

**IDAPA 02**

**TITLE 05**

**CHAPTER 04**

**IDAHO SOIL AND WATER CONSERVATION COMMISSION**

**02.05.04 – RULES GOVERNING ALLOCATION OF FUNDS**

**TO CONSERVATION DISTRICTS**

**000. LEGAL AUTHORITY.**

This chapter is adopted by the Idaho Soil and Water Conservation Commission under the legal authority of Section 22-2727, Idaho Code.

**001. TITLE AND SCOPE.**

**01. Title.** These rules shall be known and cited as IDAPA 02.05.04, “Rules for Allocation of Funds to Conservation Districts.”

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

**002. WRITTEN INTERPRETATIONS.** There are no written interpretations of these rules.

**003. ADMINISTRATIVE APPEAL.** There is no provision for administrative appeals before the Commission under this chapter. Persons may be entitled to appeal final agency actions authorized under this chapter pursuant to Section 67-5270, Idaho Code.

**004. (RESERVED)**

**005.**

**006.**

**007.**

**008.**

**009.**

**010. DEFINITIONS.**

For the purpose of the rules contained in this chapter, the following definitions apply:

**01. Antidegradation Plan.** Five year plan, with annual work plans, for resource assessment, resource prioritization, and implementation of water quality efforts as defined in IDAPA 02.05.02. The district may supplement the antidegradation plan with additional information about local resource conditions, conservation goals and district operations.

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

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

**04. Certify.** To confirm formally as true, accurate, or genuine.

**05. Commission.** The Idaho Soil and Water Conservation Commission as defined in Section 22-2718, Idaho Code.

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

**07. Financial Reports.** Documentation certified by the Board of Supervisors summarizing how base funding and match funding was allocated by the conservation district during the previous fiscal year.

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

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

**10. Local Funds.** Monies received in the previous fiscal year from local units of government for the general purposes of a conservation district. Not designated for specific projects.

**11. Local Services.** Non-cash contributions received in the previous fiscal year from local units of government for the general purposes of a conservation district. Not designated for specific projects.

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

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

**14. Match Reports.** Documentation certified by the Board of Supervisors of local funds and services actually received by the conservation district during the previous fiscal year.

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

**16. Performance Reports.** Documentation summarizing conservation activities, projects and programs implemented by the conservation district during the previous fiscal year.

**011. ALLOCATION OF FUNDS TO DISTRICTS.**

**01. Base Funding.** The Commission shall determine the dollar amount to allocate equally to conservation districts on an annual basis. Once the required documents are submitted and determined to be complete, the Commission shall immediately distribute base funding.

a. **Required Documents.** The Commission may require submission of certain documents prior to allocation of base funding to districts: antidegradation plans, financial reports, and performance reports. The Board of Supervisors shall certify in writing that the district has examined all documentation submitted and that the statements and representations in the documents are true and accurate. The district shall submit any required documents by a date established by the Commission.

**02. Match Funding.** Following determination of base funding, the Commission shall review and approve the additional amount of state appropriations available for proportional allocation to each district in match funding. Match funding will be based upon local funds and services received in the previous fiscal year by each conservation district. As it applies to state match funding, it is intended that donated funds and services be for the general purposes of the conservation district. Expenditure of any such donated funds and services is at the discretion of the conservation district. Funds and services received and designated for specific projects will not be considered when calculating match funding. Once the required documents are submitted and determined to be complete, the Commission shall distribute match funding to each district no later than January 1, 2011.

a. **Required Documents.** Each conservation district must submit match reports prior to the Commission's allocation of match funding. The Commission may also require certain documents prior to allocation of match funding to districts including: antidegradation plans, financial reports, and performance reports. The Board of Supervisors shall certify in writing that the district has examined all documentation submitted and that the statements and representations in the documents are true and accurate. The district shall submit any required documents by a date established by the Commission.

**03. State Budget Requests.** The Commission shall conduct a public hearing to consider the needs of the conservation districts on or before June 15<sup>th</sup> of each year, giving twenty (20) days' written notice of the hearing to each conservation district and to all other persons requesting notice of the hearing. The Commission shall hear and consider testimony at the hearing and all information submitted by the districts prior to submission of the annual budget request to the legislature and governor based upon the criteria of Subsection 010.09.