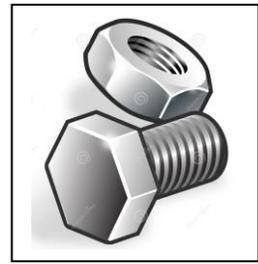


# **Soil and Water Conservation District Nuts and Bolts**

Rev. January 20, 2019



## **Purpose of a Soil and Water Conservation Districts:**

The purpose of a soil and water conservation district (SWCD) is set out in the state statute; the Soil and Water Conservation District Act. According to the Soil and Water Conservation District Act, the purpose of an SWCD is to:

- Control and prevent soil erosion
- Prevent floodwater and sediment damage
- Further the conservation, development, beneficial application, and proper disposal of water
- Promote the use of impounded water
- Conserve and develop the natural resources of the state

## **Function of a Soil and Water Conservation District (SWCD):**

To take available technical, financial, and educational resources, whatever their source, and focus or coordinate them so they meet the needs of the local land user.

## **Elected Supervisors:**

- SWCDs are governed by five supervisors holding positions 1-5, that are elected in staggered four-year terms.
- Elected supervisor positions 1-4 require residency and landownership within the district boundaries, and each candidate must be a current registered voter within that district.
- Elected supervisor position 5 (at large position) only requires residency within district boundaries and be a registered voter within the district.

## **Appointed Supervisors:**

- The Soil and Water Conservation Commission (SWCC) may appoint two additional supervisors to fill positions 6 and 7, from a list of candidates submitted by the district annually.
- Appointed Supervisors in positions 6 and 7 need not be landowners within the district.
- Appointed supervisors serve one-year terms.

# **Soil and Water Conservation District Nuts and Bolts**



## **Conservation District Powers**

*(Taken directly from the Soil and Water Conservation District Act)*

- Conduct research, investigations and surveys treating soil erosion, and flood water and sediment damage, concerning conservation, development, utilization and disposal of all waters—to prevent duplication—investigative programs shall be initiated in cooperation with a government unit charged with or conducting research.
- Publish and disseminate research findings and preventative and control measures relating to resource conservation and development.
- With consent and cooperation of the landowner or state agency administering the land, conduct projects upon land within the district to demonstrate...
- Assist, contract with and render financial aid to district landowners and state agencies... within the district...engaged in erosion control...
- Make available to district landowners, and such terms as supervisors may prescribe, tools, machinery, equipment, fertilizers, seeds and materials to assist the landowners...
- Develop comprehensive plans for natural resource conservation and development, including...
- Foster, publish and promote district natural resource development plans and their adoption and development by landowners within the district
- Acquire or administer the project of any other governmental agency undertaken to provide for soil conservation, erosion control, erosion prevention, flood prevention...within the district.
- Act as an agent for any instrumentality or agency of the state or of the federal government in acquisition, construction, operations or administration of...project or program...

# **Soil and Water Conservation District Nuts and Bolts**



- Construct, improve, operate or maintain physical projects and structures necessary or convenient for the performance of any authorized district function.

## **Specific Powers of Districts**

- Sue and be sued
- Adopt an official seal
- Contract, to convey, and to make and execute contracts...
- Borrow money and otherwise contract indebtedness...
- Acquire in any manner, real and personal property, or any right or interest therein
- Improve, rent, lease, and sell district property
- Receive, invest, and reinvest rents and income from district property
- Accept contributions, gifts and donations and to expend...
- Review proposed subdivisions for proper terrain management to protect against flooding, inadequate drainage, and erosion. SWCDs may charge a fee for such reviews. (Property Law [NMSA 47-6-11]).

## **Role of a SWCD Supervisor (Board member):**

Your duty as district supervisor is to:

- Positively represent and serve the people of your district as a member of the official governing body that has the responsibilities of resource planning and promoting the development of a coordinated program to conserve, wisely use, and protect the natural resources within the district.
- Identify conservation needs in the district and create a plan of action to fill those needs.
- Carry out the business of the district through your own effort, and/or through supervision and direction of district employees and volunteers, as well as through cooperation with your fellow board members and various partners.

# Soil and Water Conservation District Nuts and Bolts



## Duties of a supervisor:

A SWCD supervisor is expected to:

- Attend monthly board meetings consistently.
- Participate on committees, and periodically represent the district with other agencies and organizations at local, regional, or state events.
- Identify local conservation needs, and develop, implement, and evaluate programs to meet them.
- Educate and inform landowners and operators, general public, and local, state, and federal legislators on conservation issues and programs.
- Supervise other volunteers and paid staff working with the district; coordinate with cooperating agency personnel.
- Administer the district by delegating tasks through a structure of board officers and members, committees, and others.
- Raise and budget district funds; oversee spending to ensure accountability to taxpayers, and compliance with the district plan and priorities, state laws and regulations.
- Report on district activities to the public.
- Coordinate assistance and funding from federal, state, and local government, district associations, and private groups.
- Participate with partner agencies and auxiliary organizations to represent your district's interests.
- **Time commitment to fulfill this role is estimated at 30 days per year.**

## Summary of Conservation District Supervisor Powers and Duties

*(Taken directly from the Soil and Water Conservation District Act)*

- May employ a secretary and such other agents, employees, and technical or professional experts...
- Shall require and provide for the execution of a corporate surety bond...
- May delegate powers to district supervisors, employees, agents or experts...
- Shall seek advice of the county clerk for assistance with elections...
- May call upon the district attorney... for legal services...
- May adopt and publish rules necessary to carry out SWCD duties and activities:

# **Soil and Water Conservation District Nuts and Bolts**



1. Within this authority, SWCD supervisors must keep a full and accurate record of SWCD proceedings, resolutions, rules, etc...
  2. Must provide and submit to an annual financial audit as required...
  3. Provide for a financial report according to current rules...
  4. Furnish to the SWCC a complete report of district proceedings and activities during each fiscal year, including a financial report;
  5. Upon request by the SWCC, provide information, files, etc., used in conducting SWCD business;
  6. Conduct and give due notice of at least one regular meeting of the supervisors each month.
- Supervisors and SWCD employees are public employees covered by the Tort Claims Act.