

**SUBCHAPTER A: TECHNICAL ASSISTANCE PROGRAM FOR SOIL AND WATER
CONSERVATION LAND IMPROVEMENT MEASURES
§§521.1 – 521.13**

§521.1 Policy Statement

It is the policy of the State Soil and Water Conservation Board to implement the intent of the 69th Legislature, 1985, and House Bill 2, by developing a program for agricultural soil and water conservation to conserve the state's soil and water resources and provide resulting benefits to all of the state's citizens. In accordance with this purpose, §§521.1-521.13 of this title (relating to Technical Assistance Program for Soil and Water Conservation Land Improvement Measures) are adopted to implement the Agriculture Code of Texas, Subchapter H, §§201.201-201.204.

Effective May 8, 2000

§521.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) District - A soil and water conservation district created under the Agriculture Code of Texas, Chapter 201.

(2) Executive director - The executive director of the Texas State Soil and Water Conservation Board.

(3) State board - The Texas State Soil and Water Conservation Board created under the Agriculture Code of Texas, Chapter 201.

(4) Technical assistance - Technical and professional services and activities deemed necessary by the state board for the development and implementation of soil and water conservation plans and soil and water conservation land improvement measures.

Effective April 21, 1986

§521.3 Guidelines

In accordance with the Texas Water Code, §15.435, and the Agriculture Code of Texas, §201.202(b), the state board will give priority in expenditure of funds to those areas of the state, which in the opinion of the board, have the most critical water conservation needs as brought to the attention of the state board, and to the activities, which in the opinion of the state board, will be most likely to produce substantial agricultural soil and water conservation.

Effective April 21, 1986

§521.4 Purpose

In accordance with the Agriculture Code of Texas, §201.202, the state board may provide for technical assistance to landowners and operators for soil and water conservation land improvement measures and soil and water conservation plans developed jointly by landowners and operators and local soil and water conservation districts and endorsed and approved by the state board.

Effective April 21, 1986

§521.5 Priorities

The state board may approve areas within the state where critical soil and water conservation needs are known to the state board to exist and activities that will be most likely in the opinion of the state board to produce substantial soil and water conservation.

Effective April 21, 1986

§521.6 Eligible Districts

In accordance with the Agriculture Code of Texas, §201.203, a district, all or part of which is located within an area approved in accordance with §521.5 of this title (relating to Priorities) may be considered eligible to administer technical assistance programs under these sections upon presentation of evidence satisfactory to the state board that such district is able to provide and supervise technical assistance to landowners and operators within its jurisdiction subject to availability of funds, and upon justification of the need for funds based upon current fund balances of the district.

Effective April 21, 1986

§521.7 Eligible Expenditures

(a) Eligible districts, upon approval by the state board, may receive funds for salaries or wages paid to district personnel for performing or being trained to perform technical assistance duties in relation to priorities established under §521.5 of this title (relating to Priorities). Such funds will be limited to the allocations set by the state board. Employment related expenses other than salaries or wages and the employer's matching of Social Security and Medicare taxes shall be borne by the district.

(b) Other activities approved by the State Board under these sections may be eligible for funding.

Effective May 8, 2000

§521.8 Applications

Eligible districts may apply for allocations of technical assistance funds under these sections in the manner prescribed by the state board, and shall include such information as required by the state board.

Effective April 21, 1986

§521.9 Approval of Expenditures

The state board may consider and approve or reject district applications, program expenditures, and fund allocations, giving consideration to the guidelines under §521.3 of this title (relating to Guidelines) and priorities under §521.5 of this title (relating to Priorities), as well as other information deemed necessary by the state board. The state board may adjust eligible expenditures and allocations throughout the year in order to achieve the most efficient use of state funds.

Effective April 21, 1986

§521.10 Payment of State Funds

(a) On the first working day of each fiscal year or as soon as possible thereafter, the State Board shall cause to be paid to each district 25% of the amount allocated to that district for the fiscal year.

(b) Additional payments shall be made on a reimbursement basis.

(1) each district receiving funds under provisions of this chapter shall file with the state Board a monthly report of expenditures no later than the 30th of the month following the end of each reporting period on forms provided by the State Board.

(2) upon verification that the reports are in order, the State Board shall cause payment for reimbursement of expenses to be made to the district.

(3) upon receipt of the last monthly report, the State Board shall perform a reconciliation of funds and pay the claim accordingly.

(4) the district has complied with the reporting requirements of §521.11 and §521.12 of this chapter.

(c) any unexpended and unobligated balance on the district books at August 31 will be treated as a payment toward that district's allocation for the subsequent fiscal year.

Effective March 17, 2004

§521.11 Reports Required

The district shall file an Annual Grant Summary Report on or before September 30 of each year on forms provided by the State Board.

Effective March 17, 2004

§521.12 Audits

The State Board shall have access to all district records for the purpose of verifying compliance with the provisions of this subchapter and other state requirements. The State Board may withhold funds under this subchapter from districts found to be in violation of this subchapter or other state requirements and may require districts to reimburse the State Board for expenditures claimed and reimbursed that are found to be in violation of this subchapter or other state requirements. Any district which has not met the filing requirements of §525.7 of this title, will not receive reimbursements under this subchapter until such reports are received in the State Office in Temple.

Effective May 8, 2000

§521.13 Priority in Expenditure of Funds

When requests for funding exceed available funds, the State Board will prioritize requests in accordance with the guidelines in §521.3 of this title (relating to Guidelines).

Effective May 8, 2000