH**
FROM: TERI MURRISON, ADMINISTRATOR
DATE: MARCH 10, 2021
RE: ADMINISTRATOR'S REPORT

ACTIVITIES

- Multiple Legislative presentations (JFAC budget setting, S1122, S1145 to House and Senate Ag Committees)
- Attended Rinker Rock Creek Ranch Research Webinar
- Idaho CREP meeting with Washington DC reps
- NRCS COVID 19 policies meeting
- Idaho Environmental Forum Board meeting
- Rinker Rock Creek Ranch Advisory Strategic Committee meeting

LEGISLATIVE UPDATE

S1145 (appropriations bill)

Our appropriations bill passed the Senate on March 4 by a vote of 31 (yay) – 2 (Bayer, Zito - nay) – 2 (Heider, Woodward absent and excused).

It is on the House second reading calendar today, March 8 (means it will be considered/debated on the third reading calendar as soon as the 9th or 10th). If it passes in the next few days, the bill will be forwarded to the Governor to sign into law. If it doesn't pass, it will go back to JFAC for modification (like last year) before starting the process again. An update will be provided at your meeting, if not before.

SS 1122 (statute cleanup bill)

This bill was initiated by the Governor's direction to us to remove outdated (standardizing references to Districts and the Commission) and removing obsolete language (OnePlan) from agency statute. The bill has been through Committee and was approved by the Senate 34 (yay) – 0 (nay) – 1 (Bair absent and excused).

On March 5th, the House Agricultural Affairs Committee forwarded it to the House with a do pass recommendation. It's on the second reading calendar for March 8th which means it too will likely move forward to the third reading calendar (debate and consideration) in the next day or two. An update will be given at your meeting, if not before.

H0297 (see attached)

MARCH 10, 2021 UPDATE: H0297 was pulled from the House Agricultural Affairs Committee by the Chairman at the beginning of the meeting. The explanation given was:

“...HOUSE BILL 297 THAT WAS ON THE AGENDA EARLIER HAS BEEN TAKEN OFF THE AGENDA. WE NEED TO HAVE THE PARTIES GET TOGETHER AND MAYBE EDUCATE US AND MAYBE FIND SOME CONSENSUS THAT WE CAN MOVE FORWARD WITH WHATEVER NEEDS TO BE DONE, BUT I DIDN'T THINK IT WAS APPROPRIATE FOR THIS COMMITTEE TO BE THE REFEREE WITHIN AN ORGANIZATION.” *[All caps were in the caption feed from Idaho Public TV..]*

We will endeavor to have an update at your meeting on whether the bill is dead or just resting.

This bill revises provisions for how Commissioners are appointed to the Idaho Soil and Water Conservation Commission and repeals the ability to establish any new Soil and Water Conservation Districts. The bill was introduced by House Representative Caroline Nilsson Troy. Though no mention was made by IASCD of this bill at your joint meeting in February, Benjamin Kelly is listed as a contact. To our knowledge the bill was not vetted widely (if at all) with Districts nor shared with other partners for input and consensus. It is unclear whether all IASCD Board members were aware of the legislation – at least one has disavowed any knowledge of the bill.

The proposed bill would:

- Amend IC Section 22-2718 – effective July 1, 2021, the Governor would appoint 5 Commissioners to staggered terms (1 from each Division except for Divisions 1 and 2 which are proposed to be combined) from a list generated within each Division.
- Repeal IC Section 22-2719 to remove the ability to establish new Conservation Districts
- Amend IC 22-2721 to permit Districts to make changes to the number of supervisors on a board
- Amend IC Section 22-2717 to “remove obsolete language” - remove definition of “Petition” in (18)
- Amend IC Section 22-2726 to “remove a code reference” - remove reference to IC 22-2719 regarding funds or assistance provided by county from county general fund

Official bill contacts listed: Representative Caroline Nilsson Troy, (208) 332-1000
Executive Director Benjamin Kelly, IASCD (208) 888-0988

The bill is scheduled before the House Agricultural Affairs Committee for a hearing on March 10th. I anticipate it will move quickly back to the House, possibly prior to your meeting. If the House passes the bill, it will go to the Senate Agricultural Affairs Committee and then to the Senate for final approval. If also passed by the Senate, the bill will go to the Governor for signing soon after. If signed, it takes effect this July 1, 2021 - well before any vote of confidence (or lack thereof) takes place at IASCD Division and Annual Meetings.

The Administrator has received permission to submit the attached testimony of H0297.

Despite not testifying in support or against H0297, if it passes the House and Senate and is signed into law, it stands to fundamentally change the conservation partnership and allow the appointment of new Commissioners to aid in a hostile takeover and desired transformation of the Commission. Again, existing Commissioners – all strong advocates for Districts - will be removed prior to June 30, 2021, and new ones, acceptable to the leadership of IASCD and proposed by Divisions, appointed by the Governor.

It is also worth noting that despite IASCD’s contention at your last meeting that Commissioners should be District supervisors, this bill isn’t about ensuring every Commissioner has District experience. **EVERY member of the current Commission Board still meets the qualifications listed for appointment in the revised bill language** (“knowledge of conservation districts and their functions, production agriculture, banking or other similar experience, or experience as a county commissioner...”). In addition, it removes the right of local communities ever being able to form a District in the future. This begs the question, what is IASCD really trying to change with this bill?

IASCD's bylaws state that the President or the Board can call a Special Meeting of the members at any time during the year, however despite the significance and potential impacts of this bill, they have not done so. Begging another important question: why? Staff recommends that your Board calls on President Becker and/or his Board of IASCD to immediately convene a Special Meeting to be conducted by Zoom to allow all Districts to formally indicate their positions on H0297. If not done before this bill proceeds for formal approval by the House and Senate, and before it's signed into law by the Governor, it must be tabled for the current Legislative Session to allow all Districts to weigh in.

MANDATORY CYBERSECURITY TRAINING BY MARCH 25, 2021

This is a gentle reminder that mandatory cybersecurity must also be completed by Commissioners in order for staff to be eligible for any withheld FY 2021 raises as well as any raises in FY 2022. Please request assistance from Crystal Rosen if necessary.

MEETING SCHEDULE FOR FY 2021

Date & Time	Meeting, Teleconference to be held	Meeting Type*
Apr. 15, 2021, 10-3, MT	Regular meeting, 322 E. Front Street, Suite 560, Boise	Video Conf. via Zoom, teleconference
May 20, 2021, 10-3, MT	Regular meeting, 322 E. Front Street, Suite 560, Boise	Video Conf. via Zoom, teleconference
Jun. 10, 2021, 10-3, MT**	Regular meeting, 322 E. Front Street, Suite 560, Boise	Video Conf. via Zoom, teleconference

**While all meetings are scheduled tentatively for video and teleconference, should budgetary rescissions not materialize, regular meetings may again be held in person. In addition, should there be important loan or other Commission business to conduct, the Chairman may call a special meeting via video or teleconference.*

***By statute, the Board is required to meet on or before June 15th to hear District Budget Requests.*

RECOMMENDED ACTION: **For discussion and possible action** (only if H0297 or similar moves through the House or Senate). Previous recommendation: On behalf of Idaho's 50 Conservation Districts, call on the President and/or IASCD Board to immediately convene a Special Meeting of all District Boards via Zoom to formally ratify majority District support for H0297.

ENCLOSED:

- S1145 bill
- S1122 bill (follow hyper-link to legislative site)
- H0297 bill and H0297SOP (Statement of Purpose)

[Back to Agenda](#)

LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature First Regular Session - 2021

IN THE SENATE

SENATE BILL NO. 1145

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS FOR TRUSTEE AND BENEFIT PAYMENTS DISTRIBUTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Soil and Water Conservation Commission the following amounts to be expended according to the designated expense classes from the listed funds for the period July 1, 2021, through June 30, 2022:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
FROM:				
General				
Fund	\$1,302,500	\$236,600	\$1,428,100	\$2,967,200
Administration and Accounting Services				
Fund		30,000		30,000
Resource Conservation and Rangeland Development				
Fund	179,100	163,500		342,600
Clean Water Revolving Loan (SCC)				
Fund	<u>0</u>	<u>30,000</u>	<u>0</u>	<u>30,000</u>
TOTAL	\$1,481,600	\$460,100	\$1,428,100	\$3,369,800

SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519, Idaho Code, the Soil and Water Conservation Commission is authorized no more than seventeen and seventy-five hundredths (17.75) full-time equivalent positions at any point during the period July 1, 2021, through June 30, 2022, unless specifically authorized by the Governor. The Joint Finance-Appropriations Committee will be notified promptly of any increased positions so authorized.

SECTION 3. TRUSTEE AND BENEFIT PAYMENTS DISTRIBUTION. Of the amount appropriated in Section 1 of this act for trustee and benefit payments, \$300,000 shall be distributed equally between the fifty (50) soil and water conservation districts in addition to the amounts authorized under Section 22-2727, Idaho Code.

LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature First Regular Session - 2021

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 297

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO SOIL CONSERVATION DISTRICTS; AMENDING SECTION 22-2718, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEMBERSHIP OF THE IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION; REPEALING SECTION 22-2719, IDAHO CODE, RELATING TO THE CREATION OF SOIL CONSERVATION DISTRICTS; AMENDING SECTION 22-2721, IDAHO CODE, TO REVISE PROVISIONS REGARDING CHANGES TO THE NUMBER OF DISTRICT SUPERVISORS; AMENDING SECTION 22-2717, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AND AMENDING SECTION 22-2726, IDAHO CODE, TO REMOVE A CODE REFERENCE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 22-2718, Idaho Code, be, and the same is hereby amended to read as follows:

22-2718. IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION. (1) There is hereby established and created in the department of agriculture of the state of Idaho the Idaho state soil and water conservation commission which shall perform all functions conferred upon it by this chapter and shall be a nonregulatory agency.

(a) The commission shall consist of five (5) members appointed by the governor. In appointing commission members, the governor shall give consideration to geographic representation. Commission members shall be chosen with due regard to their demonstrated expertise including, but not limited to, knowledge of and interest in water quality and other natural resource issues, production agriculture, banking or other similar financial experience or experience as a county commissioner. The soil and water conservation districts may submit to the governor a list of up to three (3) names for each vacancy on the commission and the governor may, in his discretion, consider any such submission in the appointment of commission members. The term of office of each commission member shall be five (5) years; except that upon July 1, 2010, the governor shall appoint one (1) member for a term of one (1) year, one (1) member for a term of two (2) years, one (1) member for a term of three (3) years, one (1) member for a term of four (4) years and one (1) member for a term of five (5) years. From and after the initial appointment the governor shall appoint a member of the commission to serve in office for a term of five (5) years commencing upon July 1 of that year. A vacancy which occurs in an unexpired term shall be filled for its remainder by the governor's appointment. Each vacancy on the commission shall be filled by appointment by the governor. Such appointments shall be confirmed by the senate. Commission members shall serve at the pleasure of the governor. from divisions of the Idaho association of soil conservation districts. Commission members shall be chosen with due regard to their demonstrated expertise, including knowledge of conservation dis-

1 tricts and their functions, production agriculture, banking, or other
2 similar financial experience, or experience as a county commissioner.
3 The soil and water conservation districts shall submit a list of up to
4 three (3) names for each commission position, and the governor shall
5 appoint commission members from the list submitted. The governor shall
6 select and appoint five (5) commissioners with terms starting July 1,
7 2021, as follows: one (1) member from division 1 or 2 for a term of one
8 (1) year, one (1) member from division 3 for a term of two (2) years,
9 one (1) member from division 4 for a term of three (3) years, one (1)
10 member from division 5 for a term of four (4) years, and one (1) member
11 from division 6 for a term of five (5) years. From and after the initial
12 appointment, the governor shall appoint a member of the commission to
13 serve in office for a term of five (5) years commencing upon July 1 of
14 that year. From and after the initial appointment, any division with a
15 commission position that is expiring shall provide a list of three (3)
16 names to the governor to choose from starting July 1, 2022. A vacancy
17 that occurs in an unexpired term shall be filled for its remainder by
18 the governor's appointment pursuant to the division representation
19 selection process set forth in this paragraph. Appointments shall be
20 confirmed by the senate. Commission members shall serve at the pleasure
21 of the governor.

22 (b) The commission may invite the state conservationist of the United
23 States department of agriculture natural resources conservation ser-
24 vice, a representative from a district or districts and the dean of the
25 college of agriculture of the university of Idaho or his designated rep-
26 resentative, or any other person or entity as the commission deems ap-
27 propriate, to serve as nonvoting advisory members of the commission.

28 (c) The commission shall keep a record of its official actions, shall
29 adopt a seal, which seal shall be judicially noticed, and may perform
30 such acts, hold such public hearings and promulgate such rules as may be
31 necessary for the execution of its functions under this chapter.

32 (2) The state soil and water conservation commission shall appoint
33 the administrator of the state soil and water conservation commission. The
34 state soil and water conservation commission may employ such technical ex-
35 perts and such other agents and employees, permanent and temporary, as it
36 may require, and shall determine their qualifications, duties and compen-
37 sation. The commission may call upon the attorney general of the state for
38 such legal services as it may require. It shall have authority to delegate to
39 its chairman, to one (1) or more of its members, or to one (1) or more agents
40 or employees, such powers and duties as it may deem proper. The commission
41 may establish offices, incur expenses, enter into contracts and acquire
42 services and personal property as may be reasonable for the proper adminis-
43 tration and enforcement of this chapter. Upon request of the commission, for
44 the purpose of carrying out any of its functions, the supervising officer of
45 any state agency, or of any state institution of learning, shall insofar as
46 may be possible under available appropriation, and having due regard to the
47 needs of the agency to which the request is directed, assign or detail to the
48 commission members of the staff or personnel of such agency or institution of
49 learning, and make such special reports, surveys or studies as the commis-
50 sion may request.

1 (3) The commission shall designate its chairman, and may from time to
2 time, change such designation. A majority of the commission shall consti-
3 tute a quorum and the concurrency of a majority in any matter within their
4 duties shall be required for its determination. The chairman and members of
5 the commission shall be compensated as provided by section 59-509(h), Idaho
6 Code. The commission shall provide for the execution of surety bonds for
7 all employees and officers who shall be entrusted with funds or property;
8 shall provide for the keeping of a full and accurate record of all proceed-
9 ings and of all resolutions, and orders issued or adopted; and shall provide
10 for a periodic management review of the accounts of receipts and disburse-
11 ments as determined by the legislative auditor pursuant to section 67-702,
12 Idaho Code.

13 (4) In addition to the duties and powers hereinafter conferred upon the
14 state soil and water conservation commission, it shall have the following
15 responsibilities:

16 (a) To offer such assistance as may be appropriate to the supervisors of
17 soil conservation districts in the carrying out of any of their powers
18 and programs.

19 (b) To keep the supervisors of each of the several soil conservation
20 districts informed of the activities and experience of all other soil
21 conservation districts and to facilitate an interchange of advice and
22 experience between such districts and cooperation between them.

23 (c) To coordinate the progress of the several soil conservation dis-
24 tricts so far as this may be done by advice and consultation.

25 (d) To secure the cooperation and assistance of the United States and
26 any of its agencies, and of agencies of this state, in the work of such
27 districts.

28 (e) To disseminate information throughout the state concerning the ac-
29 tivities and programs of the soil conservation districts in areas where
30 their organization is desirable.

31 (f) To provide for the establishment and encouragement of the "Idaho
32 OnePlan" as a primary computer-based conservation planning process for
33 all natural resource concerns. Establishment and encouragement will
34 be accomplished through an executive group and steering committee both
35 containing private, state and federal representation. The information
36 provided by those using the "Idaho OnePlan" shall be deemed to be trade
37 secrets, production records or other proprietary information and shall
38 be kept confidential and shall be exempt from disclosure pursuant to
39 section 74-107, Idaho Code.

40 (5) In addition to other powers, functions and duties of soil conserva-
41 tion districts and the state soil and water conservation commission provided
42 in this chapter, the commission shall have the following additional powers,
43 functions and duties:

44 (a) The commission shall conduct, in cooperation with appropriate fed-
45 eral and state agencies and the owners and operators of privately owned
46 forest lands, rangelands and agricultural lands in this state, conser-
47 vation improvements on or in respect to these lands for the purposes of
48 implementing conservation systems to conserve and improve natural re-
49 source conditions;

1 (b) The commission shall assist and advise soil conservation districts
2 and other entities in implementing the conservation improvements,
3 projects and the water quality program for agriculture. To the extent
4 that there are available general funds, the commission shall provide
5 for grants and cost-share opportunities and, as legislatively desig-
6 nated, utilize the resource conservation and rangeland development
7 fund for loans for conservation improvements. Provided however, that
8 the commission shall determine whether general or resource conserva-
9 tion and rangeland development funds are available before approving any
10 conservation improvements, projects and cost-share opportunities and,
11 after having made such determination, shall enter into the necessary
12 contracts for implementation;

13 (c) The commission shall be the agency responsible for the administra-
14 tion of funds accruing to the resource conservation and rangeland de-
15 velopment fund and for all general funds appropriated as a separate and
16 distinct action of the legislature to implement the powers, functions
17 and duties of soil conservation districts and the commission;

18 (d) On or before March 1 of each year, the commission shall report to the
19 senate agricultural affairs committee and the house agricultural af-
20 fairs committee; and

21 (e) The commission shall promulgate such rules as are necessary to
22 carry out the purposes of this chapter.

23 SECTION 2. That Section [22-2719](#), Idaho Code, be, and the same is hereby
24 repealed.

25 SECTION 3. That Section 22-2721, Idaho Code, be, and the same is hereby
26 amended to read as follows:

27 22-2721. ELECTION, APPOINTMENT, QUALIFICATIONS AND TENURE OF SUPER-
28 VISORS. (1) The governing body of the district shall consist of five (5)
29 supervisors, elected or appointed as provided in this chapter. Elections
30 shall be conducted pursuant to the provisions of this section and the uniform
31 district election law, chapter 14, title 34, Idaho Code. If at any time the
32 supervisors of a district deem it necessary, ~~they may request permission~~
33 ~~from the state soil and water conservation commission to increase the num-~~
34 ~~ber of supervisors to seven (7). Upon receipt of such a request in writing,~~
35 ~~signed by all five (5) supervisors, stating a valid reason for such need,~~
36 ~~the commission shall grant permission. upon majority vote of the district~~
37 ~~board, they may increase the number of supervisors to seven (7) or decrease~~
38 ~~the number of supervisors to five (5). If increased, t~~The additional super-
39 visors shall then be appointed as outlined in this section until such time
40 as regular district elections are held for two (2) supervisors in each dis-
41 trict. At that time those districts having seven (7) supervisors shall then
42 elect four (4) supervisors for four (4) year terms. The two (2) supervisors
43 appointed by the district shall be persons who are by training and experience
44 qualified to perform the specialized services which will be required of them
45 in the performance of their duties. All supervisors shall be landowners
46 or farmers of the district where they are elected or appointed and shall be
47 registered to vote in the state of Idaho.

1 (2) Within thirty (30) days after the date of issuance by the secretary
2 of state of a certificate of organization of a soil conservation district,
3 nominating petitions may be filed with the state soil and water conservation
4 commission to nominate candidates for supervisors of each district. The
5 county clerk shall conduct the election for the district in compliance with
6 chapter 14, title 34, Idaho Code, and shall be the election official for the
7 district. The election official shall have authority to extend the time
8 within which nominating petitions may be filed. Nominating petitions shall
9 be filed with the secretary of the district, and no such nominating petition
10 shall be accepted by the election official unless it shall be subscribed
11 by not less than five (5) persons who are qualified electors owning land or
12 residing within the boundaries of the district. The election official shall
13 give due notice of an election to be held, subject to the provisions of sec-
14 tion 34-106, Idaho Code, for the election of three (3) supervisors for the
15 district. The names of all nominees on behalf of whom such nominating pe-
16 titions have been filed within the time herein designated shall appear upon
17 ballots, with directions to choose three (3) names to indicate the voter's
18 preference. The three (3) candidates who shall receive the largest number,
19 respectively, of the votes cast in such election shall be the elected super-
20 visors for such district.

21 (3) All elections in districts shall be conducted by the county clerk.
22 Such election shall be held on the first Tuesday succeeding the first Monday
23 of November in each even-numbered year. Such elections shall be in compli-
24 ance with the provisions of chapter 14, title 34, Idaho Code, and shall be
25 supervised and conducted by the county clerk. The cost of conducting such
26 elections shall be borne by the county that conducted the election. The
27 county clerk shall certify to the soil and water conservation district the
28 names of the elected supervisors. The soil and water conservation district
29 shall issue certificates of election to each elected supervisor so certi-
30 fied. The county clerk or county clerks of the county or counties in which
31 the district is located shall conduct the election for the soil conservation
32 district, and the county clerk must provide a ballot for the district elec-
33 tion and must provide a process that allows only qualified electors of the
34 district to vote in that district's election.

35 (4) In any election for supervisor, if after the deadline for filing
36 a declaration of intent as a write-in candidate, it appears that the num-
37 ber of qualified candidates who have been nominated is equal to the number
38 of supervisors to be elected, it shall not be necessary for the candidates to
39 stand for election, and the board of supervisors shall declare such candi-
40 dates elected as supervisors, and the soil and water conservation district
41 shall immediately make and deliver to such persons certificates of election.

42 (5) The supervisors shall designate a chairman and may, from time to
43 time, change such designation. The term of office of each supervisor shall
44 be four (4) years commencing on the first day of January next following elec-
45 tion, except that the two (2) supervisors who are first appointed shall be
46 designated to serve for terms of two (2) years. A supervisor shall hold of-
47 fice until a qualified successor has been elected or appointed. Vacancies
48 shall be filled for the unexpired term. The selection of successors to fill
49 an unexpired term, or for a full term shall be made by a vote of the majority
50 of the supervisors duly qualified and acting at the time the vacancy shall

1 arise and the supervisors shall certify the name of the appointed supervisor
2 to the state soil and water conservation commission. The soil conservation
3 district shall issue a certificate of such appointment.

4 (6) A majority of the supervisors shall constitute a quorum and the
5 concurrence of a majority in any matter within their duties shall be required
6 for its determination. A supervisor shall be entitled to expenses, in-
7 cluding travel expense, necessarily incurred in the discharge of duties. A
8 supervisor shall receive no compensation for services from regular district
9 funds, county funds authorized in section 22-2726, Idaho Code, or state
10 funds authorized in section 22-2727, Idaho Code.

11 (7) In the event the district has a special project, approved by the
12 state soil and water conservation commission, making project funds avail-
13 able from federal or other sources, a supervisor may receive compensation
14 not to exceed thirty-five dollars (\$35.00) per day plus actual and necessary
15 expenses from project funds for services directly related to the project.

16 (8) The supervisors may employ a secretary, technical experts, and such
17 other officers, agents, and employees, permanent and temporary as they may
18 require, and shall determine their qualifications, duties and compensation.
19 The supervisors may call upon the attorney general of the state for such le-
20 gal services as they may require or may employ their own counsel and legal
21 staff. The supervisors may delegate to their chairman, to one (1) or more
22 supervisors, or to one (1) or more agents, or employees, such powers and du-
23 ties as they may deem proper. The supervisors shall furnish to the state soil
24 and water conservation commission, upon request, copies of such ordinances,
25 rules, orders, contracts, forms and other documents as they shall adopt or
26 employ, and such other information concerning the supervisors' activities
27 as the commission may require in the performance of the commission's duties
28 under this chapter.

29 (9) The supervisors shall provide for the execution of surety bonds for
30 all employees and officers who shall be entrusted with funds or property;
31 they shall provide for the keeping of a full and accurate record of all pro-
32 ceedings and of all resolutions, and orders issued or adopted; and shall pro-
33 vide for independent financial audits in accordance with the provisions of
34 section 67-450B, Idaho Code. Supervisors shall be subject to recall in ac-
35 cordance with the provisions of chapter 17, title 34, Idaho Code.

36 (10) The supervisors may invite the legislative body of a municipality
37 or county located near the territory comprised within the district to desig-
38 nate a representative to advise and consult with the supervisors of the dis-
39 trict on all questions of program and policy which may affect the property,
40 water supply, or other interests of such municipality or county.

41 SECTION 4. That Section 22-2717, Idaho Code, be, and the same is hereby
42 amended to read as follows:

43 22-2717. DEFINITIONS. Whenever used or referred to in this chapter,
44 unless a different meaning clearly appears from the context:

45 (1) "Administrator" means the administrator for the Idaho state soil
46 and water conservation commission.

47 (2) "Agency" includes the government of this state and any subdivision,
48 agency, or instrumentality, corporate or otherwise, of the government of
49 this state.

1 (3) "Agricultural pollution abatement plan" or "ag plan" means the
2 document developed by the state soil and water conservation commission and
3 approved by the commission and the department of environmental quality,
4 that provides appropriate technical, programmatic, informational and ed-
5 ucational processes, guidelines and policies for addressing agricultural
6 pollution.

7 (4) "Best management practices" or "BMPs" means practices, techniques,
8 or measures developed or identified by the designated agency and identified
9 in the state water quality management plan which are determined to be a cost-
10 effective and practicable means of preventing or reducing pollutants gener-
11 ated from nonpoint sources to a level compatible with water quality goals.

12 (5) "Commission" or "state soil and water conservation commission"
13 means the agency created in section 22-2718, Idaho Code.

14 (6) "Conservation plan" means a description of identified natural re-
15 source issues and a specific schedule of implementation of component prac-
16 tices necessary to resolve those specific resource issues as agreed upon by
17 the landowner.

18 (7) "Designated agency" is as defined in section 39-3602, Idaho Code.

19 (8) "District," "conservation district," "soil conservation dis-
20 trict," or "soil and water conservation district" means a governmental
21 subdivision(s) of this state, and a public body corporate and politic, orga-
22 nized in accordance with the provisions of this chapter, for the purposes,
23 with the powers and subject to the restrictions hereinafter set forth.

24 (9) "Due notice" means notice published at least twice, with an inter-
25 val of at least seven (7) days between the two (2) publication dates, in a
26 newspaper or other publication of general circulation within the appropri-
27 ate area, or if no such publication of general circulation be available, by
28 posting at a reasonable number of conspicuous places within the appropri-
29 ate area, such posting to include, where possible, posting at public places
30 where it may be customary to post notices concerning county or municipal af-
31 fairs generally. At any hearing held pursuant to such notice, at the time and
32 place designated in such notice, adjournment may be made from time to time
33 without the necessity of renewing such notice for such adjournment dates.

34 (10) "Eligible applicant" means an individual agricultural owner, op-
35 erator, partnership, corporation, conservation district, irrigation dis-
36 trict, canal company or other agricultural or grazing interest.

37 (11) "Government" or "governmental" includes the government of this
38 state, the government of the United States, and any subdivisions, agency, or
39 instrumentality, corporate or otherwise, of either of them.

40 (12) "Idaho OnePlan" means a computer-based system for improving effi-
41 ciency and effectiveness of natural resource planning by landowners and land
42 users.

43 (13) "Landowner" or "owner" includes any person, firm, or corporation
44 who shall hold title to any lands lying within a district organized under the
45 provisions of this chapter. A buyer on contract, who is the occupier of land,
46 shall be construed as landowner.

47 (14) "Land user" means any entity with a lease, permit or similar busi-
48 ness agreement with a landowner to implement, manage or utilize such land for
49 activities related to use of the land.

1 (15) "Natural resources conservation service" or "NRCS" means the
2 agency governed by the provisions of 16 U.S.C. sections 590a through 590d and
3 590f.

4 (16) "Nominating petition" means a petition filed under the provisions
5 of section 22-2721, Idaho Code, to nominate candidates for the office of su-
6 pervisor of a soil conservation district.

7 (17) "Participant" means an individual agricultural owner, operator,
8 partnership, private corporation, conservation district, irrigation dis-
9 trict, canal company, or other agricultural or grazing interest approved by
10 the commission or an individual agricultural owner, operator, partnership,
11 or private corporation approved for implementation of conservation improve-
12 ments, projects, or the water quality program for agriculture.

13 ~~(18) "Petition" means a petition filed under the provisions of subsec-~~
14 ~~tion (1) of section 22-2719, Idaho Code, for the creation of a district.~~

15 ~~(19)~~ "Project sponsor" means a conservation district, irrigation
16 district, canal company, or other agricultural or grazing interest, as
17 determined appropriate by the commission, that enters into a conservation
18 improvement or water quality project agreement with the commission.

19 ~~(2019)~~ "Qualified elector" means any person who is qualified to vote
20 pursuant to the requirements of section 34-104, Idaho Code.

21 ~~(210)~~ "Riparian land" means the beds of streams, the adjacent vegeta-
22 tion communities and the land thereunder, which are predominately influ-
23 enced by their association with water and are privately owned.

24 ~~(221)~~ "Specifications" means the materials, operations and procedures
25 necessary to obtain the desired standards of construction and installation.

26 ~~(232)~~ "Standards" means the minimum limits of technical excellence of a
27 component practice for its planning, design and construction.

28 ~~(243)~~ "State" means the state of Idaho.

29 ~~(254)~~ "Supervisor" means one (1) of the members of the governing body
30 of a district elected or appointed in accordance with the provisions of this
31 chapter.

32 ~~(265)~~ "Total maximum daily load" is as defined in section 39-3602, Idaho
33 Code.

34 ~~(276)~~ "United States" or "agencies of the United States" includes the
35 United States of America, the natural resources conservation service of the
36 United States department of agriculture, and any other agency or instrumen-
37 tality, corporate or otherwise, of the United States of America.

38 SECTION 5. That Section 22-2726, Idaho Code, be, and the same is hereby
39 amended to read as follows:

40 22-2726. FUNDS OR ASSISTANCE PROVIDED BY COUNTY FROM COUNTY GENERAL
41 FUND. In those counties of Idaho wherein all or a substantial part of the
42 county has been created and is operating as a soil conservation district or
43 districts under the provisions of chapter 27, title 22, ~~section 22-2719,~~
44 Idaho Code, or any amendment thereto, the board of county commissioners may,
45 from time to time, at their discretion and upon request of the supervisors
46 of such soil conservation districts provide in their budget a sufficient
47 amount of money from the county general fund for allocation to the districts
48 to be used by the districts for any purposes authorized by law, or in lieu
49 of such allocation the county commissioners at their discretion may assign

1 or hire an employee or employees of the county to assist the supervisors in
2 the performance of the work of their office. The duties of such employee or
3 employees shall be under the direct supervision of the supervisors of each
4 soil conservation district.

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TATEMENT OF PURPOSE

RS28701 / H0297

Revises provisions for how Commissioners are appointed to the Idaho Soil and Water Conservation Commission and repeals the ability to establish any new Soil and Water Conservation Districts.

FISCAL NOTE

There is no fiscal impact on the general funds or to any other funds because this legislation just changes how commissioners are appointed. There was risk that new Soil and Water Conservation Districts could be approved, which would have an impact on the general fund, as they each receive a specified amount of matching funds.

Contact:

Representative Caroline Nilsson Troy
(208) 332-1000
Benjamin Kelly
(208) 888-0988

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).



**SOIL & WATER
CONSERVATION
COMMISSION**

H. Norman Wright
Chairman

Cathy Roemer
Vice Chairman

Erik Olson
Secretary

Gerald Trebesch
Commissioner

Wendy Pratt
Commissioner

Teri Murrison
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS
ROEMER, OLSON, TREBESCH, AND PRATT
FROM: DELWYNE TREFZ, DEPUTY ADMINISTRATOR
DATE: MARCH 10, 2021
RE: DISTRICT SUPPORT SERVICES UPDATE**

Eastern Idaho Engineer Hiring Update:

The job announcement for our open engineer position was posted on NeoGov February 24th and will close March 17th. The position is also being announced on our website and the social media platforms we use. As of today, March 10th, the response to our job announcement has been low and staff are considering additional advertising strategies to assure we attract the best person for this position.

Distribution of Withheld Trustee and Benefit Funds:

To date we have received no direction from the Governor regarding when we may distribute to Districts the \$116,317.40 of Trustee and Benefit funds withheld last year in preparation for potential rescissions. The withheld funds include \$50,000 that you have distributed annually to support one regional conservation activity in each of the six Divisions and to provide \$800 to each District as Capacity Building funds. In June 2020 you directed staff to withhold these \$50,000 and release them this spring if no further rescissions were necessary and at that time to distribute them in equal amounts to the 50 Districts.

Staff recommends the entire \$116,317.40 of withheld T/B funds be distributed as match funds as soon as the Governor informs us that no further rescissions will be necessary, rather than distributing \$50,000 as capacity building funds and the remaining \$66,317.40 as match.

RECOMMENDED ACTION:

1. Rescind June 11, 2020 Board action to designate \$50,000 of FY 2021 Trustee and Benefits funding as Capacity Building for equal distribution in spring 2021.
2. Designate remaining \$50,000 of FY 2021 Trustee and Benefits funding to be distributed as State Matching funds in spring 2021.

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