

Beydler, Van

From: Soil & Water Conservation Program
Sent: Friday, January 19, 2018 3:42 PM
To: DNR.Soil and Water Conservation Districts staff
Cc: DNR.SWC Staff
Subject: Red Tape Reduction

Dear Soil and Water Conservation Districts:

For your review and comments are the proposed Red Tape Reduction draft amendments to the Soil and Water Districts Commission's rules for Chapters 2, 3, 4, 5, and 6. These draft amendments are being submitted to all 114 county soil and water conservation district boards and staff and are available on the SWCD Intranet web page (<https://mosoilandwater.land/internal/home>) and links are located immediately below the calendar.

In reviewing these documents, please note that all text to be deleted has been put in brackets and italics. All new/added text is in bold. Also additional policies will need to be developed under the guidance of the Commission after the amendments have been finalized. Comments have been included to address what has been deleted. Please discuss these proposed amendments at your next board meeting and submit any comments you have about the proposed amendments at your earliest convenience, but **no later than February 26**. This deadline will allow time to compile district comments and present them to the Commission at the March 5, 2018, meeting. In addition, information will be provided at this meeting on the status of rule rescissions for Chapters 1, 7, and 8 with a request to approve rescinding these rules. This is a public meeting.

Following is a brief summary of Red Tape Reduction rulemaking actions in progress by the Soil and Water Conservation Program (SWCP) on behalf of the Commission.

Title 10, Division 70 – Soil and Water Districts Commission

The Soil and Water Conservation Program is responsible for Title 10, Division 70 of the Code of State Regulations (CSR), which contains 30 rules in 8 chapters. The chapter titles follow:

Chapter 1 - Organization

Chapter 2 - Referendums

Chapter 3 - Formation of Subdistrict

Chapter 4 - Definitions

Chapter 5 - State Funded Cost-Share Program

Chapter 6 - Tax Levy Referendums

Chapter 7 - State Loan Interest-Share Program

Chapter 8 - State Funded Special Area Land Treatment (SALT) Program.

Through the Red Tape Reduction Review pursuant to Executive Order 17-03, the SWCP reviewed all 30 rules with a goal of reducing unnecessary regulatory burdens and ensuring all rules are up-to-date, relevant, and not duplicative with the state statutes.

Rescissions

The SWCP is recommending all 19 rules in Chapters 1, 7, and 8 be rescinded for the following reasons:

Chapter 1 – Organization is being rescinded because the Department is writing a Department-wide organizational rule to comply with 536.023, RSMo and the guidelines for administering individual variances to any rule or regulation, standard,

requirement, limitation, or order of the Commission are being moved from this rule to 10 CSR 70-5.060(3) of the Chapter 5 – State Funded Cost-Share Program.

Chapter 7 – State Loan Interest-Share Program is being rescinded because the Missouri Soil and Water Conservation Loan Interest-Share Program is no longer available. In 2009, the Commission passed a motion to discontinue this program due to declining interest. There have been no expenditures to this SWCP since 2013.

Chapter 8 - State Funded Special Area Land Treatment (SALT) Program is being rescinded because the SALT Program is no longer available. The functions of this program have been combined with and made available through the regular cost-share program described in 10 CSR 70-5 (Chapter 5).

Proposed Amendments

The SWCP has identified proposed amendments for the 11 rules in Chapters 2, 3, 4, 5, and 6. These proposed amendments combined with the proposed rescissions of Chapters 1, 7, and 8 will reduce 374 of the 443 restrictive words (84.4 percent) present in Chapters 1-8. Restrictive words include shall, must, may not, required, and prohibited.

Red Tape Reduction briefings/presentations were provided at the June 14, August 16, October 11, and November 27, 2017, Soil and Water Districts Commission meetings and at eight Missouri Association of Soil and Water Conservation Districts (MASWCD) Area Meetings at Jackson, Lebanon, Springfield, Sedalia, St. Joseph, Trenton, Kirksville, and Montgomery City from July 31 – August 1, 2017. These meetings discussed the Red Tape Reduction Initiative and the Department website where the public and soil and water conservation stakeholders could obtain additional information and submit comments. Also discussed at these meetings was the SWCP's progress in developing rescissions and amendments to the Commission's rules. All Commission meetings were recorded and posted on the Department's Internet page <https://dnr.mo.gov/env/swcp/swdc-meetings-2017.htm>.

If you have any suggested revisions, please submit your comments by **February 26, 2018**, to the SWCP email at: soil&waterconservationprogram@swcd.mo.gov.

If you have any questions or would like to submit your comments over the phone, please contact Bill Wilson or Steve Walker at (573) 751-4932.

Thank you.

Soil & Water Conservation Program

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