

**27—12.51(161C) Allocation to soil and water conservation districts.**

**12.51(1) Original allocation.** July 1 of each year, funds appropriated to the water protection practices account will be allocated to districts. Seventy-three and one-half percent of the funds will be divided equally among 100 soil and water conservation districts. Twenty-five percent of the funds plus any additional appropriations for reforestation will be kept in a separate account for woodland establishment and protection, and establishment of native grasses and forbs. One and one-half percent will be held in a reserve fund.

**12.51(2) Recall of funds.** Any funds allocated in the current fiscal year that the districts have not spent or obligated by June 30 shall be recalled by the division.

**12.51(3) Supplemental allocations.** The districts shall identify valid applications and cost estimates, if any, for supplemental allocations to the division by September 1. Factors to be considered in making a supplemental allocation to a district include:

*a.* The sum of cost estimates (for pending applications) in each district, divided by the total cost estimates (for pending applications) for all 100 districts, multiplied by the remaining available program funds; and

*b.* Whether or not the proposed supplemental allocation exceeds three times the original allocation to the district.

**12.51(4) Reallocation of recalled funds.** Rescinded IAB 7/18/07, effective 6/27/07.

**12.51(5) Woodland, native grass and forbs fund.** Twenty-five percent of the funds and any additional appropriations for reforestation will be allocated to districts.

*a. Original allocation.* The funds distributed to this program will be allocated equally to the 100 soil and water conservation districts at the beginning of each fiscal year.

*b. Supplemental allocation.* The districts shall identify valid applications and cost estimates, if any, for supplemental allocations to the division by September 1. Factors to be considered in making a supplemental allocation to a district include:

(1) The sum of cost estimates (for pending applications) in each district, divided by the total cost estimates (for pending applications) for all 100 districts, multiplied by the remaining available program funds; and

(2) Whether or not the proposed supplemental allocation exceeds three times the original allocation to the district.

*c. Eligibility of soil and water conservation districts for supplemental allocation.* For a district to qualify for a supplemental allocation, the district must meet the following requirement: seventy-five percent of the woodland, native grass and forbs funds shall be obligated to landowners.

**12.51(6) Reserve funds.** The division may administer a reserve fund for the program consisting of not more than 1.5 percent of each year's appropriated funds.

*a.* Purpose and use of the reserve fund. The reserve fund will be set aside and used only to fund contingencies that occur in the application of practices in the districts.

*b.* On June 30 each year the division will transfer the unspent reserve fund balance into the water protection practices account to be allocated to districts under subrule 12.51(1).

**12.51(7) Recall and reallocation of funds by division director.** If districts are not demonstrating an ability to use available funding, the division director may recall these funds and reallocate the funds to a district that has an immediate need for additional funding.

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