

East Multnomah Soil and Water Conservation District

Overview and Background

Mission:

“To conserve, protect and enhance soil, water, air and other natural resources to achieve a healthy environment for the people, fish and wildlife of Multnomah County.

Guiding principles:

We believe that the conservation of soil and water is perhaps the most critical, the most fundamental conservation goal there is. Virtually all life depends on healthy soil and/or clean, abundant water. Human beings depend directly on soil and water for our most basic needs. As human activities increasingly impact the health of the soil and water, it is our responsibility to address those impacts; to seek ways of meeting human needs today without threatening the ability of future generations to do the same. The East Multnomah Soil and Water Conservation District (EMSWCD) will work to conserve the local soils, protect the water that flows within our District and to foster more sustainable ways of utilizing those resources to meet current and future needs.

We are a non-regulatory conservation organization. We rely exclusively on a voluntary approach to conservation in which the landowner is always the decision-maker. We favor a collaborative, inclusive approach to problem-solving. EMSWCD is a diverse organization serving a diverse community; we value diversity in all its forms. We are a politically neutral organization, committed to providing unbiased information and helping to inform and implement good decisions.

Function of a Conservation District

To take available technical, financial and education resources, whatever their source, and focus or coordinate them so that they meet the needs of the local land user for conservation of soil, water, and related resources.

Adapted from Dr. Peter Nowak's presentation "The Conservation District Official: Villain or Victim?"

History of Conservation Districts

During the 1930's, the Dust Bowl made the need to conserve natural resources, particularly soil, very clear. Widespread wind erosion not only devastated human and environmental health, but threatened the very ability of our nation to feed itself. Agencies ranging from Land Grant Universities to the Federal Emergency Relief Administration researched and implemented conservation practices throughout the nation. Eventually, the Soil Conservation Service (SCS), now the Natural Resources Conservation Service (NRCS), was created under the Soil Conservation Act of 1935 to develop and implement soil erosion control programs. Sometimes agencies working with conservation ended up competing with each other. Local leadership was needed to

coordinate their efforts and tie them into local conditions and priorities. Because of this, the U.S. Congress developed a model Conservation District law for consideration by state governments.

In 1939, the Oregon Legislature passed the Soil Conservation District Law (ORS 568.210), which established a State Soil Conservation Committee. This Committee began forming conservation districts that year. Conservation districts were to be direct programs protecting local renewable natural resources. Oregon now has forty-five soil and water conservation districts.

Soil and Water Conservation Districts

Soil and Water Conservation Districts lead local efforts to plan and implement conservation measures and watershed improvements on agricultural, forest and other urban and rural lands. Districts provide technical assistance and other resources to assist landowners and manager implement recommended conservation systems. These conservation measures protect the soil, the water and thereby all of the natural and human systems that depend upon them.

Oregon conservation districts are subdivisions of state government, much like school boards, but are not state agencies. A Board of five to seven Directors governs each district. Directors are local residents who serve voluntarily without pay and are elected by local citizens. To be eligible they must reside within the boundaries of the district and be a registered voter. Two Board positions are for At-Large Directors who have no land ownership or management requirements. The other Directors are Zone Directors and must reside within the designated Zone. The additional requirements for Zone Directors include owning or managing 10 or more acres of land in the district. If they own the land they must be actively involved in its management.

As a district Director, you have a unique niche in your community as the grass roots representative of landowners and the general public, providing leadership and direction to bring voluntary cooperation to natural resource conservation programs. Upon taking the oath of office you agreed to carry out the responsibilities of your position in accordance with the Oregon Soil and Water Conservation District Law (ORS 568.210 to 568.808). The following statute describes the scope of your authority as Directors, and by extension of the District as a whole:

Soil and Water Conservation District & Director Powers

568.550 General powers of directors.

The directors of a district have the following powers subject to the written approval of the State Department of Agriculture:

- (1) To secure surveys and investigations and do research relating to:
 - (a) The character of soil erosion;
 - (b) The character of floodwater and sediment damage;
 - (c) All phases of the conservation, development, utilization and disposal of

water; and

(d) The preventive measures, control measures and improvements needed. In order to avoid duplication of activities, the department may call upon other state and federal agencies for assistance and cooperation in their fields in accordance with memoranda of understanding to be signed by all cooperating agencies.

(2) To conduct demonstrational projects on lands within the district upon obtaining the consent of the owner and occupier of such lands.

(3) To carry out preventive and control measures on lands within the district upon obtaining the consent of the owner and occupier of such lands.

(4) To enter into written agreements with, and within the limits of appropriations duly made available to it by law, to furnish financial or other aid to any agency, governmental or otherwise, or any owner or occupier, or both of them, of lands within the district, for the purpose of carrying on soil erosion control and prevention operations within the district.

(5) To obtain options upon and to acquire by purchase, exchange, lease, gift, grant, bequest or devise any property, real or personal or rights or interests therein; to maintain, administer and improve any properties acquired; to receive income from such properties and to expend such income in carrying out the purposes and provisions of ORS 568.210 to 568.808 and 568.900 to 568.933; and to sell, lease or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of ORS 568.210 to 568.808 and 568.900 to 568.933.

(6) To borrow money and to mortgage personal property of the district as security therefore; provided, landowners are given opportunity to be heard at a public hearing in the district, notice of which shall be given according to rules prescribed by the department.

(7) To make available, on such terms as it shall prescribe, to landowners or occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds, and seedlings and other material or equipment.

(8) To construct, operate and maintain such structures as may be necessary or convenient for performance of any of the operations authorized in ORS 568.210 to 568.808 and 568.900 to 568.933.

(9) To develop comprehensive plans and specifications for the conservation of soil resources and for the continued control and prevention of soil erosion within the district, and to publish such plans, specifications, and information and bring them to the attention of owners and occupiers of lands within the district.

(10) To take over, by purchase, lease, or otherwise, and to administer, any soil conservation, erosion control, or erosion prevention project, or combination thereof, located within its boundaries undertaken by the United States or any of its agencies, or by this state or any of its agencies.

(11) To manage, as agent of the United States or any of its agencies, or of this state or any of its agencies, any soil conservation, erosion control, or erosion prevention project, or combination thereof, within its boundaries.

(12) To act as agent for the United States or any of its agencies, in connection with the acquisition, construction, operation, or administration of any soil conservation, erosion control, or erosion prevention project, or combination thereof, within its

boundaries.

(13) To accept donations, gifts and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this state or any of its agencies, and to use or expend such moneys, services, materials or other contributions in carrying on its operations.

(14) To sue and to be sued in the name of the district; to have a seal, which shall be judicially noticed; to have perpetual succession unless terminated as provided by law; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers; to make, and from time to time amend or repeal, rules not inconsistent with ORS 568.210 to 568.808 and 568.900 to 568.933 to carry into effect its purposes and powers.

(15) As a condition to the extending of any benefits under ORS 568.210 to 568.808 and 568.900 to 568.933 to, or the performance of work upon, any lands not owned or controlled by this state or any of its agencies, the directors may require contributions in money, services, materials or otherwise to any operations conferring such benefits, and may require landowners or occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon.

(16) To purchase liability or indemnity insurance, in such amounts and containing such terms and conditions as they may deem necessary, for the protection of directors, officers and employees of the district against claims against them incurred by such directors, officers and employees in the performance of their official duties. The premiums for such insurance shall be paid out of moneys available for expenditure by the district. [Amended by 1955 c.142 §16; 1957 c.603 §4; 1961 c.640 §3; 1973 c.656 §13; 1981 c.92 §29]

Soil and Water Conservation District Partners (partial list)

Federal Agencies

Farm Service Agency (FSA) The FSA administers cost-sharing programs to farmers implementing conservation. It also provides aerial photos for conservation work, assistance for land treatment and development, and natural disaster relief.

Bonneville Power Administration (BPA) The BPA markets hydroelectric power in the Pacific Northwest. To mitigate the effects of the hydroelectric system, BPA has a large grant program for fish and wildlife projects.

U.S. Fish and Wildlife Service (USFWS) The USFWS is responsible for wild birds, mammals (except certain marine mammals), and inland sport fisheries. The USFWS conducts research activities, conducts environmental impact assessments, and manages wildlife refuges. In some cases, USFWS provides funding for habitat restoration projects.

Forest Service (USFS) The USFS has federal responsibility for forestry. The USFS sponsors cooperative programs through state forestry agencies, the Natural Resources Conservation Service and conservation districts to control fires, stabilize gullies, improve

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forest growth, plant trees, and control forest pests.

National Oceanic and Atmospheric Administration (NOAA) Fisheries NOAA Fisheries is responsible for providing programs to try to save the marine endangered species of the United States. Their actions affect the Columbia River and Snake River watersheds of the Northwest.

Natural Resources Conservation Service (NRCS) The NRCS has a long extensive tradition of work with soil and water conservation districts. The NRCS provides personnel, equipment, office space, and counsel to districts. It also provides free technical assistance with soils, conservation practices, and planning to land users and others.

State Agencies

Oregon Department of Agriculture (ODA) The Natural Resources Division has various responsibilities in the management of natural resources programs in the state of Oregon. Among these is the responsibility to provide administrative oversight of the soil and water conservation districts.

Soil and Water Conservation Commission (SWCC) The Soil and Water Conservation Commission has seven members. The purpose of the Commission is to provide assistance and direction to Oregon's 45 soil and water conservation districts and coordinates with Oregon Department of Agriculture, Farm Services Agency, Oregon State University, Oregon Association of Conservation Districts, and Oregon Watershed Enhancement Board.

Oregon Department of Environmental Quality (DEQ) The Department of Environmental Quality protects and enhances Oregon's environment. DEQ programs address air pollution, water pollution, solid waste, hazardous waste, noise pollution, litter and resource recovery, water resources, and shoreline and coastal zone management. DEQ is both an administrative and a regulatory agency with authority to enforce the state's environmental laws. DEQ monitors all major waterways, administers grants for wastewater treatment facilities, and issues permits for waste dischargers. DEQ also issues grants to reduce non-point water pollution.

Oregon Watershed Enhancement Board (OWEB) OWEB promotes and funds activities that enhance Oregon's watersheds. OWEB's programs support Oregon's efforts to restore salmon runs, improve water quality, and strengthen ecosystem health. OWEB administers a grant program that awards more than \$20 million annually to support voluntary watershed restoration.

Oregon Department of Fish and Wildlife (ODFW) ODFW's mission is to protect and enhance Oregon's fish and wildlife and their habitat. ODFW administers the Wildlife Habitat Conservation and Management Program and the Riparian Lands Tax Incentive Program. These programs provide incentives for fish and wildlife habitat enhancement.

Oregon State University Cooperative Extension (OSU) Assistance from OSU is commonly found through the OSU Cooperative Extension. Extension agents and specialists are available to counsel, educate and train conservation districts in economics, engineering, agronomy and soils, animal sciences, entomology, food science and technology, forestry and range management, home economics, horticulture, plant pathology, sociology, veterinary science, and many other areas. Most counties have an Extension office that serves as the local contact for conservation districts to request Extension assistance. OSU Cooperative Extension is also responsible for 4-H, which can be an excellent vehicle for youth conservation education programs.

Special Districts Association of Oregon (SDAO) was formed in 1978 to provide a broad range of membership services to special service districts located throughout the state of Oregon. Member districts include some 35 different types of districts. SDAO represents approximately 950 local governments of varying sizes and functions throughout the state. SDAO is governed by a twelve-member Board of Directors elected by the membership from different types of special districts. The SDAO Board appoints a seven-member Board of Trustees to oversee the Association's insurance programs and services through the Special Districts Insurance Services Trust (SDIS). The Association staff, under the direction of the Executive Director, provides staff support to both the SDAO Board of Directors and SDIS Board of Trustees.

Watershed Councils

Watershed councils are locally organized, voluntary, non-regulatory groups established to improve the condition of watersheds in their local area. Watershed councils are required to represent the interests in the basin and be balanced in their makeup. Watershed councils offer local residents the opportunity to independently evaluate watershed conditions and identify opportunities to restore or enhance the conditions. Through the councils, partnerships between residents, local, state and federal agency staff and other groups can be developed. Through these partnerships and the resulting integration of local efforts, the state's watersheds can be protected and enhanced.

County & Local Government

Nearly all soil and water conservation districts in Oregon are along county lines, and while there is no legal relationship between the two, counties can be helpful in several ways. Counties can provide: office space; funding; co-sponsorship for watershed projects and responsibility for operation and maintenance; bridge and culvert replacement; use of county earthmoving equipment; cooperation on county parks and other county owned land; funds for soil survey. County contacts include: commissioners, council, auditor, treasurer, recorder, engineer, assessor, highway superintendent, health officer, planning commission, planners, parks and recreation department, weed district and others. Similar assistance can be available from city & municipal governments.

Conservation District Associations

Oregon Association of Conservation Districts (OACD)

The OACD is a non-profit, nongovernmental organization of the 45 soil and water conservation districts in Oregon State.

The OACD is made up of 8 basin associations of conservation districts and serves as a state voice for soil and water conservation districts on state policy, legislation, communication, and funding for conservation activities. The OACD also provides forums to inform, train and educate Directors and recognize outstanding district individuals and programs.

National Association of Conservation Districts (NACD)

The NACD is a non-profit, nongovernmental organization representing over three thousand districts and their state associations in the fifty states, Puerto Rico, and the Virgin Islands. The NACD lobbies for federal conservation legislation and funding in Congress. It also provides brochures, reports, conservation films, training, and education.

Oregon Conservation Employees Association Network (OCEAN)

The Oregon Conservation Employees Association Network is a voluntary organization affiliated with the Oregon Association of Conservation Districts. All conservation district and watershed council personnel are eligible for OCEAN membership. All dues-paying members are eligible to vote on OCEAN business.

A 10-member Board of Directors manages OCEAN. One Director is elected from the eight OACD basins in addition to two at-large Director positions. Directors serve for two years with a maximum of two consecutive terms.

National Conservation District Employees Association (NCDEA)

The NCDEA was formed in 1992 to strengthen Conservation District programs, provide assistance, information and support to Conservation District boards and their employees. The association also promotes the professional development of conservation district employees and will assist any agency, association, organization, municipality, group, or individual who supports Conservation Districts in the spirit of cooperation, sound conservation practices, and proper land use.