

SOIL CONSERVATION DISTRICT LAW

CHAPTER 27, TITLE 22, IDAHO CODE

HISTORY OF SOIL CONSERVATION LAW

- **1931** – Severe drought hits Midwest and Southern plains. As crops die, dust from the over-plowed and over-grazed land begins to blow.
- **1932** – 14 reported dust storms.
- **1933** – 28 reported dust storms.

- **May 11, 1934 & March 6, 1935 – First & Second Great Dust Storms** – in the Dust Bowl area of the Great Plains. Clouds of topsoil blown from the fields of Nebraska, the Dakotas, Kansas, Colorado, Texas and Oklahoma sweep over Washington, D.C. and other eastern cities along the Atlantic seaboard and out over the ocean. Even though the Great Plains are 2,000 miles away, the dust storm scatters dust on the decks of ships 300 miles out to sea.

- **April 14, 1935 – Black Sunday** – the worst black blizzard of the Dust Bowl occurs.

HISTORY CONTINUED...

- **Cause of Black Blizzards** – the combination of drought and misuse of land.
 - ❖ Originally covered with grasses that held the fine soil in place, settlers plowed the land when they homesteaded the area. Wheat crops exhausted the topsoil. Overgrazing by cattle and sheep stripped the plains of their cover.
- **April 27, 1935** – President Roosevelt signs into law the **Soil Conservation Act of 1935**, establishing the Soil Conservation Service (Natural Resources Conservation Service) – to develop soil erosion control programs.
- **February 27, 1937** – President Roosevelt sends a letter to state governors urging passage of state legislation to organize soil conservation districts, which would enable USDA to provide assistance to local districts.
- **March 9, 1939** – Governor signs Idaho's Soil Conservation District Law.
- **1944** – Supervisors of Idaho's first 11 districts meet in Boise to organize the Idaho Association of Soil Conservation Districts.

LEGISLATIVE DECLARATION OF POLICY

It is in the best interest of the state of Idaho:

- Districts and Commission are the primary entities to provide assistance to private landowners and land users;
- Policies be established for cooperative working relationships between local Districts, Commission, local, state and federal agencies and public and private groups;
- Districts and Commission lead nonregulatory efforts to conserve, sustain, improve and enhance Idaho's lands; and
- Commission provide support to Districts in the wise use and enhancement of soil and water resources.

SOIL CONSERVATION COMMISSION

- **Established and created in the Department of Agriculture**
 - “...the state soil conservation commission...shall in cooperation with the director of the department of agriculture perform all functions conferred upon it by this chapter.”
 - The Director of the Dept. of Agriculture appoints the administrator of the Commission from persons recommended by the Commission.
- **Nonregulatory agency**
- **5 members appointed by the Governor**
- **Commission designates its Chairman**
- **Members serve a 5 year term of office**

POWERS, FUNCTIONS AND DUTIES SOIL CONSERVATION COMMISSION

- Offer assistance to the District Supervisors in carrying out their powers and programs – §22-2718(4)(a);
- Keep the District supervisors informed of the activities and experience of all the Districts and to facilitate an interchange of advice and experience between the Districts – §22-2718(4)(b);
- Coordinate the progress of the Districts so far as may be done by advice and consultation – §22-2718(4)(c);
- Secure cooperation and assistance from the United States and agencies of the state – §22-2718(4)(d);
- Disseminate information concerning District activities and programs – §22-2718(4)(e);
- Establish and encourage the use of the “Idaho OnePlan” as a primary computer-based conservation planning process for all natural resource concerns – §22-2718(4)(f);
- Conduct conservation improvements in cooperation with appropriate federal and state agencies and owners and operators of privately owned forest lands, rangelands and agricultural lands – §22-2718(5)(a);

POWERS, FUNCTIONS AND DUTIES SOIL CONSERVATION COMMISSION

- Assist and advise Districts and other entities in implementing the conservation improvements, projects and water quality program for agriculture – §22-2718(5)(b);
- To the extent that there are general funds available, provide grants and cost-share opportunities and, as legislatively designated, utilize the Resource Conservation and Rangeland Development Fund for loans for conservation improvements – §22-2718(5)(b);
- Administer and expend funds from the Resource Conservation and Rangeland Development Fund and administer all general funds appropriated as a separate action by the Legislature – §22-2718(5)(c) and §22-2730(1);
- Establish a priority list for conservation improvements, projects and the water quality program for agriculture used as a method for allocating funds loaned – §22-2730(2);
- Hold annual public hearing to consider the needs of each District and base its request for state funds for the Districts on budgets, budget requests, district programs and work plans and work load analysis of the Districts – §22-2727;
- Remove a District Supervisor for neglect of duty or malfeasance in office – §22-2721F.; and
- Carry out statutory duties associated with the creation, consolidation and discontinuance of Districts – §22-2719, §22-2720 and §22-2725.

SOIL CONSERVATION DISTRICTS

- Governing body of each District consists of 5 elected supervisors,
 - may be increased to 7 upon request to the Commission
- All supervisors are landowners or farmers in the District where they are elected
- Supervisors designate a chairman
- Supervisors serve a 4 year term of office

POWERS, FUNCTIONS AND DUTIES

SOIL CONSERVATION DISTRICTS

- Provide the Commission with copies of ordinances, rules, orders, contracts, forms and other documents as the Supervisors adopt, and other information concerning the Supervisor's activities as the Commission may require in the performance of the Commission's duties - §22-2721F.;
- Conduct surveys, investigations and research relating to the character of soil erosion, floodwater and sediment damages, to publish the results and to disseminate information concerning preventive and control measures and works of improvement – §22-2722(1);
- Conduct soil conservation demonstrational projects – §22-2722(2);
- Carry out preventative and control measures and works of improvement for flood prevention or the conservation, development, utilization and disposal of water within the districts – §22-2722(3);
- Cooperate with and furnish financial or other aid to any agency or landowner in carrying on erosion control and flood prevention – §22-2722(4);

POWERS, FUNCTIONS AND DUTIES SOIL CONSERVATION DISTRICTS

- Acquire, sell, lease or otherwise dispose of property; maintain, administer and improve acquired properties; and receive and expend income from properties – §22-2722(5);
- Make available to landowners agricultural and engineering machinery or equipment – §22-2722(6);
- Construct, improve, operate and maintain structures necessary or convenient for the performance of authorized operations – §22-2722(7);
- Develop comprehensive conservation plans – §22-2722(8); and
- Take over and administer soil conservation or flood prevention projects undertaken by the U.S. or by the state – §22-2722(9).

POWERS, FUNCTIONS AND DUTIES

LOANS FROM RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT FUND

COMMISSION	DISTRICTS
Applicants may file application with Commission for loan from the Fund	Applicants may file application with District for loan from the Fund
Prescribes the form used and information to be submitted by applicant	
Reviews, evaluates and investigates proposed improvements or project	Reviews, evaluates and investigates proposed improvements or project
Determines whether the plan for improvements is satisfactory	Determines whether the plan for improvements is satisfactory
Considers funding and approves loan for conservation improvements or project	

POWERS, FUNCTIONS AND DUTIES

GRANTS & COST-SHARE FROM SOIL CONSERVATION COMMISSION GENERAL FUND

COMMISSION	DISTRICTS
Applicants may file application with Commission for a grant or cost-share from SCC general fund	Applicants may file application with local District for a grant or cost-share from SCC general fund
Prescribes the form used and information to be submitted by applicant	
Keeps Districts informed of grant applications received	Keeps Commission informed of grant applications received
Reviews, evaluates and investigates proposed improvements, project or plan	Reviews, evaluates and investigates proposed improvements, project or plan
Returns application with recommendations if determines plan is unsatisfactory	Returns application with recommendations if determines plan is unsatisfactory
Determines whether plan is satisfactory and approves grants	