

**AGREEMENT BETWEEN
IDAHO DEPARTMENT OF PARKS AND RECREATION
AND
CANYON COUNTY**

The Idaho Department of Parks and Recreation (DEPARTMENT), in its administration of Idaho's available Recreation Boating Safety Grant monies, agrees to provide assistance to Canyon County (APPLICANT), to help accomplish the State of Idaho Recreational Boating Safety Program goals and enforce the Idaho Safe Boating Act (Title 67, Chapter 70, Idaho Code, as revised):

- A. **Purpose of Assistance.** The purpose of this assistance is to encourage greater participation and uniformity in boating safety, particularly to permit the APPLICANT to assume the greater share of boating safety education, assistance, enforcement activities, and to assist the APPLICANT in developing, carrying out, and financing a County Recreational Boating Safety Program. This assistance is purely to be used as an enhancement to this program and will not be used to replace local/state funding.
- B. **Program.** The APPLICANT agrees to undertake and complete the recreational boating safety actions proposed in this Agreement in accordance with the assurances section and applicable laws and regulations, which are not limited to, but include, the Idaho Safe Boating Act (Title 67, Chapter 70, Idaho Code, as revised), all applicable regulations of the United States Coast Guard, including but not limited to 33 C.F.R. part 100, 2 C.F.R part 200, and the terms and conditions of the Federal/State Recreational Boating Safety Cooperative Agreement, a copy of which is attached to this Agreement.
- C. **Allocation.** To assist the APPLICANT in financing its recreational boating safety program, the DEPARTMENT agrees to allocate to the APPLICANT a Boat Safety Grant not to exceed \$45,714. This Agreement will be in full force and in effect during Federal Fiscal Year 2023 (October 1, 2022 – September 30, 2023), except for those requirements specified in IDAPA 26 Title 01 Chapter 31, that apply for the life of the project. The DEPARTMENT reserves the right to reduce this grant allocation if funding from the U.S. Coast Guard is not authorized for the entire fiscal year.

Allocated funds will not be sent to the APPLICANT until the APPLICANT requests them to be sent, but the funds must be received and expended by the APPLICANT no later than September 30 of each year. If such funds are not expended and received by the APPLICANT within this period, then the grant will be revoked by the DEPARTMENT and the APPLICANT will relinquish all rights to any funds received but not expended.

Except as herein provided, allocated funds will be sent to the APPLICANT only on a reimbursable basis. An advance disbursement of funds may be made prior to the actual expenditure of the funds only if substantiating evidence is provided in writing to the DEPARTMENT showing that such need exists and if approved by the DEPARTMENT.

Upon completion of the expenditure of the grant funds as herein specified, and upon request from the DEPARTMENT, the APPLICANT shall submit copies of all vouchers, cancelled checks, invoices, and other required billing forms and documents that demonstrate the satisfactory expenditure of the grant monies. If it is discovered that the actual costs were less than the grant amount, then the difference must be immediately returned by the APPLICANT.

D. **Assurances.** The APPLICANT hereby certifies that it will comply with the regulations (including IDAPA 26, Title 1, Chapter 31), policies, guidelines, and requirements that relate to this Agreement, and the use of these funds, for this federal/state-assisted project. Also, the APPLICANT certifies to the DEPARTMENT that:

1. Sufficient matching amounts are available and will be expended for boating safety purposes from county funds generated by the sale of state boat registrations (Sec. 67-7008, Idaho Code) or State Waterways Improvement Funds (Sec. 57-1501, Idaho Code).
 - a) Federal funds received will be used to develop and administer a county recreational boating safety program.
 - b) Only county funds generated by the sale of state boat licenses or Waterways Improvement Funds (boating safety projects) will constitute an APPLICANT's matching share. The APPLICANT will not use other federal funds to calculate or provide its matching share except as herein provided.
 - c) The APPLICANT's matching share will be at least one-half of the total county grant allocation unless specific approval for a lesser APPLICANT matching share has been given by the DEPARTMENT.
2. The APPLICANT shall use this financial assistance purely as an enhancement to its Boating Safety Program, and will not use these grant funds to replace the APPLICANT's funds (referred to in D.1. above) typically expended by the county in recent years.
3. Single units of equipment, with a current fair market value of one thousand dollars (\$1,000) or more, as determined by the DEPARTMENT, or any facilities purchased by the APPLICANT using these grant funds, may not be converted for other uses unless authorized under IDAPA 26, Title 01, Chapter 31.
4. Single units of equipment, with a current fair market value of one thousand dollars (\$1,000) or more, as determined by the DEPARTMENT, which are purchased wholly with Boat Safety Grant monies shall remain the property of the DEPARTMENT to be used by the APPLICANT for appropriate purposes. If the equipment is being underutilized, misused, or used for purposes other than the original grant purposes, it may be reclaimed by the DEPARTMENT upon thirty (30) days written notice. Determination will be made on reclaiming the equipment by the DEPARTMENT.
 - a) The APPLICANT shall bear the full responsibility for damage or destruction to project facilities and equipment through their own means or applicable insurance.

5. Single units of equipment, with a current fair market value of one thousand (\$1,000) or more, as determined by the DEPARTMENT, which are purchased only partially (less than 100%) with Boat Safety Grant monies shall become the property of the APPLICANT. However, should the APPLICANT decide to convert such equipment, the conversion shall comply with the provisions of IDAPA 26, Title 1, Chapter 31, and the DEPARTMENT and the U.S. Coast Guard, where applicable, shall retain a contingent interest or partial ownership in such equipment as determined by the DEPARTMENT and the U.S. Coast Guard pursuant to applicable federal laws and regulations.
6. Single units of equipment, with the current fair market value of less than one thousand dollars (\$1,000), as determined by the DEPARTMENT, which are purchased either partially or wholly with Boat Safety Grant monies shall become the property of the APPLICANT.
7. The APPLICANT assures that facilities and equipment purchased with these grant funds shall be maintained and operated in the condition equivalent to that existing when the item was funded by these grant funds, normal wear and tear excepted. Maintenance standards shall be adopted by the APPLICANT during the application phase of the grant and are a term of this Agreement.
8. The APPLICANT assures that all costs incurred on a project will have prior approval from the DEPARTMENT and will be accountable before and after payment is made. The APPLICANT will give the DEPARTMENT or its authorized representative the access to and the right to examine all records, books, papers, or documents related to these grant funds should the DEPARTMENT consider it necessary.
9. The APPLICANT has a recreational boating safety program which includes:
 - a) For those counties with regularly boated or boating accident-prone waters, either power boated, sailed, or floated (including rivers), there should exist sufficient patrol and other enforcement/education activity to ensure adequate compliance with applicable state boating laws, rules, and regulations.
 - b) For all APPLICANTS:
 - i) All reportable boat accidents as defined by Sec. 67-7027 Idaho Code that are reported to the APPLICANT shall be properly investigated and recorded. A copy of the report shall be submitted in writing to the DEPARTMENT or entered into the Coast Guard Boat Accident Report Database (BARD), as required under Sec. 67-7027 (3)(b), Idaho Code. The report shall be sent to the DEPARTMENT or entered into BARD within 30 days of the date of the accident. If there are extenuating circumstances (i.e. the investigation is still under investigation) then all readily available information shall be completed on the report or entered into BARD with a full explanation regarding the ongoing investigation. Upon conclusion of the investigation the accident report shall be updated and immediately sent to the DEPARTMENT or entered into BARD. If the operator in the reported boat accident is killed then a blood sample shall be taken as required by Sec. 67-7036, Idaho Code.

- ii) Procedures for authorizing, recording, and reporting all boating regattas, races, tournaments, and exhibitions as required in Sec. 67-7030, Idaho Code, and ensuring that a copy of each submitted marine event permit application is kept on file with the county.
- iii) The development and implementation of a Recreational Boating Safety Education Program which meets or exceeds the following requirements:
 - a. That instruction in boating safety be made available to current and potential boaters within the county (i.e., school students, public lectures/courses, shows and special events, etc).
 - b. That the most current boating safety education literature printed by the DEPARTMENT will be made available to the public at key contact points and be distributed to the public upon request.
 - c. That the county sheriff's department instruct at least one "Boat Idaho" public boating safety course or one "Paddle Sports" course during the federal fiscal year. Each county shall have at least one DEPARTMENT trained boating safety instructor.
 - d. The county sheriff's department will also provide public awareness through at least one other means such as a media contact promoting boating safety, on-the-water events, boat safety inspection day and displays at safety fairs, boat shows, scout events, hunter's safety education, or other boat safety related event, during the federal fiscal year.
- iv) Procedures and preparedness to conduct water-based search and rescue including proper training, equipment, and Standard Operation Procedures to guide the efforts.
- v) Procedures for recording and reporting certain APPLICANT boating-related expenditures are as follows:
 - a An annual financial report of the county's Federal Fiscal Year boating-related expenditures will be submitted to the DEPARTMENT no later than December 31 of each year. It will divide the county's boating related expenditures into the groups of:
 - ◆ County Boating Safety expenditures (only those monies acquired from the sale of state boat registrations (Sec. 67-7008, Idaho Code);
 - ◆ Boat Safety Grant expenditures; and
 - ◆ State Waterways Improvement Fund expenditures.
- vi) Implement a Personal Floatation Device (PFD) wear policy that requires all marine deputies to wear a PFD at all times while on duty during on-the-water operations. A copy of this policy will be provided to the DEPARTMENT upon request.

10. The APPLICANT will enter all law enforcement activities performed during the federal fiscal year into the Marine Law Enforcement Database created and maintained by the Idaho Department of Parks and Recreation. Data must be entered on at least a monthly basis. All data for the federal fiscal year must be entered no later than October 15 of each year to be eligible for boat safety grant funds in the following grant cycle.
11. The APPLICANT will comply with all applicable local and state laws, including, but not limited to, purchase and bidding requirements, and project construction or development permit requirements.
12. The APPLICANT will comply with all applicable federal laws, including, but not limited to, Title VI of the Civil Rights Act of 1964, Title II and Title IV of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, the Hatch Act, and the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act.
13. To the extent allowable by law, the APPLICANT assumes all project liability and agrees to defend, indemnify and hold harmless the DEPARTMENT, except for the conduct of the DEPARTMENT or any of its employees in the performance of any projects under the terms of this Agreement. Where the DEPARTMENT'S sole involvement in a project is the granting of funds, such is not considered "performance" and is not sufficient to incur liability on the part of the DEPARTMENT.
14.
 - a) The APPLICANT shall be obligated to complete all elements of a project as described on the approved grant application and this Agreement Form.
 - b) The APPLICANT shall manage the project as specified in the grant application and this agreement.
 - c) Failure by the APPLICANT to comply with such terms and obligations shall result in the immediate revocation of the approved grant or will constitute a conversion pursuant to IDAPA 26, Title 01, Chapter 31, as applicable.

IN WITNESS THEREOF, the parties have executed this Memorandum of Understanding following their respective signatures.

Idaho Department of Parks and Recreation

Susan E. Buxton, Director

Date

Board of County Commissioners

Please see attached signature page

County Commission, Chairman

Date

County Sheriff's Office



Sheriff

2-17-23

Date

For IDPR Use Only




Idaho Department of Parks and Recreation

Date

DATED this 28th day of February 2023.

CANYON COUNTY BOARD OF COMMISSIONERS

☒ Motion Carried Unanimously
☐ Motion Carried/Split Vote Below
☐ Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek		_____	_____
<u>did not participate</u> _____ Commissioner Brad Holton	_____	_____	_____
 _____ Commissioner Zach Brooks	<u>X</u>	_____	_____

ATTEST: CHRIS YAMAMOTO, CLERK

By: Genen Ross
Deputy Clerk

RBS Sub-Grant Formula Federal Fiscal Year 2023															
	Boatable Acres			Registrations			Performance					FEDERAL ALLOCATION	* MINIMUM REQUIRED MATCH (50%)		
				(2022 Primary as of 1/5/23)			Insp	OUI	Cite	Student	Total				
Ada Co.	4,521.00	0.7917%	\$2,243	7,246	8.6520%	\$24,514	670	0	6	15	691	3.0261%	\$8,574	\$35,331	\$17,666
Adams Co.	5,196.00	0.9099%	\$2,578	482	0.5755%	\$1,631	245	0	8	0	253	1.1079%	\$3,139	\$7,348	\$3,674
Bear Lake Co.	41,210.00	7.2169%	\$20,448	884	1.0555%	\$2,991	49	0	1	0	50	0.2190%	\$620	\$24,059	\$12,029
Benewah Co.	4,562.00	0.7989%	\$2,264	1,213	1.4484%	\$4,104	216	0	0	0	216	0.9459%	\$2,680	\$9,047	\$4,524
Bingham Co.	18,331.00	3.2102%	\$9,096	1,166	1.3923%	\$3,945	196	0	2	62	260	1.1386%	\$3,226	\$16,266	\$8,133
Blaine Co.	15,116.00	2.6472%	\$7,500	731	0.8728%	\$2,473	57	0	0	5	62	0.2715%	\$769	\$10,743	\$5,371
Boise Co.	3,401.00	0.5956%	\$1,688	1,359	1.6227%	\$4,598	187	0	0	1	188	0.8233%	\$2,333	\$8,618	\$4,309
Bonner Co.	119,904.00	20.9981%	\$59,495	10,526	12.5685%	\$35,611	791	1	39	31	862	3.7749%	\$10,696	\$105,801	\$52,901
Bonneville Co.	37,912.00	6.6393%	\$18,811	4,104	4.9004%	\$13,884	1,295	0	1	40	1,336	5.8507%	\$16,577	\$49,273	\$24,636
Boundary Co.	5,791.00	1.0141%	\$2,873	911	1.0878%	\$3,082	2	0	0	0	2	0.0088%	\$25	\$5,980	\$2,990
Canyon Co.	13,499.00	2.3640%	\$6,698	4,498	5.3708%	\$15,217	1,839	0	0	79	1,918	8.3994%	\$23,798	\$45,714	\$22,857
Caribou Co.	26,566.00	4.6524%	\$13,182	503	0.6006%	\$1,702	64	0	0	0	64	0.2803%	\$794	\$15,678	\$7,839
Cassia Co.	15,226.00	2.6664%	\$7,555	1,341	1.6012%	\$4,537	184	0	0	17	201	0.8802%	\$2,494	\$14,586	\$7,293
Clearwater Co.	17,587.00	3.0799%	\$8,726	1,885	2.2508%	\$6,377	1,891	0	59	221	2,171	9.5073%	\$26,937	\$42,041	\$21,021
Custer Co.	5,217.00	0.9136%	\$2,589	438	0.5230%	\$1,482	228	2	91	0	321	1.4057%	\$3,983	\$8,053	\$4,027
Elmore Co.	21,018.00	3.6808%	\$10,429	2,301	2.7475%	\$7,785	718	0	0	10	728	3.1881%	\$9,033	\$27,246	\$13,623
Fremont Co.	22,077.00	3.8662%	\$10,954	1,547	1.8472%	\$5,234	197	0	0	31	228	0.9985%	\$2,829	\$19,017	\$9,509
Gem Co.	2,069.00	0.3623%	\$1,027	1045	1.2478%	\$3,535	921	0	17	99	1,037	4.5413%	\$12,867	\$17,429	\$8,714
Gooding Co.	3,502.00	0.6133%	\$1,738	630	0.7522%	\$2,131	68	0	0	0	68	0.2978%	\$844	\$4,713	\$2,356
Idaho Co.	10,109.00	1.7703%	\$5,016	942	1.1248%	\$3,187	53	0	0	0	53	0.2321%	\$658	\$8,860	\$4,430
Jefferson Co.	7,764.00	1.3597%	\$3,852	714	0.8525%	\$2,416	25	0	3	2	30	0.1314%	\$372	\$6,640	\$3,320
Jerome Co.	2,033.00	0.3560%	\$1,009	453	0.5409%	\$1,533	263	0	0	6	269	1.1780%	\$3,338	\$5,879	\$2,940
Kootenai Co.	43,842.00	7.6778%	\$21,754	22,019	26.2917%	\$74,493	5,321	54	447	101	5,923	25.9383%	\$73,492	\$169,738	\$84,869
Lemhi Co.	2,850.00	0.4991%	\$1,414	216	0.2579%	\$731	20	0	0	0	20	0.0876%	\$248	\$2,393	\$1,197
Minidoka Co.	4,283.00	0.7501%	\$2,125	831	0.9923%	\$2,811	791	0	0	198	989	4.3311%	\$12,271	\$17,208	\$8,604
Nez Perce Co.	4,767.00	0.8348%	\$2,365	3,210	3.8329%	\$10,860	354	2	51	32	439	1.9225%	\$5,447	\$18,672	\$9,336
Owyhee Co.	26,568.00	4.6527%	\$13,183	1,393	1.6633%	\$4,713	828	0	0	35	863	3.7793%	\$10,708	\$28,603	\$14,302
Payette Co.	1,584.00	0.2774%	\$786	946	1.1296%	\$3,200	7	0	0	2	9	0.0394%	\$112	\$4,098	\$2,049
Power Co.	24,731.00	4.3310%	\$12,271	1,008	1.2036%	\$3,410	61	0	0	0	61	0.2671%	\$757	\$16,438	\$8,219
Twin Falls Co.	8,935.00	1.5647%	\$4,433	2,908	3.4723%	\$9,838	1,630	1	131	70	1,832	8.0228%	\$22,731	\$37,003	\$18,501
Valley Co.	39,445.00	6.9078%	\$19,572	5,083	6.0693%	\$17,196	1,074	0	24	2	1,100	4.8172%	\$13,649	\$50,417	\$25,209
Washington Co.	11,406.00	1.9975%	\$5,660	1,216	1.4520%	\$4,114	576	0	0	15	591	2.5881%	\$7,333	\$17,106	\$8,553
	571,022.00	100.0000%	\$283,334.00	83,749	100.0000%	\$283,333.00	20,821	60	880	1,074	22,835	100.0000%	\$283,333.00	\$850,000.00	\$425,000.00

\$850 K = current allotment for counties

* match money must come from County Vessel Accounts

NOTE: parking, MIPs, Invasive Species Stickers and "other" citations are not used in calculation of cites for the performance criteria

2/15/2023

Chief Hart,

I am submitting the annual US Coast Guard RBS (recreational boater safety) Grant proposal. These funds are provided to the Idaho State Parks and Recreation for distribution to Sheriff's Offices. These funds flux yearly based on US Coast Guard allocations. This year Canyon County Sheriff's Office has been allocated to receive \$45,714 in grant funds. We will match the grant with 50%, \$22,857. These funds can be in the form of salary.

I have attached the proposal letter from Idaho State Parks and Recreation.

By accepting this grant the Canyon County Sheriff's Office Marine program must complete Boater Education Classes, Boater Outreach Programs, and submit our data to the Idaho Parks and Recreation data collection web site. All of these things are already being offered and completed to full fill the requirements of the grant.



Sgt. Jason Roberts 5223

Marine Patrol

DSH
5201

Jason Roberts

From: Phoebe Wallace <phoebe.wallace@idpr.idaho.gov>
Sent: Friday, February 10, 2023 4:51 PM
To: Jason Roberts
Subject: [External] RBS grant agreement
Attachments: Canyon.pdf

Good afternoon,

I've attached your county's allocation letter and grant agreement. Please let me know if you have questions.

Thank you!



Phoebe Wallace
Boating Program Supervisor

5657 Warm Springs Avenue | Boise, ID 83716
tel (208) 514-2412 | cell (208) 599-7749

[website](#) | [map](#) | [passport](#)



"Leaders in outdoor recreation since 1965."



State of Idaho

Department of Parks and Recreation

BRAD LITTLE
Governor

SUSAN E. BUXTON
Director

Idaho Park and Recreation Board

Brian Beckley, Chair - District 3 | Mike Roach - District 4 | Doug Eastwood - District 1 | Pete J. Black - District 5 | Vacant - District 2 | Louis Fatkin - District 6

To whom it may concern:

This letter is to inform you that Canyon County has been allocated \$45,714 in Recreational Boating Safety (RBS) funds for Federal Fiscal Year (FFY) 2023.

Statewide, county RBS funding totaled \$850,000. A complete list of all county RBS allocations and the formula used to calculate your allocations are included with this letter.

Please note that IDPR will again require a 50% match for the FFY 2023 allocations.

The same application process will be used again this year. To access the grant application, visit the website listed below and fill-in the requested information.

<http://parksandrecreation.idaho.gov/forms-rbs-application/>

Remember to select FFY 2023 for the grant application period.

The grant agreement is attached to this letter. Review the agreement, print it out, gather the requested signatures, and email back to phoebe.wallace@idpr.idaho.gov.

An electronic version of the signed agreement is preferred to a mailed hard copy to expedite processing.

IDPR asks that you complete the on-line application and submit the agreement by March 6, 2023 to ensure that your funds are available prior to the start of the boating season.

We urge you to open and continue discussions with your waterways committee to find the balance between marine law enforcement and facility improvement and maintenance that works best for your county.

As you know, the purpose of the RBS grant funding is to enhance county marine law enforcement programs and is intended to supplement various funding sources. Open discussions with your county clerk and waterways committee will ensure that you can take full advantage of the grant funding and have the needed documentation for grant reimbursements.

A few words about matching funds:

- Program expenses must be incurred between October 1, 2022 and September 30, 2023.
- County RBS grants must be matched from County Vessel Accounts.
- County boating program expenditures must equal the RBS grant plus the match money to get full reimbursement. For example, if a county receives an RBS grant of \$10,000 the county must have allowable boating program expenditures of at least \$15,000 (\$10,000 RBS grant plus \$5,000 match money). If county boating program expenditures do not equal the RBS grant plus match money, then counties cannot get the full reimbursement and must pro-rate the reimbursement request.
- Please work with your county clerk before submitting a reimbursement claim to ensure that the county has ample match money and program expenditures.
- IDPR encourages you to work closely with your county commissioners, waterways commission and/or parks departments to ensure that matching vessel account funds are available for your grant allocation.

Your continued support of the Idaho Department Parks and Recreation State Boating Program is appreciated. Feel free to contact me if you have any questions.

Sincerely,



Phoebe Wallace
Boating Program Supervisor / Boating Law Administrator
208-514-2412 (office) or 208-599-7749 (cell)
phoebe.wallace@idpr.idaho.gov