



SOIL CONSERVATION DISTRICT  
**SUPERVISOR'S  
HANDBOOK**



STATE SOIL  
CONSERVATION  
COMMITTEE 2017

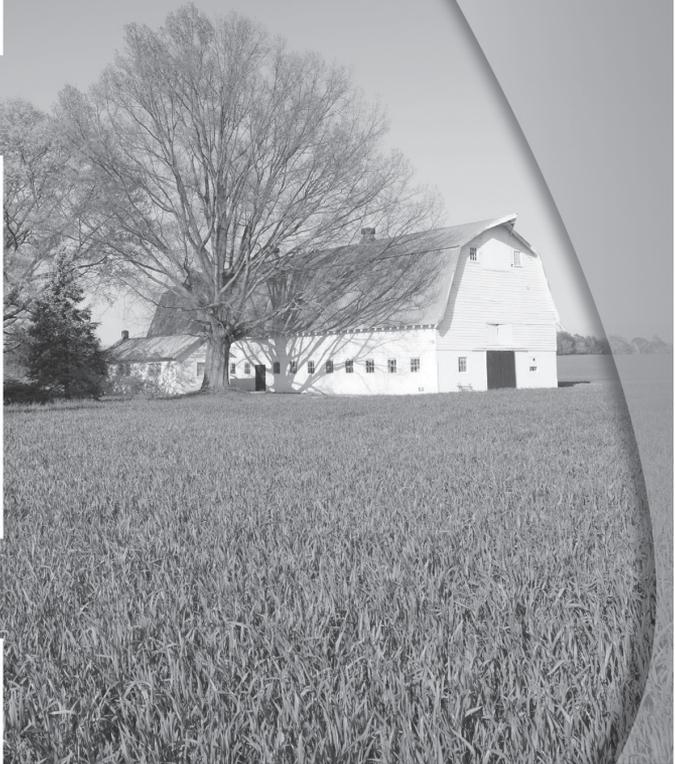
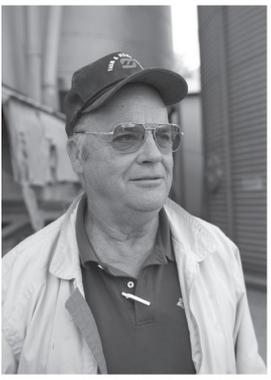






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## INTRODUCTION

Whether you are a new conservation district supervisor serving your first term with the local board of supervisors, or one who has served the conservation district well for many years, this handbook is provided to familiarize you with or refresh your memory concerning the basic duties and responsibilities of a supervisor.

To effectively carry out the function and duties of a district supervisor, you must have a clear understanding of your responsibilities and of the programs you represent. You need to know the cooperating agencies that assist districts in carrying out their programs, along with the problems associated with soil and water resources and the wise use and protection of those natural resources. You must be an initiator of innovative solutions to diverse conservation problems and be able to work with others to achieve those solutions.

As an appointed local official, you are charged with properly conducting the affairs of the local conservation district as set forth in *Agriculture Article, Title 8. Soil Conservation, § 8-101 through 8-501 of the Annotated Code of Maryland*, as amended. By better understanding your responsibilities and by becoming involved, you can make an important difference in your community.

You are looked upon as a leader, decision-maker, spokesperson, and salesman. Your fellow district board members count on you to be an active member of the team and to represent the people from your community as board decisions are made. Your opportunity to serve is unlimited. Your challenge is great. Will you accept it?

This handbook is a reference, a source of information that has been condensed for your convenience. Full details and documentation are readily available. It will take time and effort to gain a working knowledge of the conservation district program and its vital working relationships with others. To help you with this task, area conferences and training programs will be made available to you. Your participation in these programs is very important to your success as a supervisor and the success of your conservation district.

## PURPOSE OF HANDBOOK

Congratulations on your appointment as a district supervisor. As you take your Oath of Office as an appointed official of the State of Maryland, a soil conservation district (SCD) supervisor, you are joining the ranks of the 120 Marylanders who have pledged to work for soil conservation and water quality. WELCOME! This handbook has been prepared to provide you with facts you need to know as a soil conservation district supervisor. Read it. Study it. It will help you be more effective at board meetings and as a representative of your district. It will explain what a soil conservation district is, its purpose, how it functions, and how it is unique from any other agencies of local, state, or federal government.

In Maryland, each of the 23 counties is incorporated into a conservation district bearing the name and conforming to the physical boundaries of the county with one exception: Frederick County is divided into two districts—the Frederick and Catoctin soil conservation districts.

Districts are made up of landowners and land occupiers, called cooperators, who join together voluntarily in planning for and controlling soil erosion, sedimentation and flooding, and managing animal wastes, fertilizers, and agricultural chemicals to protect farmland and water quality. These natural resource management issues can be potential nonpoint-sources (NPS) of pollution.

Districts function independently under the supervision of the district board of supervisors, which may receive guidance from the State Soil Conservation Committee as provided by the *Annotated Code of Maryland*.

Districts are usually funded through a variety of sources, including federal, state, and county appropriations, grants, fees for special services, and contributions from local sources. All income is managed as public funds and is used to advance the legally authorized mission of the soil conservation district which is to promote and support conservation and stewardship of natural resources.

District offices illustrate the unique three-way partnership that enables them to function. District staff is usually a mixture of federal, state and local (district) employees, all working together toward one common goal. They share office space, are supervised by the board of supervisors and perform their duties as a team. The team is usually made up of USDA's Natural Resources Conservation Service (NRCS), the Maryland Department of Agriculture (MDA), and district employees funded by the district or local and/or state government.

You should be aware that in addition to this three-way partnership, there are several other agencies, groups and organizations that are vital members of the conservation team. It is important that you know them and that you recognize the full scope of district responsibilities and authority given a district supervisor.

One of the purposes of this handbook is help you understand these relationships and the distinctions and responsibilities of the agencies, departments, and committees involved in soil conservation district activities. Another is to make you aware of your responsibilities to the district. This is just an overview and we encourage you to expand your knowledge by taking advantage of training opportunities as well.

We look forward to working with you as a team member. Together we can accomplish conservation goals far beyond the scope of an individual. We welcome you as a fellow steward of our most precious natural resources.

## HISTORY OF CONSERVATION DISTRICTS

Districts were organized and created by federal law in 1937 in response to devastating soil erosion conditions that existed in the United States during the late 1920s and 1930s.

In 1929, the United States Congress appropriated about \$160,000 for erosion control experiments. The work of research centers established with these funds expanded as the economic disaster of the Dust Bowl in the Midwest became a cause for national concern.

The Soil Erosion Service (SES) of the U.S. Department of the Interior was created as a temporary organization in 1933. Its purpose was to demonstrate the values of soil and water conservation by placing conservation measures on farms in cooperation with landowners. In addition, the federally created Civilian Conservation Corps (CCC) was assigned to aid in erosion control work across the country. Two years later, in 1935, Congress established a federal policy concerning soil conservation.

By Act of Congress on April 27, 1935, the personnel and resources of the Soil Erosion Service were transferred to the Soil Conservation Service as part of the U.S. Department of Agriculture. This was the first step in creating a local voluntary system around a core of federal expertise and support. On February 27, 1937, President Franklin D. Roosevelt sent a letter to all state governors recommending enactment of soil conservation district legislation.

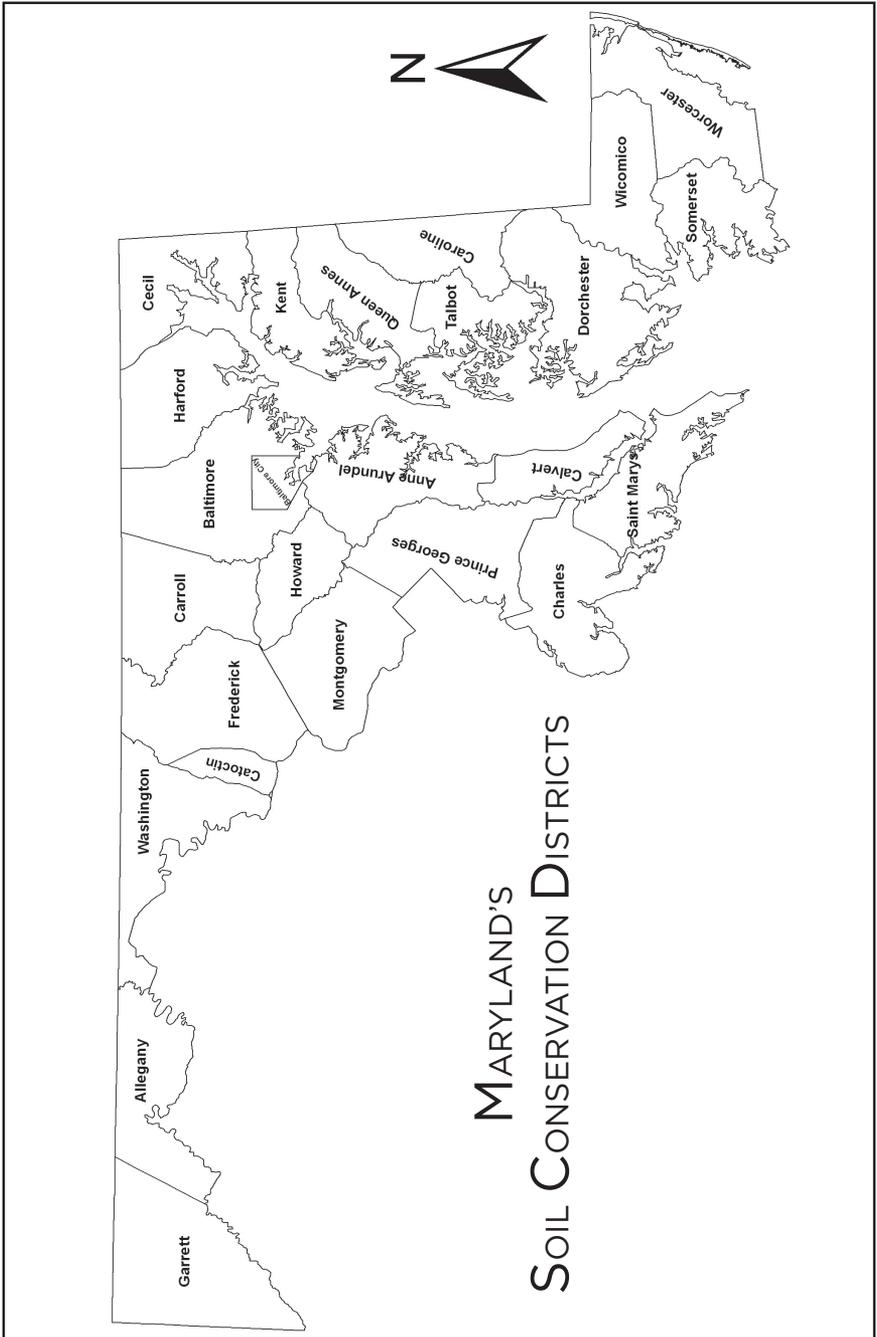
The proposed act suggested that districts be established to direct and manage soil erosion control programs using local citizens participating voluntarily in planning and installing conservation practices. Each district so designated would be empowered to determine local needs, would have personal contact with local individual landowners within the community, and would thus be able to encourage maximum cooperation on a voluntary basis.

The first soil conservation district in the United States was organized on August 4, 1937 in North Carolina by Hugh Hammond Bennett (*sometimes called the father of the conservation movement*). Kent County became the first soil conservation district formed in Maryland on May 11, 1938. Today, all 50 states, Puerto Rico, and the Virgin Islands have passed enabling legislation necessary for the creation of approximately 3,000 local districts.

## MARYLAND'S SOIL CONSERVATION DISTRICTS

Maryland's enabling act was passed in 1937 and the 24 districts were organized as follows:

ALLEGANY	09/24/41
ANNE ARUNDEL	02/21/46
BALTIMORE COUNTY	09/06/44
CALVERT	06/10/48
CAROLINE	11/29/41
CARROLL	02/03/44
CATOCTIN	05/26/39
CECIL	06/26/45
CHARLES	03/04/41
DORCHESTER	03/27/42
FREDERICK	09/06/44
GARRETT	09/21/43
HARFORD	09/06/44
HOWARD	05/10/45
KENT	05/11/38
MONTGOMERY	08/07/45
PRINCE GEORGE'S	04/07/41
QUEEN ANNE'S	12/19/41
ST. MARY'S	01/05/42
SOMERSET	04/18/46
TALBOT	04/30/58
WASHINGTON COUNTY	01/22/40
WICOMICO	05/22/42
WORCESTER	06/23/42



## SOIL CONSERVATION DISTRICTS

### **Powers of Soil Conservation Districts**

A soil conservation district constitutes a political subdivision of the state and as a public body exercises public powers. As agents of the district, supervisors have the following powers:

1. To conduct surveys, investigations, and research relating to the character of soil erosion and degradation of water quality and the effectiveness of preventive control measures, and to publish the results if the research program is carried out as a cooperative effort with a state, federal, or local agency.
2. Disseminate information concerning best management practices (BMPs); both preventive and corrective.
3. Conduct conservation and water quality demonstration projects on any land within the district, whether state or privately owned, upon obtaining consent from the proper authority.
4. Carry out preventive and control measures within the district including, but not limited to, engineering operations, cultivation methods, the growing of vegetation, and changes in land use, with the cooperation and consent of the proper authority.
5. Cooperate or enter into agreements with any person to furnish technical assistance to any land occupier within the district and to furnish financial aid for the purpose of installing BMPs.
6. Obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, or otherwise, any real or personal property or rights or interests in it, which shall be exempt from state, county, or municipal taxation.
7. Maintain, administer, and improve any acquired properties and expend the income from the properties to further the use of BMPs.

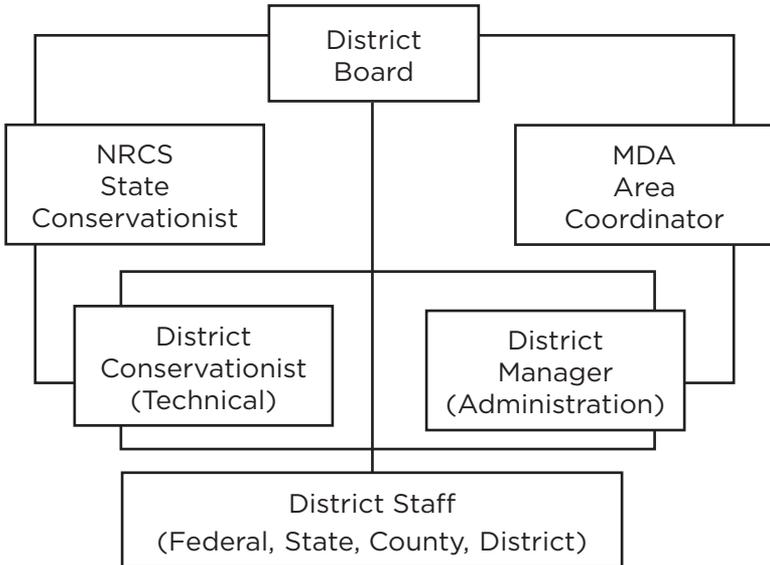
8. Sell, lease, or otherwise dispose of district property or interests in it to further the use of BMPs.
9. Make available to district land occupiers, in accordance with supervisors' terms, any material or equipment used to assist in the installation of BMPs.
10. Develop comprehensive annual plans of work, including a prioritization of those areas within the district deemed to be most critical in terms of soil erosion and potential or existing impairment of water quality. This plan shall set forth in detail annual goals and strategies to be used in attaining these objectives.
11. Develop comprehensive long-range plans for the district in conjunction with the statewide conservation or water quality plan, using the annual plan as part of the overall strategy development toward long-range goals.
12. Publish these plans and information and bring them to the attention of district residents.
13. Take over by purchase, lease, or otherwise and administer any soil conservation or water quality project located within the district and undertaken by agencies of the state or federal government.
14. Act as agent for federal or state agencies in connection with the acquisition, construction, operation, or administration of any conservation project within its boundaries.
15. Accept gifts in money, services, materials, or otherwise from federal, state, or local agencies and use them to carry out district operations.
16. Borrow money on its negotiable paper to carry out its powers and duties.

17. Approve or disapprove plans for clearing, grading, transporting or otherwise distributing soil pursuant to the Environmental Article, *Annotated Code of Maryland* §4-(101-109).
18. Recommend and implement a fee system to cover the cost of grading and sediment plan review and approval to be enacted by the local governing body. Any fees collected under this system are supplementary to county and state funds and may not be used to reduce county or state funds nor should the fee exceed the cost of plan review. SCDs may also collect fees to assist the Maryland Department of the Environment (MDE) with sediment and erosion control inspections in non-delegated counties.
19. Sue and be sued; have a legally recognized seal. SCDs may make and execute contracts and other instruments necessary or convenient to exercise district powers and to adopt, amend, and repeal rules and regulations pertaining to SCDs to accomplish district goals.
20. Provide contracting services, equipment and supplies to landowners. The powers of districts are presented here in an abbreviated form. For exact reference, see Agriculture Article, § 8-306 of the *Annotated Code of Maryland*, as amended (page 58).

## Organization and Functions of Soil Conservation Districts

Although it is difficult to show exactly how your district is structured, Maryland districts are generally organized in the same manner. The board of supervisors provides overall supervision and sets policy assuring that the district performs tasks required by law and memorandums of understanding.

The everyday business of running a district is handled by district staff. The district conservationist is responsible for providing technical supervision, plan reviews, etc. The district manager is responsible for handling administrative details, office operations, and plan approvals on the board's behalf. Managers may also assume some technical responsibilities. Each reports to the board of supervisors and provides the board with the information it needs to make policy and planning decisions. (See chart below.)



## **Board Meetings**

Board meetings should be held at least once a month. These meetings require planning and participation by all involved in the district's programs to be productive. Board meetings are the means by which district business is conducted, policy and programs developed, work approved and progress reviewed.

Advance public notice of board meetings must be given. Meetings are covered by Maryland's Open Meeting law. A regular meeting date and time should be set and board members notified and provided with an agenda in advance of each meeting to assure the presence of a quorum to conduct the official business of the district. Meetings should be conducted in a businesslike fashion, with action being taken on each item of business.

## **Example of Order of Business**

1. Call to Order – *Chairman*
2. Approval of Minutes of Previous Meeting
3. Financial Report – *Treasurer*
  - a. *Approval of financial report*
  - b. *Review of bills/approval for payment*
4. New Business
  - a. *Presentation/discussion of new items*
  - b. *Action on new business (motions or resolutions)*
5. Old Business
  - a. *Unfinished business from previous meetings*
  - b. *Review of long-range and annual plan of work*
6. Committee Activities
7. Staff Reports
  - a. *District Manager*
  - b. *District Conservationist*

8. Reports from Cooperating Agencies and/or Visitors
9. Correspondence
10. Future Meetings (set date, time, plan)
11. Adjournment

### **Common Rules for Conducting A Business Meeting**

1. After the minutes have been reviewed, the chairman may ask if there are any corrections or additions to the minutes as presented. If there is no response, the chairman may ask for a motion that the minutes be approved as presented. Upon a motion, second, and vote, the minutes may be approved.
2. “Main motions” are motions that introduce business when no other motions are pending. They must be seconded. An example of a main motion requiring a second is a motion to accept a unanimous ballot for those nominated for office. “Main motions” should be open for discussion before being put to a vote. A call for the question is a demand that the motion be voted upon without further discussion. Only board members with voting authority can participate in formal motions and votes. Others may be recognized at the chairman’s discretion for input during discussion.
3. A motion should not be discussed until it has been seconded and then restated by the chairman.
4. Amendments to a motion must be seconded and voted on before action is taken on a main motion.
5. Nominations made from the floor do not need a second. For example, a candidate who has not been nominated by the nominating committee can be nominated without a second.
6. The chairman cannot ignore a motion. A motion must be voted on if properly made and seconded.

7. The chairman does not vote (except in the case of ties) when the vote is by acclamation (a voice vote signifying approval). The chairman may always vote by ballot or roll call.
8. In a business meeting, a participant must request to be heard by addressing the chairman. The chairman may then “recognize” the speaker, who may then present a proposal or motion.
9. When a motion to adjourn is made and seconded, it must be put to a vote without discussion, except when a supplementary motion is made to fix a time to adjourn.
10. Supervisors should avoid conflicts of interest by excusing themselves from matters in which they, a family member, or a business entity that they are affiliated with is involved.

### **Open Meeting Law**

SCD meetings are covered by the Open Meeting Law. These meetings must be advertised in advance, are open to the public, and decisions are matters of public record. Minutes must be taken and made available to the public after their approval by the board. Meetings may be closed to public involvement only if confidential matters are being considered. These matters are very narrowly defined and typically include personnel issues or matters involving a legal suit. Only board members, legal representatives and staff required to be party to the discussion may be present. The board must use a motion that is seconded and voted upon to go into executive session. Minutes must still be taken, approved and kept but are not part of the open public record. Only confidential matters defined under the Open Meeting Law (§ 10-501, *Annotated Code of Maryland*) may be considered. When this business is concluded, the meeting must again be reopened by motion, second and vote and regular minutes and record-keeping must resume.

## **Minutes**

It is the responsibility of the person serving as secretary of the board to keep a complete and accurate set of minutes of official board meetings. It is suggested that minutes be maintained electronically and a hard copy provided. A complete record of all official business should be carefully maintained. Districts also must provide a copy of all approved minutes to the State Soil Conservation Committee (SSCC). The Area Representative on the SSCC and other agencies and their representatives often receive copies as a courtesy.

*Minutes should include the following minimum information:*

1. Date, time, and place of meeting.
2. Type of meeting: regular or special. If special, the purpose of the meeting.
3. Name of presiding officer, names of supervisors present, whether or not there was a quorum present.
4. Names of advisory personnel and visitors present.
5. Statement that minutes of preceding meeting were reviewed and approved.
6. Brief review of each item of correspondence and any action taken.
7. Each item of old and new business brought before the board.
8. A record of each motion made, using the exact wording of the motion and the voting result.
9. Authorization for itemized expenditure of funds.
10. Summaries of committee and staff reports.
11. Comments by visitors.
12. Time of adjournment.

## **Reports**

An annual budget, financial report, and monthly treasurer's report are required of each district. MDA also requires a monthly budget report documenting expenditure of state funds.

Annual budgets are prepared by the district board with assistance from district staff. They are then submitted to the appropriate agencies for review and approval. A financial review of revenues and disbursements is conducted annually. The review should be prepared by a qualified independent party.

An annual report is prepared at the end of the year to measure progress and inform supporting agencies, district cooperators, residents, and the general public of the accomplishments and goals of the soil conservation district. It may be posted on the SCD website and distributed to all interested parties.

## **Workload and Planning**

The primary responsibility of the board of supervisors is to develop and carry out a program that will result in conservation and protection of soil, water and related natural resources.

Each district official should be familiar with existing or potential problem areas within the district and should take an active role in designing a realistic long-range conservation plan, considering projected workloads, the number and qualifications of district staff available to implement the plan, and the number of programs the district is currently addressing. Long-range plans should be reviewed and updated a minimum of every three to five years.

An annual work plan can be designed to address relatively short-term goals within the long-range framework and new issues or programs in a timely manner.

The process of doing long-range and annual planning provides an excellent opportunity for the board to include all cooperating agencies, groups, or individuals with interest and responsibilities in conservation, planning and implementation of a program broad enough in scope to achieve the desired results.

The annual plan of work should be used as a measuring stick throughout the year. It should be reviewed monthly, and should be amended as new priorities, programs, or problems arise. Both MDA and NRCS use the district's annual plan of work to direct resources appropriately. It is important to remember that the annual plan of work and the budget are closely interrelated. Securing of funds is justified by documentation of program needs or activities in the work plan.

## **Financing**

In Maryland, districts are funded mainly by state and county governments. They receive grant monies for operations, equipment and personnel, and may obtain additional funding by charging fees for sediment plan reviews, sponsoring activities that raise funds, and administering projects for cooperating agencies.

MDA's Office of Resource Conservation (RC) provides the major portion of state support to most districts. Each district submits an annual budget request to RC, stating its anticipated needs for the coming year. District financial statements are prepared monthly showing expenditures of state and districts funds. Each district in Maryland receives support and is assigned staff from RC.

Districts may also receive support directly or through fee schedules from county governments for review and approval of control plans and from cooperating agencies for administering and supervising other types of conservation programs.

## **Committees**

Use of committees can be an effective means of carrying out different parts of a district program. Committees are appointed by the chairman of the board of supervisors to plan, direct or implement an activity and are given specific responsibilities. Membership is not limited to supervisors and may include people with interests and skills in the specific area to be addressed by the committee.

Below are examples of the kinds of committees a district might use most often. Do not be limited by this list. Districts may create committees appropriate to any kind of activity.

1. ***Program Planning and District Operation***

*Activities* – See that an annual work plan is developed; contact and make arrangements for all involved parties to participate in program planning; ensure review and revisions of long-range plan.

2. ***Finance***

*Activities* – Prepare annual budget and document-specific budget requests; review district personnel and equipment needs in order to make necessary budgetary adjustments.

3. ***Information and Education***

*Activities* – Promote the use of district programs and services available to the community; publish a district newsletter; sponsor natural resource education activities; provide news releases, articles, and pictures to the news media; make radio and TV appearances; promote and sponsor conservation essays or similar contests; develop and support conservation education programs in schools; arrange for conservation tours and demonstrations; hold an annual cooperator's meeting; purchase cooperator and roadside signs; furnish displays for schools, fairs, and special

events; promote soil judging; sponsor a local Envirothon or sponsor youth to forestry and conservation camps; and distribute conservation materials and booklets in schools.

4. ***Legislative***

*Activities* – Provide information and network with county legislators and administration. Work with the Maryland Association of Soil Conservation Districts (MASCD) and the National Association of Conservation Districts (NACD) to sponsor and promote needed legislation regarding conservation, agricultural and water quality issues. Schedule regional legislative meetings, workshops, or conservation tours to educate local, state and federal lawmakers.

5. ***Watershed***

*Activities* – Assist local residents and county government in developing watershed plans or projects. Assist in organizing and administering watershed protection associations and implementing watershed projects such as those described under the Total Maximum Daily Load (TMDL).

6. ***Land Use***

*Activities* – Promote conservation and the wise use of land. Work with county and local planning and zoning officials to assure soil conservation and water quality issues are appropriately addressed; review development plans for sediment control, stormwater management and local program compliance; and assist landowners participating in agricultural land preservation and protection programs.

7. **Youth**

*Activities* – Sponsor soil judging and Envirothon competitions; encourage participation of 4-H, FFA, Vo-Ag and high school students; help develop study materials and select sites for judging; see that winners and participants receive recognition and awards; work with the Maryland Agricultural Education Foundation to deliver agricultural education to schools; organize youth boards of supervisors to plan youth conservation districts; assist youth groups in conservation work; and involve youth in all phases of conservation through outdoor education, essay, public speaking or poster contests and sponsor conservation “camps” or activities.

8. **Grants**

*Activities* – Identify opportunities for funding district programs, staff, projects or activities. Develop or collaborate on grant proposals.

9. **Awards**

*Activities* – Develop programs to recognize local individuals and organizations that have contributed to the success of district programs. Work on annual awards banquet and recognize local conservation leaders by nominating these individuals for other state, regional, and national award programs.

These committees, plus others determined by individual districts in response to unique needs, can be a valuable tool in accomplishing district goals.

## DISTRICT SUPERVISORS

In Maryland, each soil conservation district is governed by a five member board of supervisors. To become a supervisor, you must be a resident of the district you serve, interested in conservation, and willing to perform the duties required by the district.

### How Supervisors Are Appointed

Supervisors are appointed to represent farming, forestry, wildlife, suburban/urban interests, and other natural resource interests or disciplines needed to accomplish the goals of the district. The individual district can initiate recruitment to fill knowledge or experience gaps. The methods of appointment are as follows:

**County Appointment** – A district resident is appointed by the county governing body to serve at the pleasure of that body. In counties with an executive and legislative branch of government, the appointment is made by the executive and approved by the legislative branch.

**County Farm Bureau Nominee** – One supervisor is appointed by the State Soil Conservation Committee (SSCC) from a list of three (3) district resident nominations submitted by the county Farm Bureau.

**County Extension Nominee** – One supervisor is appointed by the SSCC from a list of three (3) district resident nominations submitted by the county Extension office.

**At-Large** – Two supervisors are appointed by the SSCC from among residents of the district. Nominations are generated by public notice to district residents in local newspapers.

Supervisors appointed from nominations put forward by the county Farm Bureau or Extension office are expected to act as a liaison between the SCD and the respective nominating body.

The term of office of each SSCC appointed supervisor is five (5) years. Each supervisor holds office until a successor is appointed and qualifies. Vacancies are filled for any unexpired term by appointment in the same manner as for the full term.

The SSCC may remove a supervisor from office, upon notice and hearing, for neglect of duty or malfeasance in office. In addition, any supervisor who fails to have attended 50 percent of regular meetings of the board within any twelve consecutive months shall be considered to have resigned. The appointing body may reinstate the supervisor to office if the reasons for absence are found to be satisfactory.

### **Responsibilities of Supervisors**

Upon taking the Oath of Office as an appointed government official, the conservation district supervisor assumes a solemn obligation to the citizens he/she represents to carry out a sound natural resource management program.

Conservation district supervisors are important to the success of the district. They direct the conservation program at the local level and must provide strong leadership necessary to involve landowners and occupiers in effective voluntary land management programs, while fostering a commitment to soil conservation and water quality.

District supervisors should seek to develop a strong and credible working relationship with local government officials in the district's jurisdiction, including planners, zoning administrators, county commissioners and executives, mayors, city managers, and city council members. Similar contacts should be developed and strengthened with major farm organizations such as Farm Bureau, Grange, Farm Service Agency (FSA) county committees, organizations operating in the conservation or environmental arena and with Chamber of Commerce officers, independent realtors, developers and agricultural private industry.

District supervisors should be aware of local and statewide programs and issues. They must be willing to commit the time and effort required to assess district operations, develop overall policies and strategies to accomplish short and long-range goals, and to provide district staff with the guidance and supervision necessary to attain the district's stated objectives as defined by law and according to agreements or memorandums of understanding entered into with other federal, state, or local agencies to implement specific plans, activities, or programs.

As an individual, or as a member of the district board, supervisors have the following responsibilities:

### **Administrative Responsibilities**

1. Attend and participate in all board meetings and functions.
2. Accept the responsibilities of any office to which you are elected on the district board. Serve on committees, actively participate in planning and executing activities or programs and fulfill all offices and responsibilities to the best of your ability.
3. Cooperate with fellow board members in establishing and implementing district policies.
4. Review and approve conservation agreements, particularly memorandums of understanding (MOUs) with MDA, NRCS, UME, FSA, DNR, MDE and any other state, county or federal entities working with the district.
5. Develop and execute a sound conservation program, (annual plan of work). This plan should prioritize programs and projects to be accomplished, establish goals and time frames, and address SCD mission in terms of preventing potential erosion, protecting water quality and fostering natural resources and their management. Supervisors set priorities for staff workload and should require progress reporting on at least a quarterly basis throughout the year.

6. Develop an annual budget that covers all aspects of the proposed conservation program (annual plan of work) for presentation to various funding sources including federal, state, and county governments. This budget should include operating funds, equipment, and staffing needs. Each supervisor should be knowledgeable and aware of the needs of the district office and be willing to work with various funding sources to obtain the necessary support to achieve district objectives.
7. Become thoroughly acquainted with Maryland's soil conservation, water quality, and related natural resource laws.
8. Assure complete and correct minutes of meetings. Keep and maintain records of district business.
9. Hold an annual election of SCD officers.
10. Establish sound business procedures required for adequate accounting and financial management of the district's fiscal affairs, in accordance with state law.
11. Provide for an annual review of revenues and disbursements of district accounts in accordance with state law.
12. Discharge duties and responsibilities with integrity, avoid conflicts of interest, and refrain from using office for personal gain.

### **Program Responsibilities**

1. Participate in developing, publishing, and distributing an annual report of district activities and accomplishments.
2. Keep informed on legislation, programs and policy of county, state, and federal government pertaining to conservation matters, in particular, and environmental matters, in general. This includes maintaining contacts with local, state, and national public officials to keep them informed of SCD and landowners' viewpoints and concerns.

3. Participate in planning and conducting meetings for district cooperators on proposed laws, regulations, programs and policies concerning and/or affecting conservation or natural resource management.
4. Enroll district residents and landowners as cooperators and assist them in achieving their natural resource management goals.
5. Be willing to maintain an active membership in the National Association of Conservation Districts (NACD) and the Maryland Association of Soil Conservation Districts (MASCD). Attend and participate in national, state, and area association meetings.
6. Maintain close contact with the State Soil Conservation Committee, the MDA Office of Resource Conservation area coordinator, and the NRCS state conservationist, all serving as advisors to your district.
7. Avail yourself to formal and informal training opportunities sponsored by SSCC to expand your knowledge and capacity as a conservation leader. Attend workshops, seminars, webinars and field days to keep up to date on conservation programs, issues, technologies and policies.

### **Information and Education Responsibilities**

1. Publicize district activities through personal contacts, local news media, newsletters, websites, social media, brochures, exhibits, posters, etc.
2. Promote conservation through district-sponsored activities such as contests, exhibits, demonstrations, and field days.
3. Inform prospective cooperators concerning the types of assistance and variety of programs available to help implement conservation and natural resource management measures.
4. Encourage and invite representatives of other conservation related organizations to attend and participate in district

- meetings, particularly when matters on the agenda include projects and programs pertinent to their field of work or mission.
5. Set an example for others by applying and maintaining sound conservation measures on your own land.
  6. Encourage participation and inclusion of associate supervisors in district activities.
  7. Inform all constituents of the importance and role of the SCD by providing programs and educational information to agricultural organizations, civic groups, youth, environmental interests and others.
  8. Invite key community people or county representatives to participate or collaborate on programs, activities or issues affecting soil conservation and water quality.
  9. Encourage and support soil conservation and water quality education in local school systems in the district. Participate in or provide sponsorship for an annual essay, public speaking, Envirothon and/or other educational programs.
  10. Provide conservation materials to school libraries; participate in soil stewardship observances by providing educational materials to community organizations and sponsoring activities recognizing soil stewardship week.
  11. Promote and encourage conservation projects and contests through youth groups such as 4-H, FFA, Boy Scouts, and Girl Scouts.
  12. Promote conservation tours, forums, and workshops both within your district and in other areas or states.

District supervisors are and will continue to be responsible for an ever increasing number of important duties, including plan development and implementation, budget development and submittal, staff supervision, and attendance at MASCD and NACD meetings and informational seminars and workshops.

Because of the importance of active participation in *all* district activities, it is the responsibility of *all* supervisors to be aware of current issues, and to participate in the decision-making process fully.

## Ethics

A supervisor holds a public office and although not required by the State Ethics Commission to file disclosure forms, is still required to act ethically and honestly in discharging his/her responsibilities and to avoid using his/her office for personal gain. Specifically, this includes:

- **not** using his/her position to gain priority or additional benefits which are not available to others or in connection with private business ventures;
- **not** using information obtained in the course of a supervisor's official duties for personal gain; and,
- **not** soliciting a personal gift or accepting a personal gift from a person or businesses that are under the jurisdiction of the district, or are negotiating or doing business with the district. *This prohibition does not apply to meals, beverages, gifts less than \$50, or gifts solicited on behalf of the SCD or an activity sponsored by the SCD.*

Additionally, a supervisor shall ensure the highest standards of conduct and competence for all who administer or deliver service in district programs. A supervisor shall avoid any conflict of interest and disclose promptly to the board of supervisors any financial or other matter that appears as a conflict of interest.

Supervisors shall disqualify themselves from participation in discussion and votes on matters where the outcome would have a direct economic impact on the supervisor, his or her spouse, siblings, parents, or children and in matters concerning any business entity in which the supervisor is an officer, director, trustee, partner, employee, or a party to an existing contract. *(An exemption may be made if there is not a quorum, there is no other official who may act, or if the nature of the conflict is disclosed to the board, and is minor.)*

Certain employment or financial interests are prohibited as a condition of accepting the office of a supervisor including:

- Outside employment or any financial interest that would impair the impartiality or independent judgment of the supervisor.
- Financial interest that may cause a perception of receiving benefits in a manner distinguishable from the public generally because of the performance or non-performance of the supervisor's official duty.
- Exceptions include when the outside employment or interest would not affect the supervisor's official duties and is necessary in order to obtain uniquely qualified supervisors.
- This prohibition does not apply to employment held at the time of appointment that is disclosed to the board.

### **Fiduciary Responsibilities**

As public officials, supervisors are charged with assuring proper management and expenditure of public funds. All SCD fund sources are considered public funds. These include fees collected, money collected through fundraising activities, funds received from county, state or federal sources to deliver or administer programs or activities and donations. Public funds must be spent for programs and activities that are consistent with the SCD's mission to promote and support soil conservation and the protection of natural resources. *Remember the supervisor's obligations as a public official. It is the responsibility of any supervisor who finds it impossible to fulfill these obligations because of poor health, lack of time, or any other reason, to resign from office in order to assure the effectiveness of the district.*

### **Liability**

Soil conservation district supervisors and their employees receive immunity under the District Tort Claims Act (Art. § 5-346, *Annotated Code of Maryland*). The Act indicates that district supervisors and their employees are immune from suit for negligent work done within the normal scope of their duties, provided the neglect does not amount to

malice or gross negligence (intentional or willful misconduct). The Act also indicates the financial limit of the district's liability and provides a fund source for the payment of any judgment.

### **Associate Supervisors**

Districts are encouraged to recruit associate supervisors as valuable additions to the board. Associates are nonvoting, volunteer members of the district board of supervisors. The SCD establishes guidelines or terms of participation for associate members. Associates assist the district by contributing time, knowledge, and information helpful to developing and implementing the district's soil conservation and water quality programs and responsibilities. In addition, an associate supervisor gains valuable experience and may use his/her tenure as a training opportunity for the position of district supervisor in the future.

Following is a suggested list of guidelines for the selection of associate supervisors and their assigned responsibilities. It is suggested that associate supervisors be appointed at least annually and that an evaluation of their contributions be conducted prior to reappointment.

An associate supervisor shall:

1. Be appointed by the district board of supervisors.
2. Be a resident of the district and be interested in soil conservation, water quality, and related natural resource management issues.
3. Attend at least five (5) meetings of the board of supervisors in a 12-month period.
4. Be familiar with the guidelines set forth in the handbook.
5. Actively participate in one or more SCD activities or committees to advance the work of the SCD.

Associate supervisors are not eligible under state law to receive per diem or reimbursement of mileage. However, if the board wishes an associate supervisor to attend the meetings of the Maryland Association of Soil Conservation Districts, mileage, meals, and lodging expenses may be reimbursed by the district if:

1. The associate supervisor has demonstrated, through attendance and involvement, a productive, continuing interest in district activities; and,
2. There are sufficient district (not state) funds available to reimburse the entire expense or any portion thereof as determined by the district.

## STATE SOIL CONSERVATION COMMITTEE

The State Soil Conservation Committee (SSCC) is responsible for appointing four of the five soil conservation district supervisors, including nominees submitted by Farm Bureau, University of Maryland Extension, and two at-large nominees received by the Committee directly from the public.

In addition, the SSCC is responsible for developing, formulating, reviewing, and refining policies concerning soil conservation and water quality matters and providing liaison with all agencies involved in any aspect of conservation of soil, water, and natural resources.

### **Membership**

There are 15 members on the State Soil Conservation Committee representing the districts and all state and federal level cooperating agencies and entities involved in district programs.

### **Voting Members**

According to state law, the following (or their representatives) are voting members of the SSCC:

1. Secretary of the Maryland Department of Agriculture
2. Secretary of the Maryland Department of Natural Resources
3. Secretary of the Maryland Department of the Environment
4. President, Maryland Association of Soil Conservation Districts
5. Chairman, Maryland Agricultural Commission
6. Vice President of Agricultural Affairs, University of Maryland
7. Five (5) soil conservation district supervisors are appointed by the Maryland Secretary of Agriculture to represent the following geographic areas of the state:

WESTERN MARYLAND – Allegany, Carroll, Catocin, Frederick, Garrett, and Washington County SCDs

CENTRAL MARYLAND – Baltimore County, Cecil, Harford, Howard, and Montgomery SCDs

SOUTHERN MARYLAND – Anne Arundel, Calvert, Charles, Prince George's, and St. Mary's, SCDs

UPPER EASTERN SHORE – Caroline, Kent, Queen Anne's, and Talbot SCDs

LOWER EASTERN SHORE – Dorchester, Somerset, Wicomico, and Worcester SCDs

### **Advisory Members**

1. Director, University of Maryland Extension
2. State Conservationist, Natural Resources Conservation Service  
(*State Office*)
3. Director, Farm Service Agency (*State Office*)
4. Director, Agricultural Experiment Station, University of Maryland.

In addition to the foregoing advisory members, the immediate past chairman of the SSCC may be asked to serve at the discretion of the current chairman.

### **Powers of the State Soil Conservation Committee**

***Appointment of Supervisors*** – The SSCC appoints four of the five members of a district board of supervisors. The fifth is appointed by county government.

***General Powers*** – The SSCC may perform acts, hold public hearings and, subject to the approval of the Secretary of Agriculture, adopt rules and regulations necessary for the execution of its functions.

***Delegation of Powers and Duties*** – The SSCC may delegate to its chairman or any member any powers and duties it deems proper.

In addition to the appointment of supervisors, development of state level conservation and water quality policy, coordination of programs and resolution of issues between agencies and districts, the SSCC is charged with the following duties. The SSCC shall:

1. *Develop policies for SCDs and/or advise MDA of soil conservation, water quality, or natural resource policies and programs.*
2. *Adopt an official seal which shall be recognized legally.*
3. *Provide assistance, advice, and training programs to supervisors of soil conservation districts.*
4. *Keep supervisors of each district informed of the activities and experience of the other districts and facilitate cooperation and interchange of advice and experience between districts.*
5. *Coordinate the programs of several SCDs by advising and consulting with the districts.*
6. *Secure federal, state, and local agency assistance, resources, and cooperation for district work.*
7. *Disseminate information throughout the state concerning district soil conservation and water quality activities and programs, making information available to all interested parties concerning specific initiatives undertaken by Maryland districts.*
8. *Keep a full and accurate record of all SSCC proceedings, rules, regulations, and orders issued or adopted.*

## SOIL CONSERVATION DISTRICT PARTNERS

The district is made of up a three-way partnership of federal, state, and local agencies. The continuation of this working relationship is vital to the work of soil and water conservation. The following agencies are integral working parts of a multi-agency team effort to protect and preserve natural resources:

**Maryland Department of Agriculture (MDA)** is responsible for administering state agricultural soil conservation and water quality programs. Districts work closely with MDA's Office of Resource Conservation and the State Soil Conservation Committee to accomplish soil conservation and water quality goals.

**The Office of Resource Conservation (RC)** provides a range of educational, financial, technical assistance, and regulatory programs to support Maryland agriculture and protect natural resources. Five key areas – Program Planning and Development, Conservation Grants, the Nutrient Management Program, Conservation Operations and the Watershed Implementation Program are managed by RC. The Office implements state programs and policy and provides guidance and support in the form of grant monies, personnel, and equipment to assist districts in implementing programs and practices designed to control soil erosion, improve water quality and address agricultural nonpoint-source pollution. RC also administers a number of financial assistance programs with the Maryland Agricultural Water Quality Cost-Share (MACS) Program being the primary vehicle for state support to agricultural BMP installation. In addition, it houses and provides staffing assistance to the State Soil Conservation Committee.

**State Soil Conservation Committee** provides statewide liaison and develops overall policy to guide district activities and the state's agricultural soil conservation and water quality programs. The SSCC appoints supervisors and provides them with the information and training to help accomplish district goals.

**USDA Natural Resources Conservation Service (NRCS)** is a federal agency under the United States Department of Agriculture. The mission of NRCS is to provide national leadership in the conservation and wise use of soil, water, and related resources through a balanced cooperative program that protects, restores, and improves these resources. To carry out its mission, NRCS has created a network of conservation specialists to help people understand and protect their land. NRCS staff includes soil conservationists, soil conservation technicians, soil scientists, agronomists, biologists, plant materials specialists, resource conservationists, engineers, civil engineer technicians, and soil conservation engineering technicians.

NRCS administers USDA financial assistance programs aimed at resource protection and cooperatively works with the USDA Farm Service Agency to deliver USDA conservation programs.

Through Maryland's 24 soil conservation districts, NRCS provides technical assistance to help individuals, groups, organizations, and units of government conserve and protect soil and water resources. At the district level, NRCS soil conservationists and technicians provide on-site assistance. They are trained to help land users select, adopt and install conservation practices and systems to solve natural resource problems. NRCS also provides the necessary technical training and oversight for all district employees.

**Maryland Department of Natural Resources (DNR)** is responsible for the protection, proper management and enhancement of the state's diverse natural resources. DNR coordinates natural resource activities in the state. These DNR units interact frequently with soil conservation districts:

***Chesapeake and Coastal Services*** personnel work with other state agencies on Chesapeake Bay issues and administer grant programs that may be utilized by the soil conservation districts to advance their programs.

***Forest Service*** personnel work closely with districts to ensure inclusion of forest management recommendations on private land. Assistance is available to help farmers carry out reforestation practices, establish riparian forest buffers, develop stewardship plans, and plant cut-over woodlands. Technical assistance is also provided to enable forest harvest operations to comply with the state's sediment control program. The Forest Service manages programs to provide financial assistance to landowners implementing certain forestry management plans or practices.

***Chesapeake and Atlantic Coastal Bays Critical Area Commission*** oversees local programs requiring specific land management requirements be followed in the area comprising lands within 1,000 feet of tidal waters and wetlands in Maryland. Agricultural land is required to develop and implement a soil conservation and water quality plan to achieve compliance with this law.

***Wildlife and Heritage Service*** provides information about wildlife management on private land. It also regulates land management activities relating to rare and endangered species.

**Maryland Department of the Environment (MDE)** is the state's principal water pollution control agency charged with prevention, abatement and control of pollution of waters of the state. MDE is the lead agency for addressing Total Maximum Daily Load goals for the state imposed by the U.S. Environmental Protection Agency (EPA).

There are a number of specific MDE programs that interface with SCD programs and responsibilities. State law authorizes SCDs to review and approve erosion and sediment control plans for land disturbance activities. This long-standing responsibility was expanded allowing SCDs to step in to assist MDE with compliance issues. Roles vary and are electively carried out under a formal agreement between an individual SCD and MDE. Effective in 2010, the state also gave SCDs responsibilities for coordinating sediment control review and approval with stormwater requirements.

MDE issues permits for a number of activities that affect agricultural operations—both agricultural production and implementation of BMPs. SCDs have legally authorized roles and responsibilities in some of these MDE programs such as non-tidal wetlands protection and dam safety and authorization under general permits to assist farmers to address resource protection standards, certain BMPs or related activities. SCDs work cooperatively with MDE and MDA to resolve agricultural water quality problems and provide assistance to farmers to assure compliance with National Pollutant Discharge Elimination System (NPDES) permits for concentrated animal feeding operations (CAFOs).

Some programs are further described under district programs. SCDs interface with MDE on a number of other programs including:

- Construction in the 100 Year Floodplain*
- Dam Safety Program & Small Pond Approval*
- Enforcement (Water Quality and Air Quality)*
- Mining*
- Non-tidal Wetlands Protection*
- Erosion and Sediment Control*
- Solid Waste /Biosolids (Sludge) Permitting*
- Stormwater Management*
- Water Appropriations*

**County Government** – Districts have developed individual relationships with county governments, depending on the types of services needed by the county. In accordance with their responsibilities for soil erosion control plan review and approval, many Maryland districts receive financial support from counties either directly in the budgeting process or through fee collection. All districts are encouraged to establish good working relationships with county officials and become involved in providing services to local governments as a means of obtaining strong local support.

**USDA Farm Service Agency (FSA)** is the federal agency created to administer several production adjustment and conservation programs, including the Conservation Reserve Enhancement Program (CREP), Conservation Reserve Program (CRP), and certain commodity programs. In addition, FSA administers federal emergency and risk management programs for farmers. Many FSA offices are co-located with soil conservation district offices in most counties to provide better service to agricultural landowners. Districts provide the technical assistance required for many FSA Programs.

**University of Maryland Extension** helps districts handle administrative matters concerning proper documentation of supervisors' nominations submitted to the SSCC for appointment and provides a list of nominees for one of the supervisors. Historically and in some cases today, the Extension county agent serves as secretary of the board of supervisors. Extension may provide materials and information for district educational outreach efforts and conveys the latest research and technology through educational programs including workshops, field days and demonstrations. Topics include management of nutrients, chemicals, and fertilizer by farmers and homeowners, new technologies, pest management, animal husbandry and plant varieties.

**Maryland Association of Soil Conservation Districts (MASCD)**

receives financial support through annual dues from districts and grants. A nonprofit organization, MASCD was formed in 1945 to exchange information and provide a liaison between districts, to cooperate with conservation agencies, and to promote the interest of individuals and organizations in the conservation and protection of soil, water, and other natural resources and work with elected officials to garner support on issues of importance to SCDs.

All supervisors of dues-paying soil conservation districts are members of MASCD. The governing body of MASCD is a board of directors comprised of the chairmen of Maryland's 24 district boards of supervisors. The board of directors meets four times a year; the general membership meets annually in July. Standing committees meet as necessary. Officers of MASCD are elected by the general membership for a two-year term at the summer meeting. The president may serve two terms and the secretary and treasurer may succeed themselves indefinitely.

As members, soil conservation district supervisors are expected to attend all state meetings and to actively take part in MASCD-sponsored programs.

**National Association of Conservation Districts (NACD)** is a national organization representing more than 3,000 member districts organized in all 50 states, Puerto Rico, and the Virgin Islands. NACD has a national office at 509 Capital Court, NE, Washington, D.C. Established in 1946, NACD represents state associations and maintains liaisons with various conservation and environmental organizations, government agencies, and members of Congress, providing information and guidance in conservation matters.

NACD provides districts with a national voice that can be heard in Washington, D.C. It develops national policies on a continuing basis and establishes and maintains cooperative relationships with other organizations and agencies concerned with natural resources.

NACD prepares stewardship materials and other promotional materials that are available to SCDs for purchase. NACD provides information through various mediums on federal legislation and conservation activities across the nation.

NACD is primarily concerned with the conservation of America's land and water resources through local self-government. It provides one voice for soil conservation districts nationwide.

Maryland is a member of the NACD's Northeast Region. Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, and the District of Columbia are also members of the Northeast Region.

***NACD's Board of Directors*** – The Board of Directors is made up of a voting representative from each state association of conservation districts; five nonvoting officers; one nonvoting representative from each NACD geographical region; and one nonvoting representative from the Conservation Technology Information Center. In addition, each state has an alternate representative to the board.

***Northeast Regional Council*** – Consists of the presidents of state associations in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, and the District of Columbia.

***Executive Board*** – The Executive Board is comprised of the officers from the Board of Directors: President, 1st Vice-President, 2nd Vice President, Secretary/Treasurer, one member from each of the NACD geographic regions, one member from the Conservation Technology Information Center, and the Chief Executive Officer, who is a nonvoting member. Executive Board members from each NACD region are elected by a majority vote of the Board of Directors of that region. Election is at the annual meeting of NACD or at the last regional meeting preceding the annual meeting. Directors assume office at the conclusion of the annual meeting.

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

provide technical and financial assistance to local groups to conserve and develop natural resources in Southern Maryland and Western Maryland. Rural, suburban, and urban interests work together to develop programs that meet local needs. NRCS works cooperatively with RC&D. SCDs often are on RC&D boards and work cooperatively on certain projects.

**Soil and Water Conservation Society (SWCS)**, an organization of conservationists and natural resource professionals, was created to “advance the science and art of good land use.” SWCS brings together a multi-disciplined group of conservationists with expertise in soil science, agronomy, biology, engineering, hydrology, forestry, and communications, presenting an integrated and holistic approach to the conservation of natural resources.

There are two chapters of SWCS in Maryland: the Old Line Chapter on the Western Shore and Pocomoke Chapter on the Eastern Shore. District supervisors and staff are encouraged to join. Members receive the outstanding publication, *Journal of Soil and Water Conservation*, and participate in educational tours and conferences.

**Mid-Atlantic Certified Crop Advisors** certify agricultural professionals who demonstrate knowledge, education, and experience in the following fields: soil conservation and water quality, nutrient management, crop management, and pest management. Once certified, individuals must adhere to an ethics standard and take 40 hours of continuing education credits every two years.

## DISTRICT PROGRAMS

Federally funded programs have been available to districts since 1935. Since the 1980s, state supported programs have been added to the list delivered and/or implemented by soil conservation districts. Some of these are:

**Chesapeake Bay Program** – Total Maximum Daily Loads require watershed-based natural resource management plans (WIPs) to achieve nutrient reduction goals and meet water quality standards. SCDs and other agricultural groups participate in watershed teams to help state and county government identify the degree of resource impacts, practical solutions to address these impacts, and realistic goals for achieving them.

**Conservation Reserve Program (CRP) and Conservation Reserve Enhancement Program (CREP)**, administered by FSA, are designed to set aside highly erodible land and other sensitive land by providing rental payments to a farmer for a period of ten to fifteen years. Conservation practices must be installed and erosion must be addressed with BMPs. CREP financial assistance may be provided for practices such as riparian buffers, wetlands and conservation cover. The state also offers cost-share for installation of BMPs and easement purchases and \$100/acre signing incentives under CREP.

**Construction in the 100 year Floodplain** – Waterway construction regulations assure that activities in a waterway or its floodplain do not create flooding on upstream or downstream properties, maintain fish habitat and migration, and protect waterways from erosion. Authorization is required for projects that involve excavation, filling or construction in a floodplain or changing the course, current or cross

section of any stream. A number of agricultural BMPs that may impact floodplains and streams are covered under a general permit that allows them to proceed with SCD design and approval.

**Dam Safety Program & Small Pond Approval** – Any person planning to construct, repair or modify a dam or reservoir in Maryland must obtain a permit from MDE. However, a simplified process exempts persons from the requirement to obtain a permit from MDE if the drainage area to the pond is less than 640 acres; the height of the pond (measured from the upstream toe to the top of dam) is less than 20 feet; and the dam is a “low hazard” structure, the failure of which is not likely to cause loss of life or property damage. Plans for these must be submitted to the local SCD for approval and prepared in accordance with USDA, NRCS Maryland Pond Standard (378).

**Enforcement (Water Quality and Air Quality)** – MDE may investigate water quality or air quality complaints for farm activities in cooperation with MDA and SCDs. Farmers who have problems that do not pose an imminent threat to water quality may be directed to work with the SCD to implement measures to address pollution issues. There is an interagency MOU that describes the process for addressing complaints and enforcement follow up.

**Environmental Quality Incentives Program (EQIP)** is administered by NRCS and delivered through soil conservation districts. Funds are also available to address state-identified areas of concern in all parts of the state. The program provides financial assistance of up to 75 percent for the installation of BMPs, with a maximum of \$450,000 for any individual or entity over the length of the 2014 Farm Bill. Contracts are from one to ten years in length. EQIP and MACS funds may be combined.

**Maryland Agricultural Water Quality Cost-Share (MACS)**

**Program**, established by state law in 1984, helps farmers protect natural resources on their farms and comply with federal and state environmental regulations. MACS provides farmers with grants to cover up to 87.5 percent of the cost to install BMPs on their farms to control soil erosion, manage nutrients, and safeguard water quality. A maximum funding level of up to \$50,000 per project and \$150,000 per farm applies. Farmers receiving MACS funds for animal waste treatment and containment projects may receive up to \$200,000 per project with a maximum of \$300,000 per farm for animal waste management BMPs and an additional \$150,000 for other BMPs. In many instances MACS and USDA funds may be combined to co-cost-share a project.

**Manure Transport Program (MTP)** provides cost-share assistance of up to \$20 per ton to transport manure from animal operations with excess waste or documentation of phosphorus over-enrichment. Cost-share support is administered through MACS.

**Nutrient Management Program** is implemented cooperatively by MDA and University of Maryland Extension. Extension provides technical assistance to landowners on proper management of nutrient sources to the farm. It also provides educational support and information to nutrient management service professionals, the farm community, and general public. MDA administers and funds the statewide regulatory program which certifies nutrient management service providers from the public and private sector. Farmers who have 8,000 pounds or more of animals or gross \$2,500 a year or more are required to develop and implement nutrient management plans that meet state requirements. Farm operators must submit Annual Implementation Reports by March 1 of each year documenting how they implemented their nutrient management plans during the previous calendar year.

**National Pollutant Discharge Elimination System (NPDES) Permit/Confined Animal Feeding Operation (CAFO)** The permit applies to industrial or commercial facilities discharging wastewater into waters of the state. This program addresses both federal and state requirements and includes large livestock and poultry operations (Confined Animal Feeding Operations or CAFOs) defined as discharging to state waters. A related state permit is issued to certain animal operations (Maryland Animal Feeding Operations or MAFOs) that do not propose to discharge but must comply with certain manure management requirements. SCDs provide technical assistance to farmers to assure permit compliance.

**Public Drainage and Public Watershed Associations** were created predominantly on the Eastern Shore to address landowners' drainage needs and problems facing watershed projects. Many SCDs provide technical assistance to PDAs and PWAs during their formation to assure proper operation and maintenance. Enabling legislation was enacted in 1941 and 1959 to authorize the creation of respectively Public Drainage and Public Watershed Associations and revised in 1994. These laws outlined a process whereby a number of property owners could pool resources to address a common need best addressed on a watershed scale.

PDAs have the power to tax the benefited landowners for their proportionate share of the costs to maintain the drainage system. They have power to borrow money and to condemn property. PDAs are used on the Eastern Shore of Maryland for agricultural drainage. On the Western Shore of Maryland, PDAs are used for constructing drainage systems, water supply dams, and stormwater detention dams.

Regulations require PDAs to complete inspection reports and submit operation and maintenance plans to MDA.

**Sediment and Erosion Control Program** – Regulatory requirements and technical standards and specifications are developed under the authority of MDE. SCDs (except Montgomery SCD) have review and approval authority for plans related to private land disturbance activities within county boundaries including forest harvesting.

**Stormwater Management Program** requirements effective in 2010 require SCDs to manage and link reviews of sediment and erosion control plans and stormwater plans to assure consistency and affirm they meet MDE regulations including Environmental Design Standards. SCDs are the local custodians of stormwater applications and provide public access to information during the review and permitting process. SCDs provide assistance to agricultural operations that are subject to stormwater requirements for disturbances exceeding one (1) acre.

**Wetland Protection (Non-tidal)** – MDE issues permits for activities, but the law identifies SCDs as responsible for assisting farmers who have projects that could impact non-tidal wetlands. SCDs delineate wetlands and determine whether an agricultural activity will adversely impact a non-tidal wetland and if BMPs or mitigation will be required under a Soil Conservation and Water Quality Plan. SCDs also review and approve forestry activities under the sediment and erosion control review and require BMPs if necessary to protect wetlands.

**Agricultural Conservation Easement Program (ACEP)** is administered through NRCS and provides financial and technical assistance to landowners seeking to restore, protect, and enhance non-tidal wetlands. Payment includes compensation for a wetland easement

as well as all costs associated with recording the easement in the local land records office—recording fees, charges for abstracts, survey and appraisal fees, and title insurance. Through the wetland reserve enrollment options, NRCS may enroll eligible land through: permanent easements, 30-year easements, term easements, and 30-year contracts.

*Additional information and publications describing these programs may be obtained from MDA's Office of Resource Conservation.*

AGRICULTURE  
TITLE 8  
SOIL CONSERVATION  
§ 8-101 - § 8-705

*The Annotated Code of Maryland can be found at  
<https://www.lexisnexis.com/hottopics/mdcode/>*



**Maryland  
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