

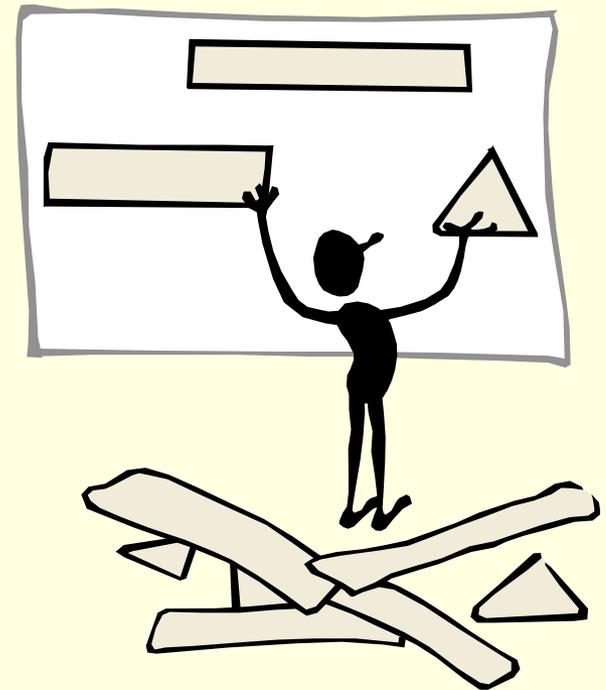
Powers and Authorities of Conservation Districts

John Larson, Executive Director, Washington Association of Conservation Districts prepared the original material for this presentation.

This presentation was modified in consultation with Rich Duesterhaus, NACD Senior Advisor, Northeast Region Representative, for the NRCS East Region pilot training “The Effective District Conservationist”, May 2009.

Brainstorming Session

What are the functions of a conservation district?



This presentation describes one state's Powers and Authorities, but is representative of most states with Conservation Districts.



Conservation Districts are

- Unique units of local government, established under state law to carry out a program for the conservation, protection, and sustainable use of soil, water and related natural resources.

Conservation District's Mission

- Develop and implement programs to conserve the district's renewable natural resources -
 - Land, air, water, vegetation, fish, wildlife, wild rivers, wilderness, natural and scenic beauty, open space, and other natural resources

Function

- To take available technical, financial, educational resources whatever their source and focus or coordinate them so they meet the needs of the local land user for conservation of soil, water and related natural resources.
- Dr. Peter Nowak – University of Wisconsin

Conservation District Authority under State Law



Powers of Conservation District and Directors/Supervisors

- Carry out preventative and control measures and works of improvement
- Cooperate, or enter into agreements to furnish financial or other aid to any agency or owner of lands within the district
- Obtain options upon and to acquire real or personal property, administer, improve, receive income, sell, lease or otherwise dispose of

Powers of Conservation District and Directors/Supervisors-cont.

- Make available equipment, fertilizer, seeds, seedlings, and other material for conservation
- Construct, improve, operate and maintain works of improvement as may be necessary.
- Develop comprehensive plans
- Accept donations, gifts and contributions in money, services, or materials

Powers of Conservation District and Directors/Supervisors-cont.

- Sue and be sued in the name of the district
- Have a seal – judicially noticed; perpetual succession unless terminated
- Make, and from time to time amend and repeal rules and regulations

Powers of Conservation District and Directors/Supervisors-cont.

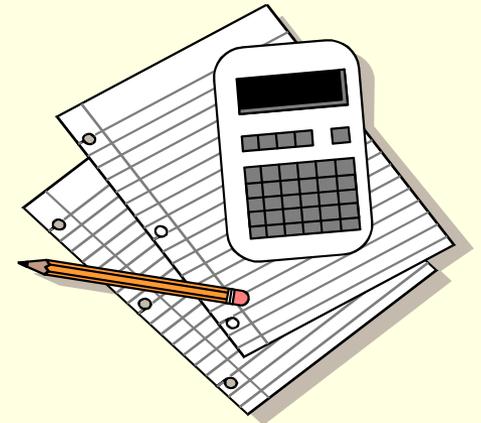
- As a condition of extending benefits, may require contributions in money, services, or materials
- Delegation of directors'/supervisors powers and duties.
- May employ technical experts
- Furnish information to state conservation agency
- Cooperation between districts

Powers Not Granted Unless Stated

- Levy taxes
- Issue bonds
- Condemn property
- Tax exempt BMP List
- Serve as easement holders

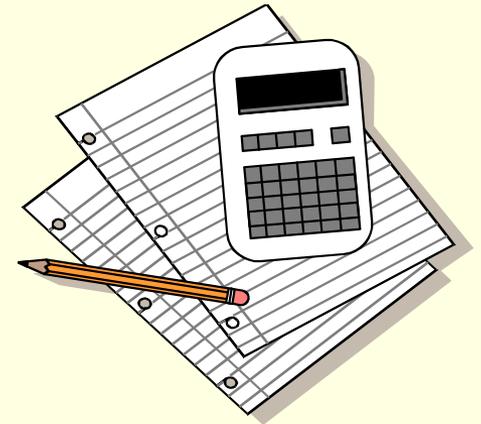
Responsibilities

- Program
- Education
- Supervision
- Administration
- Participation



Program Responsibilities

- Know resource needs and issues
- Plan activities – who and when
- Knowledge of local, state and federal laws
- Identify technical assistance
- Identify funding sources
- Provide service to cooperators
- Set district policies



Education Responsibilities

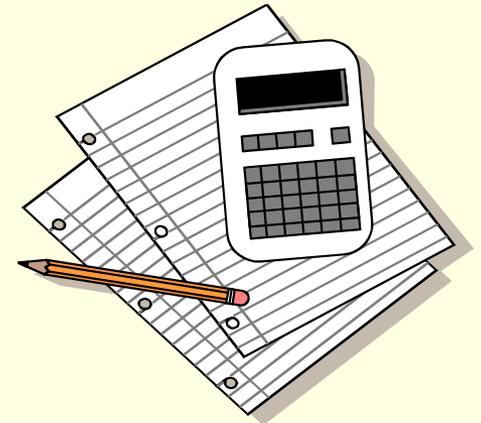
- Identify groups needing information
- Messages and information to be delivered
- Conduct information activities
- Distribute information
- Set district policies
- Plan activities, who, what, and when

Supervision Responsibilities

- Employ and supervise district employees
- Administration for district employees is responsibility of directors/supervisors

Supervision Responsibilities

- Personnel management
 - Written personnel policies
 - Ensure personnel management is conducted according to written policies
 - Workload and staffing needs
 - Position descriptions
 - Employee compensation



Admin Responsibilities

- Know powers, authorities and responsibilities
- Meet regularly
- Organize board
- Delegate board authority
- Set policy

Admin Responsibilities

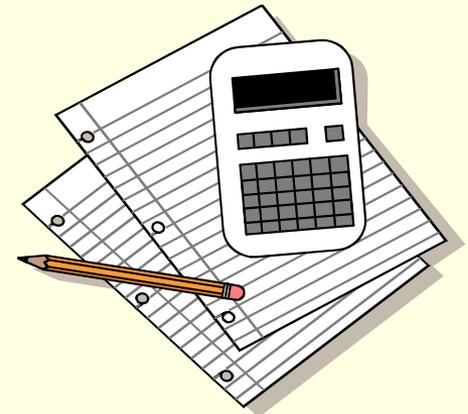
- Annual Plan/Long Range Plan
- Delegate board authority
- Appoint advisory committees
- Appoint Associates
- Involvement of public
- Involvement of partners

Admin Responsibilities

- District Elections
 - Recruitment/diversity
 - Diversity of the board members
- Public Records Request/Freedom of Information Act
- Open meeting laws

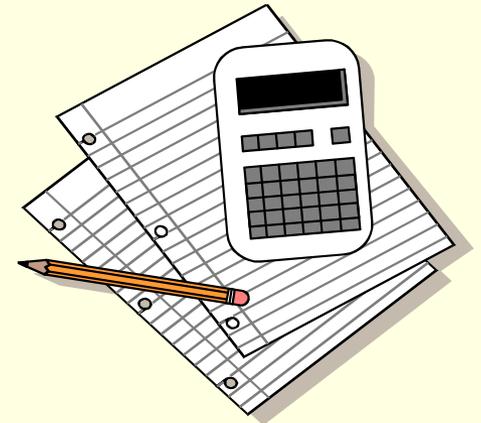
Admin Responsibilities

- Manage and be accountable for funds, facilities, equipment and programs
- Enter into agreements for assistance
- Administer projects
- Administer grants



Admin Responsibilities

- Develop budget
- Maintain record of district business
- Conduct annual audit or financial review
- Bond supervisors/staff



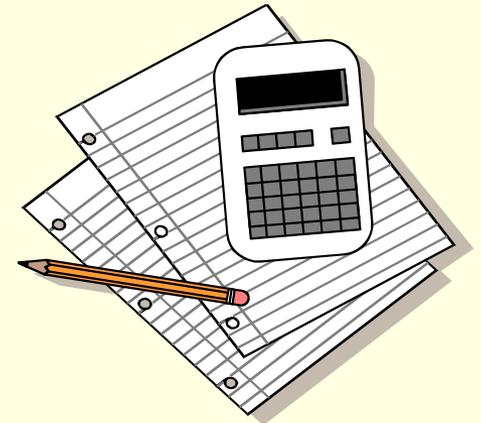
Budget Process

- Budget year July-June
- Sources of revenue
 - Local assessment/tax levies (State specific)
 - State Funds
 - Competitive grants
 - Federal funding
 - Equipment rental
 - Plant sales



Legal Responsibilities

- Open Meeting Laws
- Public Records/Freedom of Information Act
- Americans With Disabilities Act
- Liability
- Sexual Harassment
- Equal Employment Opportunity



Participation Responsibilities

- Commodity, watershed, locally led and environmental groups
- Attend division and state association meetings, regional and national meetings
- Pay dues

District Resolution Process

- State Association of Conservation Districts (SACD) policies are set through an annual resolution process
- Resolutions originate at district board meetings around the state
- If passed by a district board, a resolution is considered at SACD area meetings

District Resolution Process

- If passed at an area/division meeting, a resolution is considered at the statewide convention
- If passed at the state convention, the resolution either becomes a policy of SACD or if national action is required, passed on to NACD

NACD Structure

Local Conservation Districts

through

State Associations

elect

NACD Board of Directors (54)

NACD Executive Board (11)

which sets policy and elects

which executes policy and includes

President

Vice President

Secretary/Treasurer

Chief Executive Officer

Staff

who employs

Conservation Partnership

- Land users
- State Association of Conservation Districts & Auxiliary
- National Association of Conservation Districts & Auxiliary
- State Employee Associations
- Tribes/Tribal Conservation Districts
- State Conservation Agencies
- Natural Resources Conservation Service
- Resource Conservation & Development Councils

Conservation Relationships

- Develop an understanding of the roles and responsibilities of each partner
- Communicate, cooperate, coordinate
- Know office protocol, formal or informal
- Promote mutual respect, support, trust and honesty
- Share leadership, ownership, credit and responsibility for conserving the renewable natural resources

Conservation District Assistance

Local Conservation District

State
Agencies

State Associations of
Conservation Districts

Federal Agencies
(USDA NRCS)

Regions of the
National Association of Conservation Districts

National Association of Conservation Districts

How Conservation Districts Work

Resource Needs

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graph TD; A[Resource Needs] --> B[Conservation District Program]; B --> C[Services to Land Managers];
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Conservation District Program

Services to Land Managers

Tribal Conservation Districts

Allow Tribes, natural resource staff and tribal members who are land owners & land users to define and identify natural resource concerns and priorities within reservation boundaries and work directly with the NRCS and other Conservation Districts in a partnership effort to address resource needs and concerns.

Tribal Conservation Districts

The development of a Tribal Conservation District is an internal decision of choice for Tribes

Tribal Conservation Districts

Differences between CD's formed under State Law and Tribal Conservation Districts

Local Conservation District:

- Receives funding from the state
- Potential funding from local assessment/taxes
- Functions under state law

Tribal Conservation District:

- Receives funding from the tribe
- Structured and organized under Tribal constitution
- Functions under tribal law
- Jurisdiction authority within reservation

Tribal Conservation Districts

Similarities between CD's formed under State Law and Tribal Conservation Districts

- Exercise powers given by state or tribal government
- Develop comprehensive conservation plans
- Establish priorities for NRCS assistance to meet local needs

Tribal Conservation Districts

Tribes have good working relationships with local Conservation Districts in Washington State.

- Tribes are working cooperatively with conservation districts
- Tribes are an integral part of establishing priorities regarding natural resource concerns and over-all planning reflects and includes tribal priorities
- Tribal policies and regulations are followed and respected

Tribal Conservation Districts

- Most states have similar arrangements with Tribal Conservation Districts.
- Occasionally there are differences in this arrangement.
- A number of states have significant differences.

Summary

Through example and discussion, this section has highlighted the BASIC function, mission and responsibilities of conservation districts.