

# Soil and Water Conservation District Supervisor Handbook



**June 2011**

**Florida Department of Agriculture and Consumer Services  
Office of Agricultural Water Policy  
In coordination with  
Association of Florida Conservation Districts**

# FLORIDA SOIL AND WATER CONSERVATION DISTRICTS SUPERVISOR HANDBOOK

*Revised June 2011*

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## **INTRODUCTION**

### **Florida's Conservation Landscape**

In 1937, the Florida Legislature enacted Chapter 582, Florida Statutes (F.S.), *Soil and Water Conservation*. The legislation established a state and local partnership with the federal government to protect and restore soil and water resources, and to assist private landowners in using conservation practices. This partnership has worked for more than seventy years to address serious issues with regard to soil erosion, flood damage, and water quality. The vehicles for this partnership are the Soil and Water Conservation Districts (SWCDs), which have statutory authorities ranging from project demonstration to land use regulation.

Since the inception of Chapter 582, Florida has established other state and regional governmental agencies to manage and protect our land and water resources, and to regulate water supply, water quality, and flood control. These agencies - the Department of Environmental Protection (DEP), the five water management districts (WMDs) and the Department of Community Affairs (DCA) - have acquired broad authorities and responsibilities that are similar to those outlined in the Soil and Water Conservation law. Perhaps because of this, the SWCDs have not needed to make full use of their statutory powers. However, the role of the SWCDs in land and water management remains significant, and is integral to meeting state environmental objectives at the local level.

Florida's SWCDs have a long history in joining with partners to provide funding and technical support to help local landowners in conservation efforts. Traditionally, the three main partners are the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS), the Florida Department of Agriculture and Consumer Services (FDACS) Office of Agricultural Water Policy (OAWP), and the counties that the SWCDs serve. Many counties are turning to their county extension programs and to their soil and water conservation partners to help develop urban and agricultural programs at the local level on both public and private lands.

Recent developments provide an opportunity for SWCDs to become more significant participants in conservation programs, as well as in state land and water resource management decisions. For example:

- The 2008 Farm Bill provides for additional incentive-based conservation programs and increased funding of farm conservation programs through the USDA/NRCS, one of the SWCDs' traditional partners.
- In 2001 Florida established a funding source for water quality and water conservation cost-share programs, although level of annual funding fluctuates with the economy. Some of this funding has been provided to SWCDs (through the FDACS/OAWP) to help fund the implementation of best management practices.

- Florida laws regarding the development of public lands management plans and basin management action plans to restore impaired waterbodies require the Florida Department of Environmental Protection (FDEP) to include the SWCDs as participants in these decision-making processes.

### ***SWCD Activities***

SWCDs are engaged in a variety of activities to carry out their statutory charge to help conserve soil and water resources. Detailed examples of typical current district activities are given later in this handbook.

## SOIL AND WATER CONSERVATION DISTRICTS

### Creation

The 1930's Dust Bowl disaster spurred the U.S. Congress to declare soil and water conservation a national policy and priority in 1935. To elicit the active support of landowners on a local level, soil and water conservation districts serving conservation needs at a county level were created to work in partnership with the federal government. Today there are nearly 3000 conservation districts nationwide involved in efforts as varied as their conservation needs and the local citizenry they serve.

The authority to create Florida's soil and water conservation districts was established in 1937 under Chapter 582 Florida Statute. There are currently 63 districts in the state. The law was based on federal model legislation to establish soil and water conservation districts nationwide. Soil and water conservation districts were originally organized, for the most part, within county boundaries by landowner petition based on a need for soil and water conservation and in the interest of public health, safety, and welfare. A soil and water conservation district so organized constitutes a governmental subdivision of the State of Florida.

### Supervisors

The governing body of a soil and water conservation district consists of five elected supervisors. The office of a soil and water conservation district supervisor is nonpartisan and district wide. Candidates are elected in a general election to a 4-year term. Vacancies are filled by appointment by the remaining supervisors until the next regular election. Supervisors receive no monetary compensation for their services, but may be reimbursed for travel expenses. A district may hire employees and agents as needed.

### ***Powers, Duties, and Responsibilities***

The powers of SWCDs and supervisors are quite broad, and relate to the development and implementation of soil and water conservation practices on private lands. These duties are performed in conjunction with federal, state, regional, and local partners through funding and technical assistance. Funding programs include state and federal cost-share for environmental protection practices, as well as federal disaster relief and emergency watershed projects.

### ***Powers of Districts and Supervisors - Adapted from sections 582.20 and 582.21, F.S.***

The SWCDs and the supervisors may exercise the following powers. *Please refer to the statutes for the complete wording see **Appendix 11**.*

- ❖ Conduct surveys, investigations, and research on: soil erosion and floodwater/sediment damages, conservation issues, development and utilization of

soil and water resources, disposal of water, and preventive and control measures; and conduct demonstration projects on effective conservation methods.

- ❖ Implement preventive and control measures and works of improvement for flood prevention or the conservation, development and utilization of soil and water resources, and the disposal of water within the district.
- ❖ Cooperate with or furnish financial or other aid to land owners or other agencies to implement soil and water conservation projects.
- ❖ Acquire interests in and receive income from real or personal property; expend such income in carrying out the provisions of Chapter 582, F.S.; and sell, lease, or otherwise dispose of the property in furtherance of Chapter 582, F.S.
- ❖ Under prescribed terms, make agricultural and engineering equipment available to landowners to conduct operations to conserve, develop, and use soil and water resources and dispose of water.
- ❖ Construct, improve, operate, and maintain structures to carry out operations authorized by Chapter 582, Florida Statutes.
- ❖ Develop and publish comprehensive plans for the conservation of soil and water resources, the control and prevention of soil erosion, flood prevention, or the development and utilization of soil and water resources, and disposal of water within the district.
- ❖ Take over; manage; and accept and expend moneys, materials, and other contributions for federal or state soil and water conservation projects undertaken within district boundaries.
- ❖ To adopt land use regulations governing the use of lands within the district to conserve soil and soil resources. *Under Florida Statutes, the responsibility for modern land use decisions resides primarily with county government; therefore, the soil and water conservation districts do not adopt such regulations. Districts cooperate with their counterparts in local government by assisting with the conservation and agricultural elements of local comprehensive plans.*

Section 582.331, F.S., allows for the establishment of watershed improvement districts as sub-districts within SWCDs, for soil erosion, flood prevention, conservation, fish and wildlife, recreational development, preservation and protection of land and water resources, and to protect and promote the health, safety, and general welfare of Florida citizens. *Many of these functions are now performed by water management districts or special drainage districts. Few watershed improvement districts have been established in Florida.*

Florida law encourages cooperation among SWCDs, and requires state agencies to cooperate to the fullest extent with the districts in their programs. This includes state and local agencies that manage publicly owned lands within a district's boundaries.

SWCD supervisors are to be given free access to enter and conduct work on these publicly owned lands.

Supervisors may use the services of the county agricultural agents and the facilities of the county extension offices, to the extent practicable and feasible. Supervisors may also invite municipal or county representatives to advise and consult with the district on issues that affect local property, water supplies, or other interests.

### **Soil and Water Conservation Districts' Roles in Today's World**

Below are some guidance and illustrations on how a district can apply its statutory duties and responsibilities to meet today's challenges. Supervisors should consider these and other opportunities when developing a plan for district activities.

A fundamental role for the board of supervisors is to bring together, at the local level, all interested and affected parties, along with the support organizations charged with providing technical and administrative assistance, to develop and implement a plan to address resource concerns. Through a locally led consensus process, priorities are determined for conservation programs. The partners then work to implement programs that provide assistance to landowners, agricultural producers, and local residents.

It is not necessary for a soil and water conservation district to possess all of the resources needed to implement conservation programs. Under the federal model law, and some state laws, soil and water conservation districts have access to the expertise and resources of their federal and state partners, and should rely, in part, on partners' cooperation and assistance in meeting local priorities and in educating supervisors about important natural resource protection issues. However, supervisors should seek to develop local technical and financial resources within a district, to expand the number and type of tools in the "conservation toolbox", and to expand a district's capabilities to deliver local conservation programs.

National and state initiatives rely on the use of non-regulatory programs to meet the challenges of non-point source loading of pollutants to water bodies. This has created an increased demand for local technical assistance services that provide information to landowners on the use of best management practices (BMPs) and conduct demonstration projects that show the effectiveness of conservation practices. Because of their unique relationship with local landowners and their use of conservation partnerships, SWCDs are able to conduct these activities without additional and costly regulatory programs.

Today, SWCDs carry out conservation measures in partnership with private or public landowners, wherein the district provides resources for technical and financial assistance for conservation measures, executes lease agreements with producers on publicly owned lands, and/or provides management services for publicly owned lands.

The need for this role has never been greater in Florida. SWCDs also have a prominent role in participating in public land management decisions through land management plan review and advisory teams. It is important for district supervisors to take advantage of the opportunity to serve on these teams.

The federal Clean Water Action Plan and the Unified National Strategy for Animal Feeding Operations illustrate the importance of comprehensive conservation planning. Federal initiatives increase the demand for nutrient management and water conservation planning, engineering, construction, irrigation management, and waste utilization designed to protect water quality. SWCDs are playing a role in developing and implementing management plans, providing cost-share, determining plan effectiveness, and identifying operational problems.

The ability to enter into agreements with public agencies and landowners in conservation activities is a valuable tool for SWCDs. These agreements may include public land management services; water conservation initiatives such as the establishment or support of mobile irrigation labs and the provision of modern measuring devices for irrigation equipment; the promotion of innovative agricultural equipment for soil conservation, water retention, and management; soil, plant, and animal products testing; public education; and other services. Agreements may be developed with state, regional, and local agencies, and with private landowners.

Chapter 582, F.S., encourages supervisors to invite local government (municipal, county, or regional) representatives to advise and consult with the district on issues that affect local property, water supply, or other interests. This two-way communication is a critical element in educating local government about the benefits of soil and water conservation programs and in maintaining support and funding for district programs. It also provides an opening to participation in local comprehensive land use planning, local school programs for natural resource and conservation education, serving as a liaison between local governments and the agricultural community, and “bridging the gap” between rural and urban residents on resource issues.

## **SOIL AND WATER CONSERVATION DISTRICT ACTIVITIES**

Soil and Water Conservation Districts conserve Florida's natural resources through a variety of programs and partnerships. Some examples are:

### **Cooperative Programs**

SWCDs partner with a variety of agencies, including NRCS, FDACS Office of Agricultural Water Policy, UF/IFAS and water management districts, to provide a variety of cooperative programs including BMP projects, cost-share programs like EQIP or WHIP, and many other conservation projects.

### **Demonstration Projects**

In the areas of irrigation, drainage, tailwater recovery, erosion control and nutrient, pesticide, invasive plant control and waste management. For example, a district participates in the research and demonstration of improved irrigation practices that conserve water resources through reduced water use, promote water quality improvements, restore, augment, and/or improve the area's water resources and ecology.

### **Educational Workshops**

Districts can organize and present workshops that include topics such as farm ponds, water quality and quantity, pesticide and fertilizer management, watershed engineering, wetlands, soil characteristics, soil tillage techniques, plant identification, invasive plant control and agricultural production. Districts may also provide informational kiosks at local fairs, festivals, agriculture expositions, federal, state, regional, and local agency offices for the general public.

### **Conservation Projects**

Districts can carry out specific projects, such as water quality improvement, habitat restoration, and administering cost-share funds provided by partners to assist farmers and other landowners with implementing conservation practices (waste management and erosion control systems, irrigation retrofits, nutrient management practices, tailwater recovery, weather stations).

### ***Mobile Irrigation Labs (MILs)***

Mobile Irrigation Lab technicians examine irrigation systems, both agricultural and urban, to determine the uniformity and efficiency of water distribution. Based on the evaluation of information collected, MIL operators identify problems and recommend solutions.

## **Youth Education**

### ***Land Judging Contest***

This competition is for 4-H and FFA students between the ages of 14 and 18. The students judge, as individuals and as a team, the physical properties of the soil, identify improved land management practices for various types of farming, and judge the limitations of the soil for home sites. The winning teams from local contests are eligible to compete at the State Contest, and the state winners compete at the National Contest in Oklahoma each year.

### ***Public Speaking Contest***

Each year SWCD Board members select a topic and sponsor a local speaking contest. Students from the 6<sup>th</sup> to 12<sup>th</sup> grade qualify to compete at the local, regional, and state competitions. Advanced level competitions will be organized at a future date and a state level speaking contest may be held at the Annual Association of Florida Conservation Districts (AFCD) meeting.

### ***Poster Contest***

The National Association of Conservation Districts (NACD) selects a topic for the poster contest each year. Students from Kindergarten to the 12<sup>th</sup> grade create posters on the NACD selected topic and are judged within designated age groups. The AFCD is responsible for sending a state winner onto the national contest.

### ***Envirothon***

The Envirothon competition is open to students from the 9<sup>th</sup> to 12<sup>th</sup> grade. Five students compete as a team and answer questions about forestry, soils, aquatics, wildlife, and a current issue. The winners of the local competitions compete at the Florida Envirothon, and the state winner competes at the Canon National Envirothon.

Other contests sponsored by Soil and Water Conservation Districts include essay contests, landscape tray contests at local fairs, and science fair exhibits.

### **Planning and Rule Making**

SWCDs often participate in county, regional, federal, and state planning and rule making as it affects resource conservation. The district may provide input as a liaison between community interest groups, local authorities, and regulatory entities.

## **Conservation Projects/Success Stories**

Numerous districts throughout the state are involved in successful conservation projects through partnerships with cooperating agencies or interest groups. Projects are often identified out of concerns of regulatory agencies and local interest groups. One of the growing concerns in Florida is water quality and quantity. Several regulatory programs are beginning to address these issues within the state. SWCDs are often approached to assist communities in implementing management programs. Two examples of these successful projects follow:

- The Gilchrist Soil and Water Conservation District (GSWCD) agreed with the Suwannee River Partnership to address water quality concerns in the Suwannee and Santa Fe River Basins by assisting and providing cost share to farmers for implementing BMPs in their applications of fertilizer and irrigation water. Funding for the cost-share program was provided by FDACS to address increasing levels of nitrates in the Suwannee and Santa Fe Rivers. Farmers approved for USDA EQIP irrigation conversions could qualify for GSWCD cost share, for following recommended application rates of irrigation water and fertilizer to their various crops for a period of three years. Farmers are required to document their management practices, and to agree to comply with the Suwannee River Partnership Quality Assurance Program.
  
- The Suwannee County Conservation District and Lafayette Soil and Water Conservation District assisted the Florida Farm Bureau in administering the County Alliance for Responsible Environmental Stewardship (CARES) program in the Middle Suwannee River Basin. Under the CARES program, farmers evaluate environmental practices on their agricultural operations. Various agencies help each farm owner to design and implement a stewardship strategy that includes a nutrient management plan developed with BMPs and systems of resource conservation. Once the plan is implemented and verified by an on-site inspection, the farm owner is recognized as a CARES participant. These two districts also participate in the Suwannee Partnership, a collaborative group of government agencies, private corporations, commodity groups, associations, and farm owners that focus on nutrient management and resource conservation.

## BECOMING A SUPERVISOR

### Supervisor Elections

The information provided in this section is a compilation of existing information available at the time of writing and offers guidance. Contact your county Supervisor of Elections for the official and most current information available.

### *Qualifying*

To qualify, the candidate must be a registered voter of the county and live within the boundaries of the district.

### *Qualifying Requirements, Fees, and Forms*

Qualifying for Soil and Water Conservation Districts begins at noon on the Monday of the qualifying period and ends at noon on the Friday of the qualifying period. This period usually begins the third week in July prior to the November elections.

### **Regular Qualifying Methods for Candidates**

*(Section 189.405 and Chapter 582, Florida Statutes)*

During the qualifying period the following must be submitted to the local Supervisor of Elections:

1. Appointment of Campaign Treasurer and Designation of Campaign Depository (Form DS-DE 9). A Statement of Candidate (Form DS-DE 84) must be filed within 10 days of filing the Appointment.
2. Nonpartisan Loyalty Oath and Oath of Candidate (Form DS-DE 24B). This form can be obtained from the local Supervisor of Elections.
3. Statement of Financial Interests (Form 1). This form can be obtained from the local Supervisor of Elections.
4. Pay qualifying fee of \$25.00 (must be paid by a check drawn on the campaign account and made payable to the local Supervisor of Elections). Personal checks, cashier's checks, cash, and money orders are not acceptable.

**Note:** Candidates who neither receive contributions nor make expenditures, other than expenditures for verification of signatures on petitions, are exempt from the provisions of Chapter 106 requiring establishment of bank accounts and appointment of a campaign treasurer, but shall file periodic reports as required by sections 106.07 and 582.18 (1) (b), F.S.

The above-mentioned forms can also be obtained online at <http://election.dos.state.fl.us/forms/index.shtml>. Copies can be found in the appendix of this book.

### **Alternative Method of Qualifying: Petition Requirements**

*(Section 189.405 and Chapter 582, Florida Statutes)*

During the qualifying period the following must be submitted to the local Supervisor of Elections:

1. Appointment of Campaign Treasurer and Designation of Campaign Depository (Form DS-DE 9A) Statement of Candidate (Form DS-DE 84) must be filed within 10 days of filing the Appointment.
2. Nonpartisan Loyalty Oath and Oath of Candidate (Form DS-DE 24B). This form can be obtained from the local Supervisor of Elections.
3. Statement of Financial Interests (Form 1). This form can be obtained from your local Supervisor of Elections.
4. Petition signatures from 25 of the district's registered voters.
5. Each petition shall be submitted prior to noon on the 21<sup>st</sup> day preceding the first day of the qualifying period for the state office to the supervisor of elections of the county for which such petitions was circulated.
6. If the candidate is unable to collect the required number of signatures, he or she may still pay the qualifying fee of \$25.00.

### ***Who Can Sign Petitions***

Any registered voter in the district. Obtain more than 25 signatures to ensure that at least 25 can be verified.

### ***Where to Obtain Petitions***

Petition cards may be obtained by filing an Alternative Method Affidavit (Form DS-DE 15) between mid-January but no later than mid-June, at the local Supervisor of Elections office in the county in which the district is located. The Appointment of Campaign Treasurer form (Form DS-DE 9) must be on file with the county Supervisor of Elections in order to receive petitions. These forms can also be obtained at the following website: <http://election.dos.state.fl.us/forms/index.shtml>. If the candidate has no opposition, his or her name will not appear on the ballot.

### ***Forms***

The forms and reports that are required to qualify and run in an election can be obtained from your local Supervisor of Elections Office. The Waiver of Report Form (DS-DE 87) is to be filed within 90 days of the determination of "... having become unopposed, withdrawn his (her) candidacy, been eliminated or elected to office and to dispose of funds in his (her) campaign account and file a final report." There is a \$50.00 a day penalty for the first three days and a \$500.00 a day for each additional late day, not to exceed 25% of the total receipts or expenditures of the campaign, whichever is

greater. There are also penalties for failing to file the Statement of Financial Interest – Form 1. This form will be sent to each Supervisor annually and must be completed and returned to the local Supervisor of Elections by the July 1<sup>st</sup> deadline. **The penalty for late filing is \$25.00 a day for each late day after August 31<sup>st</sup>, up to a maximum of \$1,500.00.** The Supervisor of Elections will notify the Commission of Ethics, who will impose this fine.

All forms can be obtained from the Florida Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>. Copies are available in the appendix of this handbook.

### ***Division of Elections***

Florida Department of State,  
Division of Elections  
State Supervisor of Elections  
Room 316, R.A. Gray Building  
500 South Bronough Street, Tallahassee, Florida 32399-500  
FAX 850-245-6260  
Phone 850-245-6200  
**Web page:** <http://election.dos.state.fl.us>

### ***Seats/Terms***

The elected candidates will assume office on the first Tuesday after the first Monday in the January following the election. To cover commission fees, each Supervisor will be charged \$10.00 by the Secretary of State, payable when the Oath of Office form is signed and returned.

The office of supervisor is a four-year term. Candidates are elected in the general election. An election of Supervisors for each Soil and Water Conservation District is held every 2 years and the seats are filled following a four year cycle. The seats are aligned so that seats 1, 3, and 5 are elected in one election year and seats 2 and 4 are elected in the alternate election year. Depending on the year that the district was formed, these seats are grouped so that one set runs in a presidential election cycle and the other set in a non-presidential election cycle. Unless resigning from the SWCD, a supervisor shall hold office until his or her successor has been elected or qualified.

The office of the supervisor is a nonpartisan office, and each supervisor represents the entire district.

### ***Resignations/Removal from Office***

Supervisors who are not able to regularly attend board meetings are encouraged to resign so a replacement can be appointed and the required quorum is met.

A supervisor can resign his or her office by sending a letter of resignation (addressed to the Governor of the State of Florida) to the chairman of the Board of Supervisors of the Soil and Water Conservation District. Send copies of the letter to the local Supervisor of Elections and the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy. The date on the letter is the effective resignation date. A form found in the appendix of this handbook should be filled out and mailed to the listed addresses.

The Governor may remove a supervisor from office, for neglect of duty or malfeasance in office, but for no other reason.

### ***Appointments***

Vacancies are filled by appointment by the remaining supervisors until the next regular election. Minutes of the meeting at which an appointment was made are to be sent to the local Supervisor of Elections and the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy. With the minutes send a cover letter containing the name of the former supervisor and the new supervisor's name, address, phone numbers, fax, e-mail, and seat number.

### ***Dependent/Independent Districts***

There are no election differences between dependent and independent districts. Some districts choose to be defined as dependent because their budget is entirely or largely supplied by the local government. In these cases, a district's budget may require approval through an affirmative vote by the governing body of a single county or a single municipality. The dependent district's budget may also be vetoed by the governing body of a single county or a single municipality. An independent district's budget is not subject to these votes. In both types of district, the local governing body has no authority to appoint or remove supervisors.

### **Oath of Office**

The oath of office form provided by the Division of Elections is required to be filled out by all elected officials in the state of Florida. The ceremonial oath of office, though not required, can mirror the standard state oath of office or be a special oath of office. It is typically administered by the SWCD's county Supervisor of Elections.

### ***Oath of Office – State of Florida***

I do solemnly swear that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of office under the Constitution of the State, and that I will well and faithfully perform the duties of (name of the SWCD Supervisor) of which I am now about to enter, so help me God.

### ***Oath of Office - Palm Beach County SWCD Supervisor***

*This oath is sometimes administered by the county Supervisor of Elections at a board meeting.*

I, (name of the SWCD Supervisor), do solemnly swear that I will support and defend the Constitution and Government of the State of Florida; and that I give my pledge as an American citizen to honestly, faithfully, and impartially perform the duties devolving upon me in Office as a member of the Governing Board of the Palm Beach Soil and Water Conservation District; and that I will, to the best of my ability, defend from waste the natural resources of the District, its soils and minerals...its forest...its water and wildlife; and that I will not neglect any of the duties imposed upon me by Chapter 582, Florida Statutes and the prevailing laws of the State of Florida. So help me God.

### **Supervisor Orientation**

Newly elected supervisors will primarily learn their daily activities and responsibilities through on-the-job training. In this manner, experienced supervisors pass on the knowledge and ideals of that district to the new supervisor(s) minimizing a loss in productivity and ensuring continuity.

Training is provided by the Florida Department of Agriculture and Consumer Services (FDACS) through the field staff liaisons from the Office of Agricultural Water Policy (OAWP) and also through a contract with the Association of Florida Conservation Districts which offers Supervisor Training, Funding Training, Board Meeting Training and other types of training, the Natural Resource Conservation Service (NRCS) staff, and local county agricultural extension agents. However, this is not the only way to learn about your new position. Supervisors are encouraged to continue their orientation through a number of methods. A few examples are listed below.

- Visit another SWCD to gain an understanding of how they conduct their meetings and the types of projects they are active in. For more information contact your local FDACS representative.
- Visit local USDA-NRCS service offices and speak with the district conservationist. The NRCS has a long-standing history with the soil and water conservation districts.
- Visit the nearest Water Management District office and gather information on available programs, issues, permitting, office staff and structure, meeting schedules, Governing and Basin Board members.
- Keep in close contact with the Association of Florida Conservation Districts (AFCD), <http://www.afcd.us> and the National Association of Conservation Districts (NACD) at <http://www.nacdnet.org/>.
- Contact your local FDACS Office of Agricultural Water Policy representative to learn about their current projects or for answers to your questions.

- Familiarize yourself with Chapter 582 of the Florida Statutes and any soil or water resource legislation.
- Get involved in your community and familiarize yourself with the soil and water issues.
- To understand the local environmental issues and the permitting process, speak with the regulatory community.
- Contact your County Commissioner and learn about environmental ordinances and proposed legislation.
- Attend supervisor workshops on topics of concern for the district or as training sessions for the supervisors can be held.
- Attend area and state AFCD meeting for training sessions.

**Be creative in your efforts; continuously review your district's mission statement and long-range plan. Get involved. As a Soil and Water Conservation District Supervisor, you can positively influence and shape your community.**

In the appendix of this handbook you will find references for web sites of interest and a directory of organizations.

## **BOARD MEETINGS**

Since a district holds only one regular meeting each month, supervisors prefer to participate in well-organized, business-like meetings. A two-hour session usually is sufficient to conduct the affairs of the district if the proper rules are observed. The following information is provided for supervisors and staff as guidance for conducting board meetings. Board members of each SWCD will determine the meeting procedures that suit their needs and satisfy Florida's public meeting requirements.

### **Public Meeting Requirements**

SWCDs are subject to "Government in the Sunshine" under section 286.011, F.S., which specifically mentions political subdivisions and boards. Some of the requirements address providing adequate notice, location access, keeping minutes, and the public's right to attend and participate. A copy of the statute is available in **Appendix 10**.

Districts and Supervisors must constantly be aware of changes in state Sunshine Law and to consider how the law relates to new technologies. Some cities and counties have already banned the use of cell phones, web-enabled devices (Blackberry, iPhone, etc.), PDAs or laptops by county commissioners during public meetings or workshops. In those areas, commissioners cannot text, instant message, or use social networking websites or private e-mail accounts for county business.

### ***Board Discussion of SWCD Business Items***

Due to the limitations set forth by Florida's Sunshine Law, discussion among the board members on items that will be before the board or that relate to soil and water conservation district business should take place only at properly noticed public meetings. Telephone calls and emails are not proper avenues for the discussion of board-related topics.

Board members who did not attend a publicly noticed meeting can be briefed individually by staff on anything that occurred at the public meeting, including the opinions of other board members.

### ***Reasonable Meeting Notice Required***

1. The notice should contain the time and place of the meeting and, if available, an agenda. An agenda is not required but is recommended.
2. The notice should be prominently displayed in the area of the district's office, or in the usual meeting area set aside for that purpose. Seven days notice is the minimum.
3. Special meetings should allow at least 24 hours notice to the public.

4. The use of radio and advertising in local newspapers are effective ways of meeting notice requirements.
5. Districts must advertise the time and place of their meetings in the Florida Administrative Weekly (FAW). Meetings for the entire year may be advertised in one advertisement to avoid incurring excessive costs. The Florida Administrative Weekly may be contacted at <http://faw.dos.state.fl.us/>

### **Minutes**

The minutes of a meeting are to be promptly recorded and available for public inspection. Minutes taken need not be verbatim transcripts of the meeting, rather a brief summary of the major action items taken. Permanent records of minutes need to be kept by the district. However, method of storage is left to the discretion of the individual SWCD.

### **Location**

There is no specified place for the meetings to take place, however boards are prohibited from holding meetings at any facility that discriminates or is designed in a way that unreasonably restricts public access.

### **Public's Right to Attend or Participate in a Meeting**

The meetings of a public board must be open to the public. This includes the right of the public to participate in meetings and present their views.

### **Violations of the Sunshine Law**

Knowingly violating the Sunshine Law could result in being found guilty of a second degree misdemeanor. The fines related to such a conviction include, but are not limited to, imprisonment up to 60 days (s. 775.082 (4)(b), F.S.) or a fine of up to \$500 (s. 775.083 (1)(e), F.S.). Unintended violations are noncriminal infractions punishable by a fine not to exceed \$500.

### **Rules of Parliamentary Procedure**

It is the chairperson's responsibility to conduct the business meeting. To assure an organized and highly productive meeting, the chairperson should be familiar with the rules of parliamentary procedure, and insist that those rules be observed. The following is a condensed set of parliamentary procedure rules from Robert's Rules of Order<sup>1</sup>.

**Making a Motion:** The member addresses the Chair as "Mr. Chairperson" or "Madame Chairperson," and waits to be recognized. When recognized, the member states the motion, "Mr. Chairperson, I move to..." The Chair restates the motion and requests a

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<sup>1</sup> *Robert's Rules of Order Newly Revised*, 10th ed. (Cambridge, Mass.: Perseus Publishing, 2000)

second to the motion. When moved and seconded, the Chair states the motion and opens discussion. The assembly may not discuss any other business until the motion is completed.

**A “Question”** is called when the group is ready to vote on the motion at hand. The Chair takes the affirmative vote, then the negative vote, and announces the result.

**Making a Motion to Amend:** While discussing a motion it may be amended, “Mr. Chairperson I move to amend the original motion by...” The motion to amend can be debated, and a majority vote is required for passage.

**Amending the Amendment:** An amendment also may be amended during the discussion. “Mr. Chairperson, I move to *amend the amendment* by...” The motion to *amend an amendment* can be debated, and requires a majority vote for passage.

**Order of Vote:** When an *original motion*, an *amendment*, and *amendment to the amendment* are on the floor, the first vote taken is on the *amendment to the amendment*. The second vote taken is on the initial *amendment*, whether revised or not. The third vote is on adopting the *original motion*, whether revised or not. The *amendment to the amendment*, the *amendment*, and the *original motion* are all debatable. The chairperson should state each motion before the vote is taken.

**To Refer to Committee:** When a motion becomes complicated through amendments or when a question requires further study, a motion may be made to refer the *original motion* to a committee for further consideration., “Mr. Chairperson, I move that the motion to ...be *referred to a committee* of...to be (elected or appointed).” This motion is can be debated, and requires a majority vote for passage.

**To Table:** This motion postpones the subject under discussion to a later time, when a motion “*to take from the table*” would be appropriate. This motion cannot be debated or amended, but a majority vote is required for passage.

**To Postpone to a Set Time:** A motion to *postpone* the question before the assembly to a *set time* is in order except when a speaker has the floor. “Mr. Chairperson, I move that we postpone consideration of this motion to...or the next meeting, etc.” Through this motion you create a *General Order* which is present under *unfinished business*. When a main motion is postponed, all related motions are postponed with it. A motion to postpone can be debated, and a majority vote is required for passage.

**To Reconsider:** The motion to *reconsider a motion* that was carried out or lost is in order if made during the same or the next meeting, but must be made by someone who voted with the prevailing side. No question can be twice *reconsidered*. This type of motion can be debated, and requires a majority vote for passage. (It requires two votes – first

on whether it should be *reconsidered* and, if the vote is to reconsider, the second vote is on the original motion).

**The *Previous Question*:** This motion closes debate on the pending question when the debate becomes long or drawn-out. “Mr. Chairperson, I move the *previous question*.” The Chairperson then asks, “Shall debate be closed and the question now be put?” If the motion is adopted by a two-thirds (2/3) vote, the question before the assembly is immediately voted upon. This motion cannot be debated.

**To *Adjourn*:** This motion is always in order except when a speaker has the floor, when a vote is being taken, or when the assembly is in the midst of some business which cannot be stopped abruptly.

***Point of Order*:** This motion is always in order, but can be used only to present an objection to a ruling of the Chair or some method of parliamentary procedure. “Mr. Chairperson, I rise to a *point of order*.” After the member has stated his objection, the Chair answers, “Your *point of order* is sustained” or “Your *point of order* is denied.” If any member is not satisfied, they may appeal the decision of the Chair. The Chairperson then addresses the assembly, “Shall the decision of the chair be sustained?” This question can be debated, and the presiding officer may participate in discussion without leaving the Chair. A majority or tie vote sustains the decision of the Chair. A majority of “no” votes reverses the decision of the Chair.

## **Voting**

When a board meets to vote on a topic, a quorum must be present. A quorum consists of at least three voting board members. In this case, for a vote to carry, at least two members must be in favor. Ideally, all five board members will be present to vote, in which case a vote of three to two carries a motion.

Each board can decide which topics require a vote. However, it is generally agreed that any motions involving money should be voted on. Other examples of items that should be voted on include contract negotiations, staffing decisions, and internal programming design. Supervisors must vote at all times unless there is a conflict of interest, in which case the supervisor must fill out Form 8B See **Appendix 12**. Do not mistakenly fill out Form 8A, as it could result in serious legal penalties and fines.

## **Officer and Staff Responsibilities**

The following guidance is provided for the use of supervisors and staff for conducting soil and water conservation district business. Board members for each Soil and Water Conservation District must determine the officers, operating procedures, and staffing that suits their needs and meets their legal and program responsibilities.

### ***Responsibilities of District Officers***

At the first meeting following the election of supervisors, the district governing body elects its chairperson, vice-chairperson, treasurer and secretary. The chairperson appoints a public information representative. Any elected supervisor can be an officer. To utilize the talents of all supervisors, consider rotating your officers at least every two years.

### ***Duties of the Chairperson***

1. Board meetings:
  - a. Establish a regular meeting date; call special meetings when necessary.
  - b. Plan the order of business or agenda with the office secretary and district conservationist, well in advance of the meeting.
  - c. Extend invitations to individuals who should attend meetings and take part in discussions.
  - d. Ensure that a quorum is present at each meeting.
  - e. Preside at all meetings or arrange for the vice-chairperson to preside; call the meeting to order on time, announce the order of business, distribute a typed agenda, and recognize visitors and others present; handle discussions in an orderly manner.
2. Appoint committees, assign their responsibilities, and collect reports when due.
3. Ensure that all supervisors are properly informed and understand their duties.
4. Review the objectives of the District Long-Range Plan and the District Annual Work Plan monthly, to make sure that all planned activities and assignments are carried-out.

### ***Duties of the Vice Chairperson***

1. Officiate in the absence of the chairperson; assume other duties at the chairperson's request.
2. Consult with and advise the chairperson on matters of program and policy.
3. Serve as chairperson for special programs.
4. Succeed the chairperson in the event of resignation or other conditions precluding the continued tenure until the board is reorganized.

### ***Duties of the Secretary***

1. **Board Meetings:**
  - a. Notify members of each meeting. One week prior, mail meeting announcements with an agenda to each supervisor.
  - b. Provide the chairperson with a list of business items to be placed on the agenda.

- c. Take meeting minutes. The minutes should include the following information:
  - i. Type of meeting (regular, annual, or special)
  - ii. Name of presiding officer, date, hour, and place.
  - iii. Attendance (supervisors, agency representatives, guests). Supervisors not in attendance should also be listed.
  - iv. Official business.
  - v. Reports made at meetings. (Reports may be summarized – ask agency representatives and committees to provide written reports when necessary).
  - vi. All motions, indicating the person making the motion, seconding the motion, and the action that was taken on the motion.
  - vii. All important statements, even though action was not taken.
2. Keep a record of all committees, both standing and special. Notify committee members of their appointments if they were not present when the appointments were made.
3. Keep the Office of Agricultural Water Policy, The Association of Florida Conservation Districts, and the local Supervisor of Elections informed concerning board membership by furnishing copies of all letters of appointment and resignations, as well as names of district officers and address changes.
4. Initiate correspondence on behalf of the board as the need arises.

### ***Duties of the Treasurer***

The District Treasurer is responsible for maintaining an accurate account of the financial transactions of the district. The chairperson and treasurer co-sign all checks after approval of the expenditure by the board. **Those authorized to sign checks and/or purchase equipment, services, and supplies with the district monies should be bonded.**

1. Prepare and maintain district budget for the operating year.
2. Prepare a monthly financial report for the board.
3. Pay only the bills approved by official action of the board.
4. Ensure all checks have two signatures (not required, but strongly recommended).
5. Issue receipts for incoming funds; maintain separate accounting of any funds the district may receive for a specific purpose.
6. Maintain complete and accurate records of receipts and expenditures.
7. Arrange for an annual audit of receipts and disbursements in accordance with Chapter 218.32, F.S., “Annual Financial Report,” and Chapter 11.45, F.S., “Audit.”
8. Ensure, in compliance with federal law, that the District Conservationist does not expend or handle district funds.

### ***Duties of the Public Relations Representative*** (Optional Position)

It is important that the public be informed of the existence and objectives of the soil and water conservation district. The chairperson might wish to appoint a supervisor to publicize the activities of the district. This person can be assisted by a member of the support staff. Alternatively, public relations duties can be shared among supervisors.

1. Coordinate with all local newspapers, radio, and television stations so that activities are sufficiently publicized.
2. Submit news items (include photographs when appropriate) of general interest concerning the district activities to the Office of Agricultural Water Policy for possible use in statewide publications.
3. Develop and maintain a record of the district's activities.
4. Organize and conduct district speaking, land judging, Envirothon, and other contests.
5. Write the public information section of the District Annual and Long-Range Work Plans.

### ***Responsibilities of SWCD Support Staff***

Due to the quantity of work some conservation districts undertake, it may be necessary for districts to hire part-time or full-time staff. These positions may include administrative assistants, district administrators, and technicians. They are directly responsible to the Board of Supervisors. Training for these positions can be provided, to varying degrees, by the District Supervisors, the Association of Florida Conservation Districts, the Florida Conservation District Employees Association, Office of Agricultural Water Policy field staff, and the Natural Resources Conservation Service personnel assigned to the district.

Work on special projects may require staff on an as-needed basis. Hired staff may be of a more permanent status and work on a variety of long term or recurring projects. Regardless of the employment status, conservation district officials are responsible for developing employee policy for the management of district personnel. Policies developed by the district serve as a binding agreement between personnel and district officials. District officials are encouraged to review and draw upon guidance offered by the National Association of Conservation Districts (NACD), the Association of Florida Conservation Districts (AFCD), the National Resource Conservation Service (NRCS), and local government policy to develop personnel management strategies and policies.

District Support Staff Duties and Responsibilities to the District Board may include, but are not limited to, the following:

1. General Administrative Duties
  - a. Assist District officers in carrying out their duties, as requested, and conduct any responsibilities designated by the board of Supervisors.

- b. Take messages and relay them to the proper person.
  - c. Assist with scheduling meetings and appointments.
  - d. Keep a schedule of all events that concern the Board and bring it to their attention at the proper time.
  - e. Receive and review mail. Sort supervisors' mail for distribution and action. Answer routine correspondence that does not require the personal attention of the supervisors or district conservationist.
  - f. Collect information from newspapers and other sources that may be of interest to employees and supervisors.
  - g. Anticipate and determine the need for office supplies and equipment at the lowest possible cost to be purchased by the District, and order items upon approval of the board.
  - h. Maintain the appearance of the office and work area.
2. Records and Files
- a. Maintain a standardized filing system for the District.
  - b. Maintain District property records.
  - c. Keep records for award programs.
  - d. Maintain accurate employee time and attendance reports.
3. Plans and Meetings
- a. Assist the Board in preparing the annual work plan.
  - b. Assist with the planning and preparation for all District meetings.
  - c. Prepare District board meeting notices and agendas in consultation with the board chairperson. *Refer to the annual work plan when preparing Board meeting agendas.* Mail notices and agendas to the board members in advance of the meeting.
  - d. Attend all Board meetings. Assemble, type, and distribute all regular and special meeting minutes.
  - e. Forward copies of all District meeting minutes to the Office of Agricultural Water Policy, NRCS, and the AFCD.
4. Financial Matters
- a. Assist in preparing monthly financial reports, in conjunction with the District Treasurer, for presentation to the Board; reconcile balances of special and District accounts; maintain records of District business transactions on a daily basis; maintain all records in an orderly fashion established by the District Treasurer.
  - b. Prepare vouchers and checks for bills authorized for payment by the District Board.
  - c. Assist in District financial bookkeeping – maintain a separate ledger for “Special Funds,” “District Funds,” “Special Projects,” and keep posting current.

- d. Receive and receipt contributions to the District on behalf of the Board.
5. Outreach
- a. Answer questions and give information on the programs and services of the District.
  - b. Assist in the preparation of educational events such as field days, tours, and special events.
  - c. Assist in preparing newsletters and news releases concerning district activities.
  - d. Order educational materials such as videos, booklets, brochures, etc.
  - e. Assist landowners applying to the District Board for technical assistance.
6. NRCS Support-Related Duties (may vary by SWCD) - *NRCS-related duties often are defined through an MOU between the SWCD and NRCS.*
- a. Maintain NRCS records. Assist in keeping NRCS property records.
  - b. Assist with reports.
  - c. Assist with NRCS correspondence and maintain correspondence with other agencies.
  - d. Maintain a standardized filing system for other handbooks and publications.
  - e. Order supplies and services approved by the District Conservationist.
  - f. Take and transcribe dictation for correspondence, news releases, reports, conservation plan narratives, technical specifications, etc.
  - g. Link conservation plans and assemble completed farm or ranch plans.

## **PARTNERS AND PROGRAMS**

There are a variety of partnership opportunities for SWCDs, depending on the objectives to be met. Some longstanding and beneficial partnerships are described below.

### **FDACS/OAWP – Florida Department of Agriculture and Consumer Services Office of Agricultural Water Policy**

The Florida Department of Agriculture and Consumer Services administers the soil and water conservation programs assigned to it by the Legislature under the Soil and Water Conservation Law, Chapter 582, Florida Statutes. The Department's Office of Agricultural Water Policy, headquartered in Tallahassee, has field staff located around the state who work directly with the districts as their FDACS liaisons. Following are some of the programs and partnerships provided through FDACS/OAWP.

#### ***Best Management Practices Development and Cost-Share Program***

The OAWP is charged with developing and assisting with the implementation of best management practices (BMPs) to reduce agricultural nonpoint source pollution. When FDEP establishes a Total Maximum Daily Load for a waterbody and adopts a basin management action plan (BMAP) that includes agriculture, agricultural producers must by law implement BMPs in the BMAP area. If they do not, they will either have to conduct expensive water quality monitoring to show they are not contributing to the problem, or FDEP or the water management district may take enforcement action.

Producers who do enroll in and implement FDACS BMPs have a presumption of compliance with state water quality standards. SWCDs are important partners for FDACS in the delivery of BMP cost-share money to help producers implement BMPs.

#### ***Mobile Irrigation Labs (MILs)***

MILs provide on-site evaluations for both urban and agricultural irrigation systems, and provide recommendations for more efficient water use. Most MILs operating in Florida are administered through a SWCD program. In Florida they are funded primarily with water management district and FDACS funds. Often WMD money is sent through the OAWP, combined with OAWP funds and conveyed via a single contract to the MIL. Sometimes, the WMD and the OAWP have separate contracts with the same MIL. The OAWP oversees the MILs, and compiles and reports on the data received from the MILs.

#### ***OAWP Field Staff***

OAWP field staff provide ongoing assistance to the SWCDs regarding:

- The requirements contained in Chapter 582 and other laws that govern SWCD operations
- Compliance/reporting requirements

- Information exchange and coordination with other districts, groups, and agencies
  - Updates to keep the Districts informed of current events and emerging issues

OAWP field staff may also:

- Identify opportunities for SWCDs to participate in regulatory alternatives, water resource development, water conservation, and non-point source pollution management.
- Facilitate partnerships between the SWCDs and other entities in areas such as land management and water conservation.
- Assist in integrating SWCD efforts with water management district objectives.
- Provide input to other agencies and groups on the development of programs and regulations impacting soil and water conservation.
- Provide the Districts with information on funding opportunities with private, local, state, and federal agencies.
- Assist with the development of SWCD goals and objectives, long-range plans, annual plans and annual reports addressing local soil and water conservation issues; assist Districts in the evaluation of their programs, objectives, and accomplishments.
- Coordinate and conduct training meetings or workshops for district supervisors and personnel.

## **United States Department of Agriculture/Natural Resources Conservation Service**

### ***District Conservationist***

The District Conservationists (DC), employees of the USDA Natural Resource Conservation Service, are responsible for all NRCS activities within their assigned soil and water conservation districts. The DCs provide technical assistance to landowners and other groups/partners in the development, application, and maintenance of coordinated soil and water conservation programs. They also furnish technical guidance to the SWCD board of supervisors and help establish goals that are in line with the conservation needs of the county.

Each DC assists one or more soil and water conservation districts by carrying out the following types of duties:

- Directing follow-up maintenance programs on lands owned by district cooperators and other private landowners
- Directing and maintaining an informational program
- Adapting and revising technical guides and job sheets as necessary
- Assisting producers in planning and implementing resource management systems
- Providing technical assistance to the Farm Service Agency's cost-share programs
- Providing technical responsibility for the Food and Security Act (FSA)

- Providing technical leadership for special projects (hydrologic unit areas, demonstration areas, special water quality projects, small watershed projects. and Farm Bill programs)
- Assisting in the development of the field office and conservation district annual plans of operation, annual reports, and long-range plans
- Training district employees as appropriate
- Reviewing the Cooperative Working Agreement and the Mutual Agreement with the conservation district
- Working cooperatively with conservation district/s to increase diversity, outreach and improve the delivery of NRCS and conservation district programs
- Working cooperatively with conservation district/s to convene the local working group to develop priorities for Farm Bill and conservation district programs
- Attending conservation district board meetings, providing NRCS activities reports and serving as a resource person

### ***2008 Farm Bill***

The 2008 Farm Bill provides the opportunity for funding conservation programs and cost sharing BMPs with local producers and landowners through the NRCS partnership with SWCDs. Your DC can elaborate on the many programs available for producers in your area, including the Environmental Quality Incentive Program (EQIP), Wildlife Habitat Incentives Program (WHIP), Wetlands Reserve Program (WRP), Grasslands Reserve Program (GRP), Farmland Protection Program (FPP), and the Conservation Security Program (CSP).

### ***Mobile Irrigation Labs (MILs)***

While funding for MILs comes primarily from the WMDs and the OAWP, NRCS also provides technical support for MILs.

### **Resource Conservation and Development (RC&D)**

RC&D is a USDA program authorized in the Farm Bill. NRCS administers the program objectives, which focus on “quality of life” improvements achieved through natural resource conservation and community development. This program is a source of potential funding for a large range of projects, including those related to economic development and social concerns.

RC&D areas authorized by the USDA Secretary of Agriculture are eligible for assistance through RC&D Councils, which are comprised of local leaders from a variety of interests. SWCDs often support and partner with the RC&D Councils on projects in their counties. RC&D Councils can obtain assistance from other local, state, and federal agencies, private organizations, and foundations. The RC&D Councils enter into many cooperative programs that relate to agricultural and conservation interests.

There is also a Florida Association of Resource and Development Councils, Inc., which is a non-profit association made up of the RC&D Councils throughout the state of Florida.

### **National Association of Conservation Districts (NACD)**

The NACD was formed in 1946 by districts and their state associations, and founded on the philosophy that conservation decisions should be made by local residents, with technical assistance provided by federal, state, and local governments. NACD's mission is to serve conservation districts by providing national leadership and a unified voice for natural resource conservation.

NACD helps conservation districts use their collective voice to influence conservation policy in America. NACD's member-driven Board of Directors decides conservation policy priorities to guide leaders and staff. These priorities are used to develop and review environmental and natural resource legislation and to secure adequate federal funding.

NACD also provides services, support information, and national networking for individual districts.

### **Association of Florida Conservation Districts (AFCD)**

The AFCD is a 501(c)3 nonprofit organization that represents the 63 SWCDs in Florida. The chief functions of the AFCD include providing support and information to the districts, especially on issues that might directly impact them. The AFCD also facilitates communication between the NACD and Florida's districts, and between the state's conservation districts and the State Legislature. Some of the goals of the AFCD include: strengthening the AFCD's legislative presence; promoting and increasing public awareness of Florida conservation districts as "the source for natural resources management"; expanding program resources; promoting youth conservation education; providing training for supervisors; and building and enhancing the capacity and ability of conservation districts in Florida to include leadership development.

### **Florida Conservation District Employees Association (FCDEA)**

The FCDEA is formed to unite all the employees in the state and to provide resources to each of them. The mission of the FCDEA is to provide leadership, assistance, and training for Florida Conservation Districts and partner programs through district employees. The FCDEA assists the Association of Florida Conservation Districts (AFCD) in their efforts of sound conservation practices of our natural resources.

## **IFAS – Institute of Food and Agricultural Sciences / University of Florida Extension**

IFAS is a federal, state, and local government partnership that develops knowledge in agriculture, human and natural resources, and life sciences and makes those developments accessible to the public to sustain and enhance the quality of human life. IFAS includes extension in each of the state's 67 counties and 12 research and education centers throughout Florida.

SWCDs utilize IFAS research and resources in several programs and enjoy a long-standing conservation partnership with the IFAS-affiliated county extension centers (see below). The county extension agents work to assist people, business leaders, and government officials to address issues through education and research. They promote diverse programs for both urban and rural lands, such as educating the public to care for native plants, developing youth leadership through programs such as 4H, and teaching the public to implement energy-efficient practices. The county extension service and IFAS work cooperatively in multi-partner programs that relate to agricultural and conservation interest.

### **County Services**

The county that a SWCD serves is often its most significant, if not the only, source of funding. The county and SWCD are partners in resource conservation and education along with the county's IFAS extension service. Sometimes County funds are part of an agreement with the county extension service. Counties also may provide facility resources such as building space and support staff. The Board of County Commissioners can provide assistance with SWCD program ideas, such as partnership opportunities with the county on local conservation projects.

### **Florida Department of Environmental Protection (FDEP)**

The FDEP is the lead agency in state government for environmental management and stewardship. It is one of fifteen state government agencies under the executive branch of the Governor. The department administers regulatory programs and issues permits for air, water, and waste management. It oversees the Florida's land and water conservation program, Florida Forever, and the Florida Park Service.

The FDEP enters into many cooperative programs that relate to conservation interests.

### ***Florida Section 319 Grant Work Plans***

The Nonpoint Source Management Section of the FDEP administers grant money it receives from EPA through Section 319(h) of the Federal Clean Water Act. These grant funds can be used to implement projects or programs that will help to reduce nonpoint sources of pollution. Projects or programs must be conducted within the state's nonpoint source priority watersheds, which are Surface Water Improvement and

Management (SWIM) watersheds and National Estuary Program waters. All projects must include at least a 40% nonfederal match.

Examples of fundable projects include: demonstration and evaluation of Best Management Practices (BMPs), nonpoint pollution reduction in priority watersheds, ground water protection from nonpoint sources, public education programs on nonpoint source management, etc. All approved projects will be contracted with the Department of Environmental Protection and managed by the staff of the Nonpoint Source Management Section. Project proposals are due each year in early July with project selection completed by September.

### **Water Management Districts (WMDs)**

Florida has five water management districts that cover many of the same concerns as SWCDs. The FDEP has “general supervisory authority” over the WMDs and is directed by Florida law to delegate water resources programs to them where possible. The WMDs in Florida are the Northwest Florida WMD, Suwannee River WMD, St. Johns River WMD, Southwest Florida WMD, and South Florida WMD.

The WMDs administer regulatory programs to manage the consumptive use of water, aquifer recharge, well construction, and surface water management. The districts are authorized to administer flood protection programs and to perform technical investigations into water resources. The WMDs are also authorized to develop water management plans for water shortages in times of drought and to acquire and manage lands for water management purposes.

WMDs and SWCDs may enter into partnership programs that help protect the quantity and quality of water needed to sustain the health of the districts’ natural resources while meeting the needs of the rural and urban communities.

### **Public Lands Management**

#### ***Water Management District Lands***

Florida law (Chapter 373) directs and encourages WMD Governing Boards to give SWCDs “first consideration” for land management contracts when lands held by WMDs are to be leased or used for agricultural purposes. SWCDs have only occasionally entered into contracts with a WMD for land management.

The South Florida WMD has been the WMD most active in developing a policy and procedure for “first consideration” of SWCD for land management contracts. The current procedure is to develop a Request for Proposal (RFP) for land management of the subject property. The RFP is first offered to the appropriate SWCD without competition. The SWCD can then either decline to respond or, if interested, can submit a completed proposal package. Proposals are evaluated for completeness,

qualifications, and costs. Land management RFPs not awarded to a SWCD are offered to private enterprises in a competitive proposal process.

Chapter 373 also gives SWCD Supervisors a role in the development of land management plans, and requires advisory groups that provide input on management plans to have SWCD representation.

### ***Conservation and Recreation State Lands***

Florida law includes the same “first consideration” land management opportunity for lands acquired through the Conservation and Recreation Land Trust Fund for publicly owned state lands managed for agricultural purposes.

Chapter 259 – Land Acquisition for Conservation or Recreation also gives SWCD Supervisors a role in the development of land management plans through advisory groups that provide input on management plans and through membership on land management review teams.

### **Florida Farm Bureau (FFB)**

The FFB is the largest independent agricultural association in Florida. It is a federation of 62 county Farm Bureaus. When individuals join a county Farm Bureau they also become members of the Florida Farm Bureau Federation and the American Farm Bureau Federation.

### **Department of Community Affairs (DCA)**

The DCA covers a diverse number of concerns for the health and well being of Florida communities, including overseeing the affairs of the Special District Information Program. Since the SWCDs are Special Districts, they must report to the DCA to maintain their good standing in the Florida system.

The Special District Information Program is a component of Florida’s Local Government Financial Reporting System. The program has three essential roles: promoting governmental efficiency, promoting accountability, and administering Chapter 189, Florida Statutes (2002), also known as the “The Uniform Special District Accountability Act of 1989.”

As an official partner to the special districts, the DCA produces the Florida Special District Handbook (available at <http://www.floridaspecialdistricts.org/>) and works with the Florida Association of Special Districts in providing training opportunities.

**Programs and Partners Quick Reference**

<b>Program Name</b>	<b>Partner(s)</b>
BMP Cost Share Program	FDACS, FDEP, WMDs
Northern Everglades Protection Program	FDACS, SFWMD, FDEP
EQIP, WHIP, CRP, WRP, CSP	NRCS
Farmlands Protection Program	NRCS
MILs	NRCS, FDACS, WMDs
Cooperative Extension Service	IFAS
Resource Conservation & Development Program	NRCS, FDACS, FDEP
TMDL Program	FDEP, FDACS
Section 319 Grants	FDEP
Special District Information Program	DCA
Suwannee River Partnership	SRWMD, FDACS, FDEP, NRCS, UF/IFAS

**Acronyms**

Natural Resource Conservation Service	NRCS
Florida Department of Agriculture and Consumer Services	FDACS
Florida Department of Environmental Protection	FDEP
Water Management Districts	WMDs
South Florida Water Management District	SFWMD
Suwannee River Water Management District	SRWMD
University of Florida Institute of Food and Agricultural Sciences	IFAS
Florida Farm Bureau	FFB
Florida Department of Community Affairs	DCA

## FUNDING AND FINANCIAL MATTERS

A funding analysis of conservation districts was performed in 2000-01. This analysis looked at local conservation districts that are succeeding in the struggle of developing a comprehensive funding system. It examined the resources districts utilized and their methodology for obtaining and maintaining these funds.

Local conservation districts were interviewed in order to determine what were the most widely used funding sources, which were the most lucrative, what were the best methods to find funding, what were the most important factors in developing a comprehensive funding system, what conservation practices were the most popular, and what were the best recommendations for future funding.

### Key findings:

- Establishing a comprehensive funding system has been a continual struggle for conservation districts.
- Most districts face the problem of operating on a limited and inadequate budget, and there is very little information available to districts to guide them in their fund development efforts.
- Successful districts are very innovative, resourceful, and ambitious in their resource development methods. They have a substantial budget in place with diverse funding sources.
- They have attributed their success primarily to recognizing and showing the need, developing relationships with other counties, agencies, and districts, having an active board of supervisors, and developing a plan.
- Future recommendations for districts include obtaining more permanent and stable funding sources such as taxation, and working closely with the county to provide staffing needs.
- Districts with a comprehensive funding system in place do not just look at the funding sources they have available today, but look into the future for potential funding that will improve their districts ability to provide better technical, financial and educational resources to local landowners.

Successful districts cited the following thirteen factors, in order of importance, as critical to funding success:

1. Recognizing the need and being able to verbalize it (this is a critical step for getting any funding, especially from private foundations and other grant-making entities)
2. Establishing relationships with other agencies, organizations, counties, and districts
3. Having an active board of supervisors
4. Developing a strategic plan
5. Getting out in the community

6. Providing quality work and building a reputation
7. The ability to deliver a service
8. Having an exceptional staff
9. Having up to date technology, equipment, and trained personnel
10. Bringing attention to your products
11. Researching possible funding opportunities
12. Following grant deadlines and requirements
13. Attending meetings

Money may be available from federal, state, and local governments. The following is a list of potential program grant and funding opportunities. Websites are provided for additional information.

### **Federal Funding**

**USDA-NRCS** (<http://www.nrcs.usda.gov/programs/>)

- Agricultural Management Assistance Program
- Conservation of Private Grazing Land Program
- Conservation Security Program (CSP)
- Conservation Technical Assistance
- Environmental Quality Incentives Program (EQIP)
- Farm and Ranch Land Protection Program
- Grassland Reserve Program
- National Natural Resources Conservation Foundation
- Cooperative State Research, Education and Extension Service (CSREES) Program
- Resource Conservation and Development (RC&D) Program
- Wetlands Reserve Program (WRP)
- Wildlife Habitat Incentives Program (WHIP)

**Environmental Protection Agency (EPA)**

([http://cfpub.epa.gov/fedfund/list1.cfm?prog\\_num=108](http://cfpub.epa.gov/fedfund/list1.cfm?prog_num=108))

Catalogue of Federal Funding Sources for watershed protection

### **State Funding**

**FDACS-OAWP** - <http://www.floridaagwaterpolicy.com/>

- Mini-FARMS (Facilitating Agricultural Resource Management Systems) - BMP cost share assistance program in the Southwest Florida Water Management District
- Northern Everglades and Estuaries Protection Program - BMP cost-share assistance program in the Lake Okeechobee, St. Lucie, and Caloosahatchee watersheds

- Suwannee River Partnership BMP cost-share program
- Mobile Irrigation Lab (MIL) cost-share program

**FDEP**

<http://www.dep.state.fl.us/water/waterpolicy/index.htm>

<http://www.dep.state.fl.us/water/nonpoint/319h.htm>

Section 319(h) Nonpoint Source Management Program grants

**Water Management Districts (WMDs)**

Please use the following websites to see WMD funded programs:

- Southwest Florida Water Management District  
<http://www.swfwmd.state.fl.us/>
- South Florida Water Management District  
<http://www.sfwmd.gov>
- St. Johns River Water Management District  
<http://sjrwmd.com/>
- Suwannee River Water Management District  
<http://www.srwmd.state.fl.us/>
- Northwest Florida Water Management District  
<http://www.nwfwmd.state.fl.us/>

**Pursuing Funds**

**Grants**

Traditionally, the main sources of funding for SWCDs have been the NRCS and local county government. In recent years, county commissions have increased their role in supplying funding, as federal and state government programs have suffered budget cutbacks. Partnerships with RC&Ds have also increased, as well as relationships with local environmental clubs, homeowners associations, schools, and civic groups. Districts may also want to pursue grant funds from private conservation organizations and foundations.

A SWCD must coordinate its efforts before submitting a proposal for funding to a government or organization. A finance committee should be organized, and may include people like bankers, business leaders, or financial consultants in addition to supervisors.

A district should have both a short- and long-range plan drafted, and include the objectives that potential funding will accomplish. A budget broken down into categories such as personnel, capital outlay, and operating expenses is usually necessary. For an example budget, see **Appendix 6**.

Agencies and organizations want to see their money go as far as possible to accomplish all objectives. A good idea for proposals is to provide a cost/benefit ratio. Remember that some

benefits such as enhancement of water quality or a natural area can be hard to quantify, but still should be included as benefits.

### ***Fundraising Efforts***

There are some funding opportunities a SWCD may choose to pursue that are not related to government programs or grants. The following is a list of potential funding support and fundraising activities:

- ❖ Sponsorships for Programs (e.g., Envirothon)
- ❖ Farm Tours
- ❖ Special Workshops/Educational Programs
- ❖ Land management services for state agencies
- ❖ District memberships
- ❖ Water sample analysis
- ❖ Funding district newsletter with sale of ads
- ❖ Sale of:
  - Plat Books
  - Soil Survey CDs or reprints
  - Aerials- printed and CDs
  - Plants, trees, wildlife packets, nesting boxes
- ❖ Rental of conservation-related products (e.g., no till drill, tree planter, dirt pan, etc.)

### **Financial Management**

The following guidance is provided for the use of supervisors and staff to assist in conducting soil and water conservation district financial business. Board members for each Soil and Water Conservation District will need to determine the financial management and financial instruments that suit their needs and meet their legal and program responsibilities. This document is not intended to replace legal counsel, professional consultants, or professional services for individual districts as needed.

### ***Banking***

Establish financial accounts with a financial Institution registered with the Public Depository Program of the Department of Financial Services. Documented Board action may be required to establish accounts. The following is general guidance on banking matters:

- Signature Cards should contain two or more Supervisors.
- All funds received must be deposited into a financial account.
- Deposit documents should be detailed to describe the source(s) and a cop retained for files.
- All withdrawals/disbursements will be made by withdrawal documents or checks, requiring 2 signatures.

- All documents/invoices presented for payment will have the check number, date paid, marked paid, and initialed by a Supervisor other than the Treasurer.
- All documents/invoices are to be filed, sequentially, by check number.
- Funds from different Programs/Grants/Projects will be kept in separate accounts or the records will be sufficient to track the activities.
- Postings of the receipts and disbursements to account ledgers are recommended.
- Reconcile bank statements upon receipt.
- Retain records sufficient to pass a pre-audit and post-audit test.

### ***Financial Compliance Reporting***

Below is a list of deadlines for various reports, as applicable:

**April 30<sup>th</sup>** - Local Government Annual Finance Report for prior fiscal year

**September 30<sup>th</sup>** - Audit Report, if required, for the prior fiscal year (fiscal Year ends for local governments)

**November 30<sup>th</sup>** - Public Depository due each year for prior fiscal year ending September 30<sup>th</sup> - This is the bank statement balance issued by the SWCD's Financial Institution on September 30<sup>th</sup>.

**December 1<sup>st</sup>** - Special District Fee, unless exempted through proper filing procedures, for the prior two Fiscal Years.

### ***Other Financial Management Areas***

SWCDs often have additional financial concerns, such as surety bonding and insurance. Each district has a variety of needs and situations that cannot be addressed in a general handbook. Professionals in the appropriate field, such as accountants and insurance agents, should be consulted as needed.

As a governmental agency, a SWCD can apply for and receive a Florida sales tax exemption number. This number allows the district supervisors and employees to purchase items for district business without paying Florida sales tax. To get a Florida sales tax exemption number, you will need to file an application and fill out the Florida Department of Revenue (DOR) DR-5 form as a "Political Subdivision." The form is available for download from DOR's website, <http://www.myflorida.com/dor/forms>, or from your local DOR office. Additionally, you will need the documents that detail the formation of the conservation district. If these documents are not available, you may be able to get a copy from the Secretary of State's office, or by contacting the AFCD.

### **Records Management**

It is critically important to keep up-to-date records management procedures and stay in compliance with Florida's public records law. It is advisable for supervisors and/or support staff to attend records management seminars with the State of Florida, Division of Library

Services. Check their website for course descriptions, fees, and current seminar dates.

<http://dlis.dos.state.fl.us/RecordsMgmt/seminars.cfm>

### **Compliance and Operating Procedures**

The following guidance is provided to assist the soil and water conservation districts in meeting their compliance requirements. It is not intended to replace legal counsel, professional consultants, or professional services for individual districts. Each district must determine what is needed to meet their program compliance requirements and legal responsibilities.

#### ***Soil and Water Conservation District Law Compliance Checklist***

A major responsibility of the district is to assure compliance with statutes governing district operations. As political subdivisions of state government, SWCDs are subject to laws that govern public boards, including Florida Statutes chapters 286 (Public Business), 119 (Public Records), 11.45 (Audits), 189 (Special District Information Program), 212 (Sales Tax), and others. In addition, SWCDs must comply with the requirements of Chapter 582, Florida Statutes. These statutes can be found online at <http://www.flsenate.gov/statutes/index.cfm?Mode=ViewStatutes&Submenu=1>.

See **Appendix 13** for a checklist of critical compliance procedures to help your SWCD board comply with state laws governing the operation of public boards. Please note this list is provided as a guide, and should not replace your own diligence in ensuring that your district is in compliance with all legal requirements. It is recommended that the SWCD Supervisors fill out this checklist annually and review the items on at least a quarterly basis. A good reference for the laws affecting special districts is the Florida Special Districts Handbook, provided by the Department of Community Affairs, found online at <http://www.floridaspecialdistricts.org/>.

## Planning and Reporting

The following guidance is provided to assist soil and water conservation districts in their planning process. Supervisors for each Soil and Water Conservation District determine the planning that suits their needs and meets their legal and program responsibilities.

### **The Long-Range Plan (LRP)**

As a basic element for effective work and as part provided in the Memorandum of Understanding to receive assistance from the USDA, **each district must prepare a program setting forth its long-range objectives.**

Effective soil and water conservation planning will assist in achieving adequately funded conservation programs and good administration. It is important to involve other people in the planning process.

The plan must contain specific recommendations that can be broken down into annual priorities, and include the actions that are needed, who will perform them, and when they will be executed.

Write the document in a manner that allows the reader to quickly determine the conservation concerns to be addressed. Maps and tables are good support tools that add variety and avoid long verbal descriptions.

### ***Sample Outline***

- I. Cover Page: name of district, dates that the plan covers.
- II. Title Page: names of Board Supervisors and those who assisted in the development of the plan.
- III. Introduction: brief description of the district's history, current population statistics, changes in land use, unique features found in the district, physical characteristics of the soils, topography, climate, surface and ground water resources, and other related information.
- IV. Soil and Water Related Resource Concerns: nature, location, and a general outline of the proposed solutions. This section could also include a cost analysis for each of the concerns.
- V. Adoption Page

### ***Sample List of Concerns***

1. Soil Erosion (water, wind)
2. Water Quality
  - Sedimentation
  - Nutrient and Chemical

- Animal Waste
  - Groundwater
  - Wetlands
3. Water Quantity
    - Supply
    - Conservation
    - Flooding
    - Irrigation
    - Drainage
  4. Conservation and Environmental Education
  5. Prime, Unique and Important Farmlands
  6. Mining, Land Application of Waste
  7. Fish and Wildlife Habitat / Natural Systems
  8. Forestry
  9. Recreation
  10. Urban Conservation

### **The Annual Plan of Operation (APO)**

As stated in the preceding section, the district's long-range plan can be divided into annual priorities that are readily identifiable. If an annual plan is not prepared, planning and decision-making tends to be done on an ad hoc basis, and long-range objectives may not be addressed.

Updating and completion of the APO should begin several months prior to the end of the current year. Invite cooperating agencies and the public to planning meetings. Using the concerns identified in the long-range plan, state what needs to be done, who is responsible, and when the tasks will be completed. The last step is formal adoption by the district board.

### **District Annual Report for NRCS**

The Memorandum of Understanding between the Soil and Water Conservation District and the United States Department of Agriculture states: "Within sixty (60) days after the end of each calendar year, the district will submit to the Department of Agriculture, through the State Conservationist of the Natural Resources Conservation Service, an annual report of the district's activities and accomplishments. The district will send a copy of its annual report to each cooperating departmental agency."

It is a good practice for districts to review all accomplishments at the end of each year. This review, in the form of a District Annual Report, helps the supervisors evaluate the past year's activities and can initiate the coming year's planning and activities. The annual report also provides an excellent opportunity for the district to inform the public of the district's accomplishments, and will let people know that they have an effective organization working

for them. A professional, well-prepared report is a useful tool to present to county commissioners, and can be used to obtain financial support.

### ***Sample Report Outline***

- I. Description: date organized, boundary, names and offices of supervisors, meeting day and time, general description of the area.
- II. Accomplishments: youth education activities, partnerships formed, outreach information provided, cooperators and other customers assisted, acreage covered, water saved, demonstration projects, and other activities.
- III. Financial information: sources of funding and in-kind services.
- IV. Future Action: needs of the district, actions needed as a result of public participation in meetings, promotional strategies, assistance needed (technical, financial, and educational).

### **Business Plan**

Many SWCDs may want to prepare a business plan if there are several new supervisors, new funding sources are needed, or if new programs are being considered. The following outlines the basic elements of a business plan to help participants consider important tactical and strategic decisions.

#### ***Executive Summary***

This section, normally two or three pages, provides an overview of the most important issues in the plan, including the business niche, marketing strategies, management needs, and financing.

#### ***Statement of Purpose***

Describe the District goals in relation to obtaining financing and building a market.

#### ***Business Description***

Describe the type of product or service you want to provide. Explain how your product or service is unique and its appeal to clients. Include information about your Districts' location, space requirements, and area demographics.

#### ***Marketing Plan***

Define your target market and indicate whether the market is growing, steady, or shrinking. Provide details about competitors, including their strengths, weaknesses, estimated market share, advertising strategy, and how their product or service is different from yours. Include information about your pricing strategy. Finally, indicate how you advertise and promote the program. Include any new promotion strategies you plan to employ.

***Management Plan***

A business plan should detail the backgrounds of the Supervisors and employees, their qualifications, the need for additional management talent, and how the District plans to attract the new personnel. This information is crucial for potential funding sources. The District itself can use this information to re-evaluate the strengths and weaknesses of their management at various stages of program development.

***Financial Plan***

Include a capital equipment list, a balance sheet, income statements for three years (or pro-forma income projections for new programs), cash flow statements, and a detailed break-even analysis.

***Supporting Documents***

These include leases, contracts, and other legal documents that provide information about the District's overall financial health.