



IDAHO SOIL & WATER CONSERVATION COMMISSION

AMENDED REGULAR MEETING NOTICE & AGENDA

Idaho Soil & Water Conservation Commission
April 21, 2022, 10:00 a.m. to 2:00 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: 871 7560 9480 Zoom Password: 417444

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 (action item) 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.	MINUTES 1. February 23, 2022 2. March 30, 2022 <u>ACTION:</u> Approve.	Chairman Wright
*#	5.	FINANCIAL REPORTS 1. February 28, 2022 2. March 31, 2022 <u>ACTION:</u> Approve.	Misnick

(*) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission consideration

Thursday, April 21, 2022 Meeting Agenda

Date of Notice: April 15, 2022

NON-ACTION ITEMS		
	6. CONSERVATION THE IDAHO WAY NEWSLETTER UPDATE <ul style="list-style-type: none"> • Products and Services Provided • Overall cost to Commission • Discussion--Potential added value to the services and products provided <u>ACTION:</u> For information only.	Stuebner
	7. UPDATE ON RECENT, RELEVANT WORK DONE BY OFFICE OF THE ATTORNEY GENERAL <ul style="list-style-type: none"> • Clarification on Water Quality Program for Agriculture (WQPA) definition of "Eligible Applicant" and "Participant" <u>ACTION:</u> For information only.	Bell
	8. UPDATE ON RELEVANT ACTIVITIES - GOVERNOR LITTLE'S OFFICE <u>ACTION:</u> For information only.	Fisher
	9. UPDATE ON EPA REGION 10 ACTIVITIES <u>ACTION:</u> For information only.	Peak
	10. DISTRICT SUPPORT SERVICES UPDATE <ul style="list-style-type: none"> • Open staff positions • Staff workload update <u>ACTION:</u> For information only.	Strickland
#	11. OPEN DISCUSSION – BECOMING BETTER PARTNERS <ul style="list-style-type: none"> • Discussion of suggestions from Commissioners and all who wish to participate, whether in-person or via zoom or phone <u>ACTION:</u> For information only.	Trefz
#	12. ADMINISTRATOR'S REPORT <ul style="list-style-type: none"> • Legislation Signed by Governor Little H642 and H757 • Commission meeting with ISDA re: District administered watercraft inspection stations • FY 2022 Commission Meeting Schedule • Water Quality Program for Agriculture (WQPA), update on processes & procedures <u>ACTION:</u> For information only.	Trefz
	13. REPORTS <i>Commissioners and staff only, no discussion</i> <u>ACTION:</u> For information only.	Commissioners, Staff
POSSIBLE ACTION ITEMS		
	14. EXECUTIVE SESSION <i>Executive Session is closed to the public. Under the relevant Idaho Code Section(s) noted below, any Board action will be taken publicly in open session directly following Executive Session.</i> <u>ACTION:</u> Move to enter Executive Session pursuant to Idaho Codes § 74-206(1)(b) for the purpose of evaluation of an employee, and pursuant to Idaho Code § 74-206(1)(d) to for the purpose of discussing Water Quality Program for Agriculture (WQPA) project applications. <u>Roll Call Vote</u>	Chairman Wright

(*) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission consideration

Thursday, April 21, 2022 Meeting Agenda

Date of Notice: April 15, 2022

	a.	EMPLOYEE PERFORMANCE EVALUATION The Commission will convene in Executive Session to evaluate the performance of an employee. <u>ACTION:</u> For consideration and possible action outside of Executive Session	Fisher
#	b.	WATER QUALITY PROGRAM FOR AGRICULTURE The Commission will convene in Executive Session to consider approval or denial of Water Quality Program for Agriculture (WQPA) project applications Project Applications # W-22001 – W-22018 <u>ACTION:</u> For consideration and possible action outside of Executive Session	Trefz
OPEN SESSION and ADJOURN <i>The next Regular Commission Meeting will be on May 19, 2022, at 10:00 AM MT in Boise, Idaho.</i>			

(*) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission consideration

Thursday, April 21, 2022 Meeting Agenda

Date of Notice: April 15, 2022



Idaho Soil & Water Conservation Commission

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

ITEM #4-1

IDAHO SOIL & WATER CONSERVATION COMMISSION PUBLIC MEETING & TELECONFERENCE

Date and Time:

Wednesday, February 23, 2022
9:04 AM – 12:24 PM MT

Location:

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

MINUTES

COMMISSION MEMBERS PRESENT:

Norman Wright (Chair)
Erik Olson (Secretary)

Cathy Roemer (Vice-Chair) (Zoom)
Wendy Pratt

COMMISSION STAFF PRESENT:

Delwyne Trefz
Rachel Misnick
Terry Hoebelheinrich
George Hitz (Zoom)

Crystal Rosen
Loretta Strickland
Brenda Charles (Zoom)

PARTNERS AND GUESTS PRESENT:

Bob Flagor, IASCD Div. I (Zoom)
Steve Becker, IASCD Div. II
David Nelson, Franklin SWCD
Benjamin Kelly, IASCD (Zoom)
Janette Mendenhall, Lewis SCD (Zoom)
Shane Bell, OAG (Zoom)

Devin Fielding, IASCD Div. V
Joan Cloonan, Ada SWCD/ IASCD Div. III
Clinton Aston, Franklin SWCD
Amie Miller, NRCS (Zoom)
Karla Freeman, Kootenai-Shoshone SWCD (Zoom)

ITEM #1: WELCOME AND ROLL CALL

Chairman Wright called the meeting to order at 9:04 AM.

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

ITEM #2: PARTNER REPORTS

Action: None taken

ITEM #3: AGENDA REVIEW

Action: None taken.

ITEM #4: ADMINISTRATOR'S REPORT

Action: None taken.

ITEM #5: RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM UPDATE

Action: None taken.

ITEM #6: DISTRICT SUPPORT RELATIONSHIP BUILDING DISCUSSION

Action: None taken.

ITEM #7: REPORTS

Action: None taken.

ITEM #8: WATER QUALITY PROGRAM FOR AGRICULTURE (WQPA) UPDATE

Action: Commissioner Olson made a motion to *approve revised WQPA Policy as presented with any modifications agreed upon and listing Administrator, Delwyne Trefz, as Agency Contact*. Commissioner Pratt seconded the motion. Motion carried by unanimous vote.

ITEM #9: MINUTES

Action: Commissioner Pratt made a motion to *approve the January 18, 2022 Regular Meeting minutes as submitted*. Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ITEM #10: FINANCIAL REPORTS

Action: Commissioner Olson made a motion to *approve the Financial Reports for the month ended January 31, 2022*. Commissioner Pratt seconded the motion. Motion carried by unanimous vote.

ITEM #11: NATIONAL ASSOCIATION OF STATE CONSERVATION AGENCIES (NASCA) DUES

Action: Commissioner Olson made a motion to *approve paying the 2022 NASCA dues of \$3000.00*. Commissioner Pratt seconded the motion. Motion carried by unanimous vote.

ADJOURN

The meeting was adjourned at 12:24 PM. The next Commission Meeting will be held on April 21, 2022 in Boise.

Respectfully submitted,

Erik Olson, Secretary



Idaho Soil & Water Conservation Commission

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

ITEM #4-2

IDAHO SOIL & WATER CONSERVATION COMMISSION SPECIAL PUBLIC MEETING & TELECONFERENCE

Date and Time:

Wednesday, March 30, 2022
10:02 AM – 10:40 AM MT

Location:

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

MINUTES

COMMISSION MEMBERS PRESENT:

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

Cathy Roemer (Vice-Chair) (Zoom)
Wendy Pratt (Zoom)

COMMISSION STAFF PRESENT:

Delwyne Trefz
Terry Hoebelheinrich

Crystal Rosen
Brenda Charles

PARTNERS AND GUESTS PRESENT:

Shane Bell, OAG (Zoom)

Amie Miller, NRCS (Zoom)

ITEM #1: WELCOME AND ROLL CALL

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

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

ITEM #2: AGENDA REVIEW

Action: None taken.

ITEM #3: EXECUTIVE SESSION

Action: Commissioner Olson made a motion *to enter Executive Session pursuant to Idaho Code § 74-206(1)(d) for the purpose of discussing a loan*. Commissioner Roemer seconded the motion. Motion carried by unanimous Roll Call vote.

Executive session commenced at 10:09 AM.

Commissioner Pratt joined the meeting at 10:12 AM.

Executive Session ended at 10:35 AM.

ITEM #3a: RESOURCE CONSERVATION & RANGELAND DEVELOPMENT PROGRAM

Action: Commissioner Pratt made a motion *to approve RCRDP loan application A-751 with conditions as advised by staff*. Commissioner Olson seconded the motion. Motion carried by unanimous vote.

ADJOURN

The meeting was adjourned at 10:40 AM. The next Commission Meeting will be held on April 21, 2022 in Boise.

Respectfully submitted,

Erik Olson, Secretary

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IDAHO SOIL & WATER CONSERVATION COMMISSION

ITEM #5

TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER, PRATT, OLSON
FROM: RACHEL MISNICK, SENIOR FINANCIAL SPECIALIST
DATE: APRIL 15, 2022
RE: FINANCIAL REPORTS, FISCAL & OPERATIONS

FINANCIAL REPORTS

The Financial Detail and Fund Summary year-to-date reports as of the month ended February 28, 2022 are enclosed. The financial reports for the month ended March 31, 2022 will be sent under separate cover.

CHANGE IN EMPLOYEE COMPENSATION

On March 11, 2022, guidance was issued for implementation of the FY 2023 Change in Employee Compensation (CEC). The Legislature appropriated a CEC in two components:

- Component 1: 3% Salary Increase for all Permanent Positions
- Component 2: Performance-Based (Merit) Increase of up to \$1.25 per hour

Compensation and CEC distribution plans must be submitted to the Division of Financial Management by May 13, 2022. Based on availability of funds, agencies are allowed to early implement one or both components upon approval. Due to agency vacancies, ISWCC has sufficient funds left in the FY22 appropriation for early implementation, and Component 1 was implemented effective March 20, 2022. Creation of the Component 2 distribution plan is currently in progress, and the plan will be submitted prior to the May 13 submission deadline.

COMMISSIONER HONORARIUMS

Below is a schedule of the honorarium balances as of April 8, 2022. Included in the schedule are the amounts budgeted for each Commissioner for FY22. With 25% of the fiscal year remaining, 95% of the honorarium allocations have been expended due to increased Commissioner attendance at various meetings and events, in comparison to prior years. The Commission's General Fund budget will be analyzed and adjusted throughout the remaining 3 months to compensate for the difference between expected and actual expenditures. Additionally, this year's expenditures will be used to estimate the expected FY23 budgetary needs for Commissioner activities, while also taking into account the passage of House Bill 642 on March 31, 2022, which increased the number of commission members from 5 to 7.

Commissioner	Benefit Costs included in Honorariums	Honorariums Budgeted	Expended to Date	Projected Balance/ (Overage)
Wright	\$97	\$1,093	\$1,131	(\$38)
Roemer	\$65	\$729	\$538	\$191
Vacant	\$65	\$729	\$0	\$729
Pratt	\$65	\$729	\$1,492	(\$763)
Olson	\$65	\$729	\$646	\$83
Totals	\$357	\$4,009	\$3,807	\$202

RECOMMENDED ACTIONS:

- Approve the Financial Reports for the month ended February 28, 2022
- Approve the Financial Reports for the month ended March 31, 2022

ENCLOSED:

- Financial Detail Report for February 28, 2022
- Fund Summary Report for February 28, 2022
- Financial Detail Report for March 31, 2022
- Fund Summary Report for March 31, 2022

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SWC Detail Financial Report as of February 28, 2022

Fiscal Year 2022

67% of the Fiscal Year Completed

GENERAL FUND & OTHER FUNDS	PERSONNEL			OPERATING			CAPITAL OUTLAY			TRUSTEE & BENEFITS			CASH				
INDEX	ACTUAL EXPENSE Thru End of Current Month			ACTUAL EXPENSE Thru End of Current Month			ACTUAL EXPENSE Thru End of Current Month			ACTUAL EXPENSE Thru End of Current Month			BEG CASH	PLUS TOTAL	LESS TOTAL EXP	ACTUAL CASH	
	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE	AT 7/1/21	REC TO DATE	TO DATE	End of Current Month	
	7101	MANAGEMENT ADMIN	389,825	206,834	182,991	52,600	52,956	(356)					442,425		259,790	182,635	
	7111	MANAGEMENT BOARD	5,000	2,188	2,812	12,000	7,983	4,017					17,000		10,171	6,829	
	7201	FIELD STAFF	452,700	250,311	202,389	90,000	71,089	18,911					542,700		321,400	221,300	
	7301	PROGRAMS	251,500	133,306	118,194	46,400	26,475	19,925					297,900		159,781	138,119	
	7310	DISTRICT ALLOCATIONS								1,128,100	1,128,100	0	1,128,100		1,128,100	0	
	7320	DISTRICT CAPACITY BLDG								300,000	300,000	0	300,000		300,000	0	
	7350	CREP	203,475	105,968	97,507	35,600	28,813	6,787					239,075		134,781	104,294	
	TOTAL GENERAL FUND 0001		1,302,500	698,607	603,893	236,600	187,316	49,284	0	0	0	1,428,100	1,428,100	0	2,967,200	0	2,314,023
			53.64%			79.17%		N/A for FY 2021					100.00%			77.99%	
7325 SWC PROFESSIONAL SERV				30,000030,000									22,88943		022,932		
TOTAL DEDICATED FUND 0450		0	0	0	30,000	0	30,000	0	0	0	0	0	0	22,889	43	0	22,932
					0.00%									0.00%			
LOAN FUNDS	PERSONNEL			OPERATING			CAPITAL OUTLAY			CASH				BALANCE SHEET			
	ACTUAL EXPENSE thru End of Current Month			ACTUAL EXPENSE Thru End of Current Month			ACTUAL EXPENSE Thru End of Current Month			PLUS TOTAL LESS TOTAL			ACTUAL CASH BALANCE End of Current Month	NOTES RECEIVABLE 7/1/21	LOANS PAID OUT, COLLECTIONS /ADJUSTMENTS TO DATE	NOTES RECEIVABLE End of Cur period	
	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE	BEG CASH AT 7/1/21	REC TO DATE	EXP TO DATE					
	7351	RCRDP LOAN ADMIN	179,100	113,080	66,020	163,500	36,220	127,280		7,283,497	309,225	255,495	7,337,227	2,205,237	104,579	2,044,780	
	TOTAL RCRDP ADMIN 0522-00,01		179,100	113,080	66,020	163,500	36,220	127,280	0	0	0	7,283,497	309,225	7,337,227		(265,036)	
		63.14%			22.15%			0			0.00%						
7361 REVOLVING LOAN - DEQ				30,000030,000						27,557139,20195,46371,294			138,5230		4,591		
TOTAL DEQ LOAN 0529-16		0	0	0	30,000	0	30,000	0	0	0	27,557	139,201	95,463	71,294		(133,932)	
					0.00%						57.25%			ADV FROM 93,450(93,450)(0)			

Soil and Water Conservation Commission
FY2022 YTD Financial Summary Through February 28, 2022

67% of the Fiscal Year Completed

Updated: [4/14/2022](#)

Appropriation																	
Fund Summaries																	
Fund Source		General Fund				Professional Services				RCRDP Loan Administration				Revolving Loan			
Personnel Funds																	
		Budget	Expenditures	Expenditures Projected	Remaining					Budget	Expenditures	Expenditures Projected	Remaining				
		\$1,302,500	\$ 698,607	\$ 506,176	\$ 97,717					\$ 179,100	\$ 113,080	\$ 64,502	\$ 1,518				
Operating Funds																	
		Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining
		\$ 236,600	\$ 187,316	\$ 46,918	\$ 2,366	\$ 30,000	\$ -	\$ 15,000	\$ 15,000	\$ 163,500	\$ 36,220	\$ 27,165	\$ 100,115	\$ 30,000	\$ -	\$ 15,000	\$ 15,000
Capital Funds																	
		Budget	Expenditures	Expenditures Projected	Remaining												
		\$ -	\$ -	\$ -	\$ -												
Trustee and Benefit																	
		Budget	Expenditures	Expenditures Projected	Remaining												
		\$1,428,100	\$ 1,428,100	\$ -	\$ -												

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SWC Detail Financial Report as of March 31, 2022 Fiscal Year 2022

75% of the Fiscal Year Completed

GENERAL FUND & OTHER FUNDS			PERSONNEL			OPERATING			CAPITAL OUTLAY			TRUSTEE & BENEFITS			CASH				
INDEX	EXPENSE Thru End of Current			EXPENSE Thru End of Current			EXPENSE Thru End of Current			EXPENSE Thru End of Current			BEG CASH AT 7/1/21	PLUS TOTAL REC TO DATE	LESS TOTAL EXP TO DATE	ACTUAL CASH BALANCE End of Current Month			
	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE							
7101 MANAGEMENT ADMIN	389,825	234,477	155,349	52,600	53,969	(1,369)							442,425		288,445	153,980			
7111 MANAGEMENT BOARD	5,000	2,770	2,230	12,000	9,472	2,528							17,000		12,242	4,758			
7201 FIELD STAFF	452,700	278,208	174,492	90,000	73,113	16,887							542,700		351,321	191,379			
7301 PROGRAMS	251,500	147,488	104,012	46,400	27,277	19,123							297,900		174,766	123,134			
7310 DISTRICT ALLOCATIONS										1,128,100	1,128,100	0	1,128,100		1,128,100	0			
7320 DISTRICT CAPACITY BLDG										300,000	300,000	0	300,000		300,000	0			
7350 CREP	203,475	116,635	86,840	35,600	29,034	6,566							239,075		145,669	93,406			
TOTAL GENERAL FUND 0001	1,302,500	779,577	522,923	236,600	192,865	43,735	0	0	0	1,428,100	1,428,100	0	2,967,200	0	2,400,542	566,658			
		59.85%			81.52%				N/A for FY 2021			100.00%			80.90%				
7325 SWC PROFESSIONAL SERV				30,000	0	30,000							22,889	49	0	22,938			
TOTAL DEDICATED FUND 0450	0	0	0	30,000	0	30,000	0	0	0	0	0	0	22,889	49	0	22,938			
					0.00%										0.00%				
LOAN FUNDS			PERSONNEL			OPERATING			CAPITAL OUTLAY			CASH				BALANCE SHEET			
	ACTUAL EXPENSE thru End of Current			ACTUAL EXPENSE Thru End of Current			ACTUAL EXPENSE Thru End of Current			PLUS TOTAL LESS TOTAL BALANCE			BEG CASH AT 7/1/21	REC TO DATE	EXP TO DATE	ACTUAL CASH BALANCE End of Current	NOTES RECEIVABLE 7/1/21	LOANS PAID OUT, COLLECTIONS /ADJUSTMENTS TO DATE	NOTES RECEIVABLE End of Cur period
	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE	BUDGET	Month	BALANCE							
7351 RCRDP LOAN ADMIN	179,100	126,759	52,341	163,500	41,862	121,638				7,283,497	405,519	396,684	7,292,332				2,205,237	226,370	2,088,199
TOTAL RCRDP ADMIN 0522-00,01	179,100	126,759	52,341	163,500	41,862	121,638	0	0	0	7,283,497	405,519		7,292,332					(343,408)	
		70.78%			25.60%		0					0.00%							
7361 REVOLVING LOAN - DEQ				30,000	0	30,000				27,557	139,218	95,463	71,312	138,523	0			0	4,591
TOTAL DEQ LOAN 0529-16	0	0	0	30,000	0	30,000	0	0	0	27,557	139,218	95,463	71,312					(133,932)	
					0.00%							57.24%		ADV FROM 93,450	PAYMENTS/ADJ TO DATE (93,450)			ADV FROM END OF CUR PERIOD (0)	

Soil and Water Conservation Commission
FY2022 YTD Financial Summary Through March 31, 2022

75% of the Fiscal Year Completed

Updated: [4/18/2022](#)

Fund Summaries

Appropriation																	
Fund Summaries																	
Fund Source		General Fund				Professional Services				RCRDP Loan Administration				Revolving Loan			
Personnel Funds																	
		Budget	Expenditures	Expenditures Projected	Remaining					Budget	Expenditures	Expenditures Projected	Remaining				
		\$1,302,500	\$ 779,577	\$ 379,616	\$ 143,307					\$ 179,100	\$ 126,759	\$ 50,823	\$ 1,518				
Operating Funds																	
		Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining	Budget	Expenditures	Expenditures Projected	Remaining
		\$ 236,600	\$ 192,865	\$ 41,369	\$ 2,366	\$ 30,000	\$ -	\$ 15,000	\$ 15,000	\$ 163,500	\$ 41,862	\$ 27,165	\$ 94,473	\$ 30,000	\$ -	\$ 15,000	\$ 15,000
Capital Funds																	
		Budget	Expenditures	Expenditures Projected	Remaining												
		\$ -	\$ -	\$ -	\$ -												
Trustee and Benefit																	
		Budget	Expenditures	Expenditures Projected	Remaining												
		\$1,428,100	\$ 1,428,100	\$ -	\$ -												



**SOIL & WATER
CONSERVATION
COMMISSION**

H. Norman Wright
Chairman

Cathy Roemer
Vice Chairman

Erik Olson
Secretary

Wendy Pratt
Commissioner

Delwyne Trefz
Administrator

MEMO

TO: CHAIRMAN WRIGHT AND COMMISSIONERS ROEMER, PRATT, AND OLSON
FROM: LORETTA STRICKLAND, DEPUTY ADMINISTRATOR
DATE: APRIL 12, 2022
RE: DISTRICT SUPPORT SERVICES UPDATE

Open Staff Positions Update

Natural Resource Conservationists - Emmett and Division 6

The announcement for the Emmett (Division 3) position closed in February. Six candidates were selected for interviews in mid-March, five were interviewed. The top candidate was offered the position, but he had just accepted a position with another agency. I, along with other members of the interview committee, thought it best to re-open the position and select a new slate for interviews.

Crystal checked with HR regarding changing the advertisement of this position to include the flexibility of the 3/4 position or the full-time position. Since we have the ¾ and a full-time position left to fill the two vacant NRC positions, we feel that it would be best to advertise the Emmett position in this manner to determine the interest. We will re-advertise this position as soon as the description is updated.

Once the Emmett NRC is filled, we can announce the vacant NRC in Division 6 with the remaining position. As a reminder, this position was vacated by Rob Sharpnack when he accepted the CREP Manager position.

Staff Engineer - Eastern Idaho

The last announcement effort did not result in any eligible candidates.

Staff Workload Update

On March 30th we held an all staff meeting to discuss the launch of WQPA and review the updated forms. Developing WQPA proposals has become a priority for staff, a challenge that everyone is enthusiastic to take on. In the last few weeks, there have been a lot of question-and-answer sessions as we get up to speed with the policy and guidelines of the new WQPA but expect many proposals to come as staff is actively working with conservation districts in all six divisions across the state to develop proposals.

RECOMMENDED ACTION: For information only

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**SOIL & WATER
CONSERVATION
COMMISSION**

H. Norman Wright
Chairman

Cathy Roemer
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Erik Olson
Secretary

Wendy Pratt
Commissioner

Delwyne Trefz
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS
ROEMER, OLSON, AND PRATT**
FROM: DELWYNE TREFZ, ADMINISTRATOR
DATE: APRIL 13, 2022
RE: BECOMING BETTER PARTNERS

**WHAT IS ONE THING WE CAN DO TO BECOME MORE EFFECTIVE PARTNERS
WITH CONSERVATION DISTRICTS?**

We all know that to accomplish voluntary conservation requires partnerships. We rely on good working relationships with numerous partners around the state, but none are more important to achieving the goals and objectives of our agency than the 50 Idaho conservation districts.

Over the last several weeks, your staff have been working on ideas for things we can do as an agency that may help us become better at collaborating with and serving conservation districts and have come up with some great suggestions. I place great value in additional suggestions from anyone in this meeting, Commission Board members, staff, or guests and plan to spend the next several minutes brainstorming with you all on this topic. Because it's unlikely we'll find a one size that fits all, I expect the outcome of our brainstorming will be a list of "One Things" that I'll distribute to Commissioners and staff and encourage them to pick one thing from the list that suits their style, and ask them to practice it in their interactions with districts over the course of the next several months and see if they're able to affect the partnership in a positive fashion.

To get things rolling, let's look at the suggestions submitted by staff, in the attached document. Then, I'll open the brainstorming session and ask you to please jump in with your suggestions.

RECOMMENDED ACTION: For information only

ATTACHMENT: STAFF SUGGESTIONS FOR BETTER PARTNERSHIPS

SWCC STAFF SUGGESTIONS FOR WHAT WE CAN DO TO BECOME MORE EFFECTIVE PARTNERS WITH CONSERVATION DISTRICT SUPERVISORS

- Spread the WQPA funds around to as many of the 50 Districts as possible get at least a little piece of it. Maybe this will help with the idea we are all in this together!
- Have our people spend a half day with a supervisor in the field, even if just sitting in a tractor and riding around.
- Field staff should attend their Districts' board meetings in-person as often as possible, spending time before or after the meeting to talk with and develop relationships with District supervisors and staff.
- Allowing time for and encouraging staff to attend and participate in District activities such as workshops, tree sales and fair booths will go a long way toward showing the District Board that we are a part of their team.
- Shake things up and encourage thinking outside the box. For example, remind supervisors there are a host of potential projects that may be outside of what they're accustomed to focusing on, and a potpourri of potential partners they can reach out to and collaborate with.
- Work with Districts to Identify and prioritize training needs, find a platform to deliver the training effectively and interestingly, keep them engaged
- Hold zoom trainings and/or, Q and A sessions prior to reporting deadlines. For example, have an interactive session to answer match eligibility questions in July prior to August deadline
- Simplify or preferably delete the TA process, one less report for them to worry about. Would alleviate the DAWG meeting too!
- When attending monthly board meetings, try to bring something other than just Commission updates... bring something specifically related to or valued by them, their conservation goals, or why they are on the board. Basically, view them as customers and partners. (Same goes for their employee(s) who they use as their representatives)
- Engage supervisors in their meetings rather than just being present. Have something to offer or add to the meeting/projects... brief discussion about something learned or discovered... a new resource you found or a concern in the District you saw and options to address, workshop opportunity, project idea,

funding opportunity (even reoccurring ones). Be concise... time is money or time away from their operation.

- Organizing a project tour of one of the project site visits with the supervisor and the landowner is definitely worthwhile.... They may be on the board, talked about it at meetings, and never actually seen the results of their own projects.
- Discretionary time. Being able to offer to help when asked or when you see it might be needed, especially if it's something they haven't done before. Involve them directly. Whether it's writing a grant, helping with a project budget, talking with other partners to get info. or whatever... even (especially) if you haven't done it either. If you put yourself in the same boat as them, they will be more willing to trust you, try new things, and see the effort you (and the District) put in. I have said something to the effect of: "I haven't done _____ before either, but I'll work with you and try to figure it out", many times.

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**SOIL & WATER
CONSERVATION
COMMISSION**

H. Norman Wright
Chairman

Cathy Roemer
Vice Chairman

Erik Olson
Secretary

Wendy Pratt
Commissioner

Delwyne Trefz
Administrator

MEMO

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS
ROEMER, OLSON, AND PRATT**
FROM: DELWYNE TREFZ, ADMINISTRATOR
DATE: APRIL 13, 2022
RE: ADMINISTRATOR'S REPORT

Legislation Signed by Governor Little

Governor Little signed H757, our appropriations bill March 24, 2022, and it became effective that day.

On March 25, 2022, the Governor signed H642, the bill revising provisions for how Commissioners are appointed to ISWCC, increasing the number of Commissioners from 5 to 7, and repealing the ability to establish any new Conservation Districts. This legislation takes effect July 1, 2022.

Commission meeting with Idaho State Department of Agriculture re: District Administered Watercraft Inspection Stations

Monday, Feb 28th, Chairman Wright, IASCD Division III Director Joan Cloonan, and I met with Lloyd Knight, Administrator, Division of Plant Industries at the Idaho State Department of Agriculture (ISDA). The meeting was arranged so we could follow up on information received the week prior which suggested that our former Administrator had communicated with Lloyd for the purpose of influencing ISDA decisions regarding which Conservation Districts it would award contracts to administer watercraft inspection stations. Lloyd unequivocally assured us that no SWCC staff person has ever attempted to influence his decision regarding to whom the watercraft inspection station contracts would be awarded.

Our discussion turned to the value to the state provided by Conservation Districts who administer watercraft inspection stations. Lloyd expressed his appreciation of the fine job being done and we all agreed to continue to encourage Conservation Districts to partner with ISDA to address invasive species issues.

Water Quality Program for Agriculture (WQPA)

During a March 30th staff meeting, field staff were provided guidance and example documents related to WQPA and sent out to share the information with their Districts and assist interested Districts with developing WQPA project proposals for your review and consideration. At that time, and still, I have not attempted to conceal the fact that we are building this program—re-building it, really—as we are implementing it. While I would prefer the luxury of having time to have every policy and process in place prior to beginning to solicit project proposals, the small period of time we have to spend the funds appropriated to the program dictates that we push it out and learn on the fly.

It has been an intense month, with staff, District supervisors, landowners and others posing questions every day that we had not anticipated, and which have required a lot of searching through archived WQPA records and calls to the former WQPA administrator (now at DEQ) to find the right answer.

But no complaints! As Loretta mentioned in her report, we're all excited for this amazing opportunity to have program dollars that we're able to pass on to Districts to assist in their efforts to implement conservation projects.

Referring to the WQPA Processes attachment, we'll walk through the entire process as it stands today. At the end of this presentation Commissioners will be expected to be ready to review and consider for funding WQPA proposals received to date, which you will do in the Executive Session scheduled for later in this meeting.

Upcoming Commission Meeting Schedule

Below is the tentative Regular Meetings Schedule for the next fourteen months. Meetings are shown in March and October for scheduling purposes though typically, your Board cancels these meetings to attend Spring and Fall Division meetings.

May 2022 – June 2023 SWCC Meeting Schedule

Date & Time	Location	Meeting Type*
May 19, 2022, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Jun 16, 2022, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Jul 21, 2022, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Aug 18, 2022, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Sep 15, 2022, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Oct 20, 2022, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Nov 17, 2022, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Dec 15, 2022, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Jan 19, 2023, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Feb 16, 2023, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Mar 16, 2023, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Apr 20, 2023, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
May 18, 2023, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular
Jun 15, 2023, 10-3 MT	322 E. Front Street, Suite 560, Boise	Regular

*All meetings listed as Regular Meetings should be held in person and/or via video conference (Zoom) and teleconference. If necessary, additional Special Meetings can be added within the proper public meeting noticing requirements.

RECOMMENDED ACTION:

For information only.

ATTACHMENTS:

WQPA Processes

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POLICY GUIDELINES FOR THE IDAHO WATER QUALITY COST-SHARE PROGRAM FOR AGRICULTURE

Current as of February 23, 2022

This agency guidance document is not new law but an agency interpretation of existing law, except as authorized by law or as incorporated into a contract.¹

Agency guidance is defined as “all written documents, other than rules, orders, and pre-decisional material that are intended to guide agency actions affecting the rights or interests of persons outside the agency.”² “Agency guidance” includes policy statements, manuals, interpretations of law or rules, memoranda, and other material of general applicability.³

Any questions about this document or input on the document can be directed to Delwyne Trefz.

¹ See Governor Little’s Executive Order No. 2020-02, *Transparency in Agency Guidance Documents*, <https://gov.idaho.gov/wp-content/uploads/2020/01/eo-2020-02.pdf>; see also I.C. § 67-5250.

² I.C. § 67-5250(2).

³ I.C. § 67-5250(2).

Purpose

This policy provides guidance to the Soil and Water Conservation Commission (SWCC) staff in reviewing cost-share applications submitted to the SWCC or local soil conservation districts⁴ for the purpose of financing agricultural, grazing, or other conservation improvements, projects, or implementations of the Water Quality Program for Agriculture (WQPA) pursuant to Idaho Code section 22-2734.

Revisions

This policy updates the SWCC's previous policy guidelines for WQPA last revised July 1, 2009.

I. Policy

It is the policy and intent of the SWCC to administer WQPA cost-share funds to eligible applicants⁵ or participants⁶ through local soil conservation districts pursuant to Idaho Code section 22-2734.

II. Application Process

Idaho Code section 22-2734 allows eligible participants or applicants to file an application with the SWCC or a local soil conservation district for a cost-share contract or project from the SWCC for the "purpose of financing agriculture, grazing or other conservation improvements, projects or implementations" of WQPA.⁷ Pursuant to Idaho Code section 22-2735(4), the SWCC may enter into contracts and establish procedures to be followed in applying for eligible improvements, projects, and plans for the effective administration of WQPA.

Pursuant to the above-mentioned policy, the SWCC should review applications and project plans submitted by local conservation districts acting as project sponsors⁸ identifying conservation improvements or projects in the local conservation district, based on a fiscal year beginning on July 1 and ending on June 30.

In accordance with Idaho Code section 22-2734(2), the SWCC will review local district project plans to determine whether the plans are satisfactory. The SWCC should make recommendations to project sponsors upon request regarding the SWCC preferred accounting software and

⁴ "'District,' 'conservation district,' 'soil conservation district,' or 'soil and water conservation district' means a governmental subdivision(s) of this state, and a public body corporate and politic, organized in accordance with the provisions of" chapter 27, Idaho Code. I.C. § 22-2717(8).

⁵ "'Eligible applicant' means an individual agricultural owner, operator, partnership, corporation, conservation district, irrigation district, canal company or other agricultural or grazing interest." I.C. § 22-2717(10).

⁶ "'Participant' means an individual agriculture owner, operator, partnership, private corporation, conservation district, irrigation district, canal company or other agriculture grazing interest approved by the commission [SWCC] or an individual agricultural owner, operator, partnership, or private corporation approved for implementation of conservation improvements, projects, or the water quality program for agriculture." I.C. § 22-2717(17).

⁷ I.C. § 22-2734(1).

⁸ "'Project sponsor' means a conservation district, irrigation district, canal company, or other agricultural or grazing interest, as determined appropriate by the commission, that enters into a conservation improvement or water quality project agreement with the commission." I.C. § 22-2717(19).

accounting policies and procedures.

The SWCC should consider the following attachments and explanations regarding a proposed project plan when determining whether a plan is satisfactory:

1. An environmental site assessment (ESA), proximity of project to a Clean Water Act Section 303(d) listed water source, or groundwater status of the subject waterbody;
2. Critical acres that will be treated;
 - o Lands eligible for cost-share assistance in a project area are those designated by the local soil conservation district, with concurrence of the SWCC, as critical areas or pollution sources. Critical areas or sources should have a technical basis for identification.
3. Estimated benefits of the proposed treatment;
4. Total best management practice (BMP) costs;
 - o The SWCC will prioritize critical areas for BMP implementation based on a tiered approach to targeting treatment units.⁹
5. BMPs to be installed and their quantity;
 - o Site-specific BMPs needed to treat critical areas or sources of pollutants should be identified in the participant's water quality plan.
6. BMP cost-sharing;
7. Matching funds;
8. Other sources of funding;
9. A cost list;
 - o Average costs should be developed for each practice or component of a practice identified in the work plan as eligible for financial assistance.
 - o Average costs are determined by the actual cost to land users for installing measures and practices.
 - o Actual cost includes labor, operating supplies and other direct costs required for design and physical installation of a measure or practice.
 - o Loss of income should not be considered in determining average costs.
10. Critical area description; and
11. Treatment area map.

If the SWCC determines that a plan is not satisfactory, it is required to return the application and plan to the local conservation district and make recommendations as are considered necessary by the SWCC to make the application satisfactory pursuant to Idaho Code section 22-2734(2). Upon the SWCC determining that a local conservation district's application and plan is satisfactory, Idaho Code section 22-2734(2) requires the SWCC to consider the application for funding.

⁹ Tier 1: Fields directly adjacent to either the tributary of concern or a drain to the tributary of concern, or fields having a direct and substantial influence on the tributary of concern. Tier 2: Fields in the subwatershed with an indirect, yet substantial influence on the tributary of concern. Tier 3: Fields upland in the subwatershed that indirectly influence the tributary of concern.

Critical areas should undergo site-specific evaluations to determine the nature of contribution and priority of each tier and overall strategies for achieving water quality objectives.

Pursuant to Idaho Code section 22-2734(3), the SWCC may approve a cost-share contract if, after review, evaluation, and investigation, the SWCC finds the following:

1. The participant or application is responsible and qualified;
2. The project or conservation improvement demonstrates public benefit;
3. The SWCC has reasonable assurance that the participant or applicant will adhere to contract terms; and
4. The SWCC has funding available.

Idaho Code section 22-2735(2) allows the SWCC to enter into contracts with approved applications concerning eligible improvements, projects, or plans. However, any such contracts must include in substance, at a minimum, the following provisions pursuant to Idaho Code section 22-2735(2):

1. An estimate of the reasonable costs of the project, plan, or improvement as determined by the SWCC;
2. The terms under which the SWCC may unilaterally terminate the contract and/or seek repayment of sums already paid for an applicant's noncompliance with the terms and conditions of the contract and/or the provisions of Chapter 27, Title 22 of Idaho Code; and
3. An agreement from the applicant, binding for the life of the eligible improvements, plans, or projects:
 - o To develop water quality plans for landowners and provide payments to landowners for installation of BMPs;
 - o To determine payment rates in conjunction with the SWCC's BMPs;
 - o To establish a method for administration and provisions for technical assistance to landowners in conjunction with the SWCC;
 - o To allow the State to make payments up to the estimated reasonable cost for BMP technical assistance, installation, and project administration of an eligible project;
 - o To develop and secure the approval of the SWCC of plans for operation of the eligible project;
 - o To ensure that the local matching share of the cost is provided;
 - o To assure an adequate level of landowner participation and application of BMP to ensure water quality goals are met.

In reviewing, evaluating, and investigating a cost-share contract, the SWCC should consider the following criteria in determining whether the necessary findings set forth in Idaho Code section 22-2734(3)(a-d) are found:

1. The status of an ESA;
2. The ground water quality protection area;
3. Whether any beneficial uses are affected;
4. The relative ability of the proposed treatment to protect the resource;
5. The readiness of the project sponsor to proceed;
6. The readiness of applicant or participant to implement the plan;
7. The availability of technical assistance;
8. The availability of supplementary funding sources;

9. Whether water use efficiency is improved; and/or
10. Whether land use goals or ecological processes are limited by suboptimal management of natural precipitation or by inefficient use of irrigation water.

Once the SWCC approves the cost-share contract and obtains all necessary documents, the SWCC will make funding available pursuant to Idaho Code section 22-2734(4). In accordance with the policy described above, eligible applicants or participants would then have the opportunity to submit project proposals and proposed contracts to the local conservation district where the SWCC made funding available. Pursuant to Idaho Code section 22-2734(2) local conservation districts shall review, evaluate, and if necessary, investigate “all aspects of the proposed contract or project” within thirty (30) days of receipt of an application.

The project participant or applicant’s conservation plan should be signed by the participant or applicant and a technical entity and approved by the local soil conservation district, unless otherwise authorized by the SWCC.

Idaho Code section 22-2735(1) prohibits the SWCC from making payments that exceed the estimated reasonable cost of an eligible improvement, project or plan.

After the SWCC has made funding available, the SWCC should request assistance from project sponsors at the beginning of each fiscal year to develop an estimate of project expenses for that year and the remaining life of each project. The SWCC should also request complete financial reports from sponsoring entities to be considered for approval at regularly scheduled meetings, regardless of the amount of project activity. Finally, the SWCC should request documentation of project matching funds from each project sponsor.

The SWCC should send funds to meet estimated administrative costs to each project sponsor semi-annually, beginning with each fiscal year, based on the amount projected. The SWCC may consider allocating up to 10% of the total amount of the project grant for administrative costs over the life of the project. The SWCC should consider administrative costs charged for actual time spent on contract administration and project activities, and per diem and mileage rates should be consistent with those established by the Idaho State Board of Examiners.

The SWCC may enter into contracts to provide technical assistance to applicants that have entered into agreements with the SWCC pursuant to Idaho Code section 22-2735(3). However, Idaho Code section 22-2735(3) requires that a contract to provide technical assistance must include, in substance the following provisions:

1. An estimate of the reasonable cost of technical assistance; and
2. The terms under which the SWCC may unilaterally terminate the contract and/or seek repayment of sums paid pursuant to the contract because of an applicant’s noncompliance with the terms and conditions of the contract, SWCC rules, or the provisions of Title 22, Chapter 27 of Idaho Code.

Pursuant to Idaho Code section 22-2735(5), all contracts shall be subject to approval by the attorney general as to form. Idaho Code section 22-2735(5) further requires that payments made

by the State pursuant to a contract shall be made “after audit and upon warrant as provided by law on voucher approved by the chairman and the administrator” of the SWCC.

III. Statutory Application Requirements and Accompanying Information

Pursuant to Idaho Code section 22-2734(1), the SWCC may dictate the manner and form in which applications must be filed. The SWCC should make standardized application forms available to applicants and participants. At a minimum, Idaho Code section 22-2734(1)(a-d) requires the following:

1. A description of the purposes and nature of the projects and improvements requiring cost-sharing;
2. Be accompanied by or set forth a plan identifying the conservation projects or improvements, including economic and technical feasibility data and estimated costs as may be required by the SWCC;
3. Indicate whether money from sources other than that which is being sought by application will be used for costs, and whether the applicant is pursuing the alternate source of money or if the alternate source of money is available; and
4. Show the SWCC that the proposed project is economically justified and technically feasible.

The SWCC may, pursuant to Idaho Code section 22-2734(1), also require accompanying information to an application. Therefore, the SWCC determines that the following information should accompany an application to aid the SWCC in processing applications:

1. A completed Agricultural Total Maximum Daily Load (TMDL) Implementation Plan;
2. A completed Ground Water Quality Management Plan; or
3. A Watershed Plan developed through PL-566, Cooperative River Basin Study, State Agricultural Water Quality Program, Comprehensive Aquifer Management Plan or equivalent process.

IV. Project Cost-Sharing

Cost-share funding from this program should be limited to BMP component practices included in the Idaho Agricultural Pollution Abatement Plan or those with accepted NRCS standards. The SWCC will review and consider all project plan cost-share practices and rates of operations when determining whether to approve an application and grant funding.

Cost-share funding from this program should only be provided to the applicant, participant, technical entity, and sponsor for actions initiated after contract approval, and funding from this program and other state sources should not exceed ninety (90) percent of the total project cost. Total program cost-share funds from all sources to include private, state, and federal funds, should not exceed one hundred (100) percent of the actual practice cost.

Cost-share funding from this program should be limited to a maximum of \$50,000 per cost-share contract, unless otherwise authorized by the SWCC. Cost-sharing funds can be used to supplement

and protect lands enrolled in the Conservation Reserve Program (CRP) where the SWCC has determined that additional practices are necessary. Examples of issues requiring additional practices include water and sediment control basins that help to reduce gully erosion, trap sediment, and improve downstream water quality. However, cost-sharing funds should not be authorized for irrigation system installation or improvements on lands which are in the CRP or those lands where the CRP cover has been removed within the first growing season following contract expiration.

Matching funds should total at least twenty-five (25) percent of the total project costs listed in the project agreement. For matching fund purposes, salaries of individuals may be used if known and appropriate. Matching funds can include all project time and expenses not reimbursed by state funds. Examples of matching funds are non-state technical assistance time, vehicle use, land operator time, equipment use, and material costs.

Finally, should an applicant or participant seek to modify a cost-share contract, the SWCC should review modifications resulting in overall contract cost increases by ten percent (10%) based on the above stated procedure and statutory guidelines. The SWCC should also review and consider for approval of all lease agreements and purchase of equipment items greater than \$500.

V. Project Priority List and Review

Project applications will be reviewed by a regional team consisting of SWCC field staff from the region where the application was submitted. The team will receive input and assistance from the Natural resources Conservation Service (NRCS), the Idaho Department of Environmental Quality (DEQ), and relevant conservation district representatives. In reviewing the applications, regional teams can make recommendations on project priority and submit these recommendations to SWCC staff located in Boise, Idaho.

The SWCC is required to establish and maintain a priority list for WQPA projects pursuant to Idaho Code section 22-2730. Project applications should be added to the SWCC's project priority list if the applications and project plans are consistent with statutory program criteria. The following factors may be considered when reviewing and ranking applications:

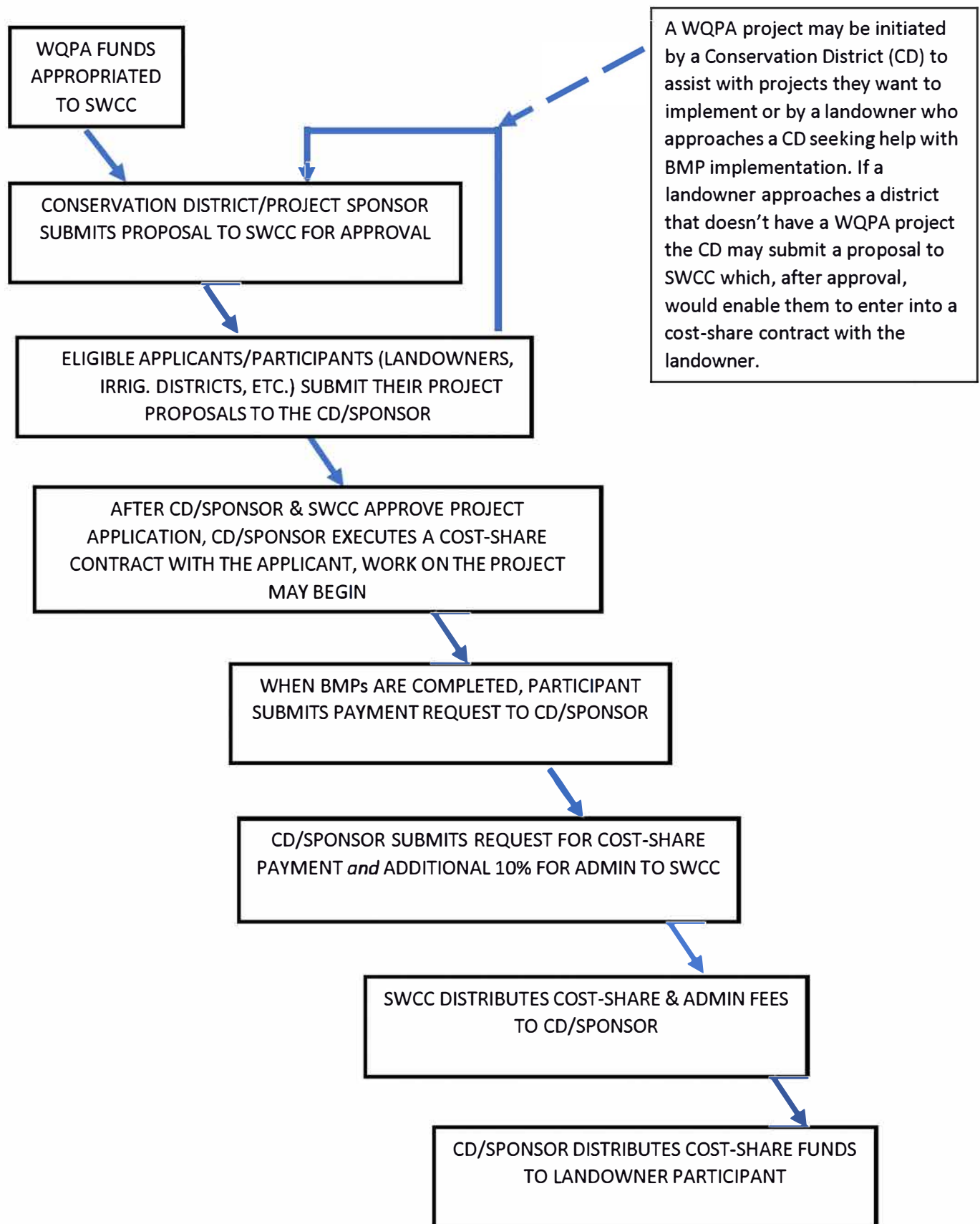
1. Is there a clear water quality and funding need?
2. Where is the proposal area in relationship to an identified water quality concern, including a 303(d) listed waterbody, Nitrate Priority area, or other point of concern?
3. Does the project have a strong likelihood of improving water quality?
4. What are the beneficial uses, pollutants, and approved TMDL(s) and/or watershed plan(s) being addressed through implementation of the proposal?
5. Are expected costs reasonable in proportion to expected benefits?
6. What is the expected lifespan of the project and is there reasonable assurance that the project will meet the expected lifespan?
7. Is this a shovel ready project with a reasonable implementation scheduled?
8. Can the amount of money requested be spent in a reasonable amount of time?
9. Does the applicant or participant have sufficient knowledge, experience, and capability to implement the project or plan?

10. Has the applicant or participant successfully completed a funded project in the past?
 - If so, were the project completed and money spent within the contract period, and was the contract followed and work completed?
11. Does the project propose to monitor BMP effectiveness and share the results with the public?
12. Does the project include an educational outreach component to support long-term community support and stewardship?
13. Does the application demonstrate community support for implementation of the project?
14. Is water use efficiency improved?
15. Are land use goals or ecological processes limited by suboptimal management of natural precipitation or by inefficient use of irrigation water?

After the regional team submits priority recommendations to the Boise staff of the SWCC, the two groups should review and consider the recommended priority ranking of the project before submitting a final recommendation to SWCC for decisions on project funding.

The Idaho Soil and Water Conservation Commission approved this policy on February 23, 2022.

FY 2022-23 WQPA FLOW CHART





Idaho Soil and Water Conservation Commission

Water Quality Program for Agriculture

FY2023 Project Proposal

****Proposed Projects Must be Implemented Prior to June 1, 2023****

Please complete items relevant to the project.

Project Name:

Project Sponsor:

Sponsor Email:

Sponsor Address:

Project Contact:

Project Contact Phone:

Project Contact Email:

8-Digit Hydrologic Unit Code (HUC)

303(d) Stream or Tributary Segment

Ground Water Priority Area

ESA Species

List applicable TMDLs, Addendums or 5-year reviews and targeted pollutants

List applicable watershed plans

(Agricultural Implementation Plans, Ground Water Plans, etc.)

Project Description/Resource Concerns and Benefits

What is the overall goal and expected outcomes from the project? Describe how the project will improve water quality and aligns with BMPs in the Agricultural Implementation Plan or other watershed plan. Include estimated pollutant load reductions if available. For water efficiency projects, describe how the overall project will improve water efficiency and water savings. (Attach additional pages if needed.)

Current Implementation Status

Briefly describe the past and current implementation efforts/programs in the watershed.

Project Readiness:

☐ Implement by December 31, 2022

☐ Implement by June 1, 2023

Beneficial Uses Affected by Project:

☐ Aesthetics

☐ Aquatic Life

☐ Contact Recreation

☐ Water Supply

☐ Wildlife Habitat

Technical Assistance Requirements and Source

Monitoring

Describe any current monitoring plan or report. Identify sources of monitoring and monitoring needs.

Other Funding Sources Committed or Being Pursued

--	--

Budget Information

	Estimated		Costs Breakdown			
BMP	Amount	Units	WQPA	Operator	Other	Total
			\$	\$	\$	\$
			\$	\$	\$	\$
			\$	\$	\$	\$
			\$	\$	\$	\$
			\$	\$	\$	\$
			\$	\$	\$	\$
			\$	\$	\$	\$
			\$	\$	\$	\$
			\$	\$	\$	\$
Total			\$	\$	\$	\$

			Total Project Costs			
			WQPA	Operator	Other	Total
BMPs			\$	\$	\$	\$
Admin./Outreach (10% BMP C/S)			\$	\$	\$	\$
Total			\$	\$	\$	\$

List of Attachments: Project Maps, etc.

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Water Quality Program for Agriculture (WQPA) Ranking Sheet

Project Name: _____

Project Sponsor: _____

1. Does the Project have an applicable TMDL, Addendum, 5-year review, or other Plan?	Yes	10
2. Will the project favorably impact Endangered Species?	Yes	10
3. Will the project favorably impact a Ground Water Protection Area?	Yes	10
4. Will the project improve water quality?	Yes	15
9. Will the project improve water use efficiency?	Yes	15
6. What is the timeframe for implementation of the project?	Before 12/31/2022	20
7. Will there be sufficient technical assistance for implementation?	Yes	10
8. Will the project utilize supplementary funding sources?	Yes	10
Total Points (maximum possible = 100)		100

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DRAFT STATE OF IDAHO
SOIL & WATER CONSERVATION COMMISSION
WATER QUALITY PROJECT AGREEMENT
for the
APPLICATION OF BEST MANAGEMENT PRACTICES

SECTION I. Introduction

The Idaho Soil & Water Conservation Commission (SWCC) is authorized under Idaho Code section 22-2734 to make and administer grants in order to finance agricultural and grazing conservation improvements for eligible applicants. The SWCC finds that the application of **XXX Soil Conservation District** (Grantee) relating to the proposed project described below establishes eligibility required for a grant in accordance with SWCC Water Quality Program for Agriculture (WQPA) policy. The SWCC offers **XXX Soil Conservation District** a grant according to the terms and conditions contained in the following sections of this offer. This offer is to be interpreted in a manner consistent with the Rules.

SECTION II. Description of Project

This document offers financial assistance for the following project:

- A. Project Number:
A – X, XX XX Watershed Project
- B. Legal name and address of Applicant:
XX SCD
XXXXXXX
XXXX, ID 83XXX
- C. Stream Segment:
XXXX XX River
HUC No. **170XXXXX**
- D. Project Description:
(Narrative description) XXXXXX
XXXXXXX

E. Project financing under terms of this offer:

BMP Cost-Sharing Administration/Outreach	WQPA WQPA	\$ \$ (10% of BMP Cost-Sharing)
Total State Costs		\$
Matching Funds		
BMP Cost Sharing	EQIP	\$
	Other	\$
	Participants	\$
Total Project Costs		\$

SECTION III. General Terms and Conditions of Grant Offer

- A. In order to receive and retain grant monies, the applicant must agree to comply with the terms and conditions in this offer. Acceptance of a grant obligates the Grantee to discharge all obligations contained herein.
- B. The grant shall be used solely to aid in the financing of a project, as described in the project plan of work, which will be made part of this agreement.
- C. The Grantee may not transfer, assign or pledge any beneficial interest in a grant to any other person or entity without expressed written consent from the SWCC. The Grantee may enter into such contractual arrangement with third parties as it deems advisable to assist in meeting its responsibilities under the grant agreement. All such contracts must be approved by the SWCC.
- D. Work on a project or a portion or phase of a project may be suspended by written order of the SWCC to the project sponsor. The SWCC shall give not less than ten (10) days' notice to the project sponsor of the order to suspend. Suspension may be required for cause, such as default by the project sponsor, including, but not limited to, failure to comply with the terms and conditions of the project agreement, or failure to comply with the agreed upon BMP standards and specifications at the time the project agreement was approved. Suspension may also be ordered due to a lack of available funding, modification of the program, or the result of advancements in technology, which render current procedures less effective.
- E. Grantee specifically recognizes and acknowledges that nothing contained in this Agreement shall create or be deemed to create between Grantee and the SWCC any principal-agent, master-servant, joint venture or employer-employee relationship. Grantee is solely responsible for the completion of the Program, and agrees to complete the Program in accordance with the terms of this Agreement.

Grantee shall defend, protect, and hold harmless the SWCC and the State of Idaho, and all officers, employees, and agents thereof, against all claims, suits or actions arising from any act of omission or commission of Grantee or any of its employees, sub-recipients,

contractors or agents while performing any work, services, or activities, or providing any materials relating to or in connection with the performance of this Agreement.

- F. It is understood that the SWCC is a governmental agency of the state of Idaho and this Agreement shall in no way be construed so as to bind or obligate the state of Idaho beyond the term of any particular appropriation of funds by the state legislature as may exist from time to time. The SWCC reserves the right to terminate this agreement if, in its sole judgment, the legislature of the State of Idaho fails, neglects or refuses to appropriate sufficient funds as may be required for the SWCC to continue payments or requires any return or "give-back" of funds required for the SWCC to continue payments, if the executive branch of the State of Idaho mandates any cuts or holdback in SWCC's spending. Any such termination shall take effect on thirty (30) days' prior notice and be otherwise effective as provided in this Agreement
- G. Payments to the Grantee for project performance to be based upon financing terms listed under Section II, part E.
- H. The SWCC will make semi annual payments to the Grantee for project-related administrative and outreach duties completed in the succeeding two quarters. The Grantee will provide documentation of expenditures for the previous two quarters in a form prescribed by the SWCC. Unexpended or unobligated funds remaining at the end of the contract period shall remain with or be returned to the SWCC.
- I. This agreement may be amended by mutual consent or upon sixty (60) days written notice by either party to this agreement.

SECTION IV. Specific Terms and Conditions of Grant Offer

The Idaho Soil & Water Conservation Commission agrees to:

- A. Administer the funds appropriated by the state for the agricultural water quality cost-share program
- B. Provide to the Grantee, project technical, financial, administrative and educational outreach assistance support as funds are available, and assist the Grantee with local program delivery
- C. Assist in determining cost-share rates for BMPs in consultation with the Grantee, appropriate agencies, and potential recipients
- D. Evaluate, on an ongoing basis, the effectiveness of the project in reducing agricultural and grazing nonpoint source pollution
- E. Review project administration and financial management

The **XXX XXX Soil Conservation District** agrees to:

- A. Administer the agricultural water quality project in accordance with SWCC policy.

- B. Comply with all applicable state equal employment opportunity and civil rights requirements.
- C. Ensure that the local match share of the project cost is provided and adequately documented and make every effort to assure that adequate levels of landowner/operator participation and BMP installation are achieved to meet project water quality goals.
- D. Coordinate the project with other appropriate technical assistance and cost-share programs in the area.
- E. Adopt, with the concurrence of the SWCC and Grantee, planning technical guides and standards and specifications for BMP design, construction, operation, and maintenance. The above shall be consistent with those of the Idaho Agricultural Pollution Abatement Plan and appropriate USDA Natural Resources Conservation Service field office, unless otherwise authorized by the SWCC.
- F. Develop and use a financial accounting system consistent with the financial accounting system established by the SWCC for this program.
- G. Submit to the SWCC progress and financial reports quarterly or upon request.
- H. Participate in project and program evaluations.
- I. Develop and submit to the SWCC, a final project summary report.

SECTION V. Agreement Period

This agreement begins the _____ day of **XXXX, 20XX**, and expires the **XXth** day of **XXXX, 20XX**

SECTION VI. Acceptance

The **XXX XX Soil Conservation District** (legal name of applicant) by and through its undersigned representative(s), accepts the foregoing offer and agrees to discharge all obligations and to comply with all terms and conditions contained therein.

Date

Signature of Representative

Name and Title of Representative (typed or printed)

SECTION VII. Approval

The Idaho Soil & Water Conservation Commission approves the grant in accordance with all of the terms and conditions contained herein this _____ day of _____.

Administrator, Idaho Soil & Water Conservation Commission

APPLICATION FOR PARTICIPATION

Water Quality Program for Agriculture

Project _____

Project Sponsor _____

Application No. _____

Priority No. _____

I (We) _____ of _____
_____ of _____
_____ of _____

hereby apply for participation in the Water Quality Program for Agriculture. The following statements are a part of this application.

- (1) Description and location of farm or ranch operating unit.

- (2) Description of how the farm or ranch operating unit is being operated and controlled. (For example, indicate landowners, the terms, type and length of leases, or other arrangements for operating the farm or ranch).

- 3) A water quality plan for the above operating unit will be developed in cooperation with the soil conservation district. This plan will be developed as part of Water Quality Program for Agriculture contract.

- (4) This application does not obligate me (us) to enter into a contract under the Water Quality Program for Agriculture.

Date _____

Signature of Applicant(s)

DRAFT CONTRACT

WATER QUALITY PROGRAM FOR AGRICULTURE

This Contract is entered into between the Project Sponsor and the Project Participant. In consideration of the promises hereinafter stated, the parties agree as follows:

SECTION ONE. DEFINITIONS

a) The Project Participant is as follows:

Name	Address
(1) _____	_____
(2) _____	_____
(3) _____	_____

b) The term "Project Sponsor" means _____

c) The "Sponsor's Coordinator" shall be _____, who shall be responsible for the administration of this contract. The Sponsor may change the Sponsor's Coordinator at any time by written notice to the Project Participants.

d) The term "operating unit" means the following described land (include location and acreage): _____

SECTION TWO. PARTICIPATION IN THE IDAHO WATER QUALITY PROGRAM FOR AGRICULTURE.

a) Each of the undersigned Participants desires to participate in the Idaho Water Quality Program for Agriculture and fully agrees that, in addition to the provisions of this contract, each Participant shall comply with all of the rules governing this program, which rules are hereby made a part of this contract by reference.

b) Each Participant hereby:

(i) agrees to apply on the operating unit Best Management Practices in conformity with and as shown in the attached water quality plan, which plan is marked Attachment I and hereby made a part of this contract, according to the time schedule of treatment and in accordance with the standards and specifications adopted by the project sponsor and in effect as of this date;

(ii) agrees that the Participant is liable to forfeit all rights to further payments under the contract and refund to the state of Idaho all payments received thereunder upon determination of non-compliance with the contract at any stage during the time the Participant has control of the operating unit, if the project sponsor determines that such non-compliance is of such a nature as to warrant termination of the contract; or to make refunds or accept such payment adjustments as the sponsor may deem appropriate if it determines that the Participant's non-compliance does not warrant termination of the contract;

(iii) agrees that the Participant is liable, upon transfer of the right and interest in the operating unit during the contract period, or within the established service life of the conservation practice, whichever period is longer, to forfeit all rights to further payments under the contract and refund to the state of Idaho all payments received thereunder unless the transferee of the operating unit agrees to assume all obligations of the contract, unless otherwise approved by the sponsor. The service lives of conservation practices are identified in the attached Conservation Practices and Practice Service Life document, which may also be found in the NRCS Conservation Programs Manual;

(iv) certifies that every person having control of the operating unit during the period of this contract is shown herein.

SECTION THREE. PAYMENTS

- a) The cost-share amounts shown in the water quality plan are estimates only.
- b) Payments are subject to the existence of sufficient money in the Water Quality Program for Agriculture fund at the time the Participant applies for payment. Should sufficient money not be available in the Water Quality Program for Agriculture fund at the time the Participant applies for payment, the sponsor hereby agrees to pay the above Participant upon the accrual of sufficient money in the fund. Should the fund be abolished, the Participant is not obligated to carry out the provisions of this contract.
- c) The Participant shall notify the sponsor prior to beginning installation of each practice to ensure that funds are available for cost-share payment.
- d) _____ is the Participant who will carry out all practices and identifiable units for which cost-share payments will be made. Therefore, all payments shall be made to _____ pursuant to program policy. Application for payment shall be signed by _____

SECTION FOUR. TIME SCHEDULE

All contract items except those listed below may be accomplished at any time prior to, or not later than, one year after the year shown under "Time Schedule" in the water quality plan, without execution of a contract modification. However, all cost-shared contract items must be accomplished no later than one year prior to the expiration date of this contract.

SECTION FIVE. EXECUTION OF DOCUMENTS

It is further agreed that _____ shall sign all modifications related to this contract. The modification documents shall be signed in the name of

by _____

SECTION SIX. TERM

This contract shall take effect when executed by both parties hereto and shall continue in effect until _____ or until termination in accordance with SECTION SEVEN.

SECTION SEVEN. TERMINATION

- a) The Sponsor may terminate this contract, in whole or, in part, at any time for any reason including for the state of Idaho's convenience or because of the failure of the Participant to fulfill the contract obligations. To effect a termination, the Sponsor shall deliver to the Participant a written Notice of Termination specifying the nature, extent, and effective date of the termination. Upon receipt of the notice, the Participant shall immediately discontinue all services affected (unless the notice directs otherwise).
- b) If the termination is for the convenience of the Sponsor, the Sponsor's Coordinator shall make an equitable adjustment in the contract price for services performed or materials supplied or purchased by Participant prior to delivery of the Notice of Termination but shall not be required to make any adjustments for anticipated profit or unperformed services.

- c) If, after termination for failure to fulfill contract obligations, it is determined that the Participant had not failed, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the Sponsor.
- d) The rights and remedies of the Sponsor provided in this clause are in addition to any other rights and remedies provided by law or under the contract.

SECTION EIGHT. ENTIRE CONTRACT

- a) This contract consists of the following parts:
- (i) The three pages consisting of the terms and conditions and signature pages;
 - (ii) The water quality conservation plan schedule of operations consisting of __ pages;
 - (iii) Supplement I consisting of one page.
- b) This contract sets forth all the covenants, promises, provisions, agreements, conditions, and understandings between the parties and there are no covenants, provisions, promises, agreements, conditions, or understandings, either oral or written between them other than are herein set forth.

IN WITNESS WHEREOF the parties executed this contract on the date following their respective signatures.

Participant(s)	Sponsor
(1) _____	_____
Signature	Signature
_____	_____
Date	Date
(2) _____	
Signature	

Date	
(3) _____	
Signature	

Date	

CONSERVATION PLAN OR SCHEDULE OF OPERATIONS

ISWCC-CP-SOP-XXXX

XXXXXXXXXX SOIL & WATER CONSERVATION DISTRICT

IDAHO SOIL & WATER CONSERVATION COMMISSION

PARTICIPANT	COUNTY	PROGRAM AND CONTRACT NUMBER	FUND CODE
		WQPA	WQPA
LAND UNITS OR LEGAL DESCRIPTION	WATERSHED	ACRES	EXPIRATION DATE

Contract Item 1		Practice Name (Std)									
[Description of Practice]											
Fields: Tract: XXXX Fields: XXXX											
Contract Item	PLANNED CONSERVATION TREATMENT	Planned Amount	Unit Cost	Cost Share Rate/ Method	Completion Schedule and Estimated Cost Share or Payment by Year						
					2022 \$	2023 \$	2024 \$	2025 \$	2026 \$	2027 \$	2028 \$
1											
1b					\$0						
Contract Item 2		Practice Name (Std)									
[Description of Practice]											
Fields: Tract: XXXX Fields: XXXX											
Contract Item	PLANNED CONSERVATION TREATMENT	Planned Amount	Unit Cost	Cost Share Rate/ Method	Completion Schedule and Estimated Cost Share or Payment by Year						
					2022 \$	2023 \$	2024 \$	2025 \$	2026 \$	2027 \$	2028 \$
2											
2b					\$0						
Contract Item 3		Practice Name (Std)									
[Description of Practice]											
Fields: Tract: XXXX Fields: XXXX											
Contract Item	PLANNED CONSERVATION TREATMENT	Planned Amount	Unit Cost	Cost Share Rate/ Method	Completion Schedule and Estimated Cost Share or Payment by Year						
					2022 \$	2023 \$	2024 \$	2025 \$	2026 \$	2027 \$	2028 \$
3											
3a					\$0						

Total Cost-Share or Payment by Year							
Year	2022	2023	2024	2025	2026	2027	2028
WQPA Amount(\$)							
Total Amount(\$)							

NOTES: A. All items numbers on form ISWCC-CP-SOP-XXXX must be carried out as part of this contract to prevent violation.
 B. When established, the conservation practices identified by the numbered items must be maintained by the participant at no cost to the government.
 C. All cost share rates are based on AM = Actual cost not to exceed the specified maximum with the following exceptions:
 AA = Actual costs not to exceed average cost. FR = Flat rate. NC = Non cost-shared. AC = Actual cost
 D. By signing, the participant acknowledges receipt of this conservation plan including this form ISWCC-CP-SOP-XXXX and agrees to comply with the terms and conditions here of.

Certification of Participants	
Signature	Signature
Date	Date

Signatures of Reviewing Officials	
ISWCC Natural Resource Conservationist Signature	Approved by Signature
Date	Conservation District Representative Date

SUPPLEMENT I

- A. This supplement describes the monies payable under this contract to the Participant. The Sponsor shall pay the Participant for work performed under this contract according to the cost-share rates and cost bases listed in Attachment I. The cost bases are defined as: Average cost (AC), actual cost not to exceed the average cost (AA), actual cost not to exceed a specified maximum cost (AM), or flat rate cost (FR).

Payments will be made according to the cost-share rate (percentage) and basis specified for each contract item number.

- B. The cost of completion of each item described in the contract shall be calculated by adding the following cost items:

1) Direct labor calculated at a rate of _____ per hour

2) Cost of materials, to include

3) Equipment use, calculated at the following rates for the respective machinery:

Equipment

Rate

CONSERVATION PLAN OR SCHEDULE OF OPERATIONS

ISWCC-CP-SOP-XXXX

XXXXXXXXXXXX SOIL & WATER CONSERVATION DISTRICT

IDAHO SOIL & WATER CONSERVATION COMMISSION

PARTICIPANT	COUNTY	PROGRAM AND CONTRACT NUMBER	FUND CODE
		WQPA	WQPA
LAND UNITS OR LEGAL DESCRIPTION	WATERSHED	ACRES	EXPIRATION DATE

Contract Item 1		Practice Name (Std)									
[Description of Practice]											
Fields: Tract: XXXX Fields: XXXX											
Contract Item	PLANNED CONSERVATION TREATMENT	Planned Amount	Unit Cost	Cost Share Rate/ Method	Completion Schedule and Estimated Cost Share or Payment by Year						
					2022	2023	2024	2025	2026	2027	2028
1											
1b					\$0						

Contract Item 2		Practice Name (Std)									
[Description of Practice]											
Fields: Tract: XXXX Fields: XXXX											
Contract Item	PLANNED CONSERVATION TREATMENT	Planned Amount	Unit Cost	Cost Share Rate/ Method	Completion Schedule and Estimated Cost Share or Payment by Year						
					2022	2023	2024	2025	2026	2027	2028
2											
2b					\$0						

Contract Item 3		Practice Name (Std)									
[Description of Practice]											
Fields: Tract: XXXX Fields: XXXX											
Contract Item	PLANNED CONSERVATION TREATMENT	Planned Amount	Unit Cost	Cost Share Rate/ Method	Completion Schedule and Estimated Cost Share or Payment by Year						
					2022	2023	2024	2025	2026	2027	2028
3											
3a					\$0						

Total Cost-Share or Payment by Year							
Year	2022	2023	2024	2025	2026	2027	2028
WQPA Amount(\$)							
Total Amount(\$)							

NOTES: A. All items numbers on form ISWCC-CP-SOP-XXXX must be carried out as part of this contract to prevent violation.
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Certification of Participants	
Signature	Signature
Date	Date

Signatures of Reviewing Officials	
ISWCC Natural Resource Conservationist Signature	Approved by Signature
Date	Conservation District Representative Date

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