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Holding Soil and Water : The How and Why of Soil Conservation Districts

South Dakota State University Cooperative Extension

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Recommended Citation

Cooperative Extension, South Dakota State University, "Holding Soil and Water : The How and Why of Soil Conservation Districts" (1933). *SDSU Extension Special Circulars*. 10.

https://openprairie.sdstate.edu/extension_special-circ/10

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No. 50
Rev. 1949

1. What Is a Soil Conservation District?

A soil conservation district is a legal subdivision of the state organized under the 1937 South Dakota Soil Conservation Districts Law as amended. It is given authority to prepare programs, plans and procedures for cooperative action in conserving the soil and water resources of the area, and to promote proper land use.

2. What Are the Purposes of a Conservation District?

The purposes are to provide for the conservation of soil and soil resources and for the control and prevention of soil erosion; to preserve the natural resources; control floods; preserve wildlife; protect the tax base; and to promote the health, safety and general welfare of the people of the state; and to do all of this in a systematic, effective and economic manner.

3. What Are the Functions of a District?

A district provides assistance to individual farmers and ranchers in planning and executing a soil conservation program. This assistance is based upon a soil and erosion survey and upon proper land use; and is governed by the amounts and kinds of assistance available and the needs and desires of the cooperating farmers.

4. How Is a Soil Conservation District Organized?

The state law sets up the procedure for organizing a soil conservation district as follows: 1. Petitions signed by land owners are submitted to the State Soil Conservation Committee. 2. The State Committee holds a hearing in the area to determine if there is need for the creation of a district. 3. If the committee determines favorably, from the evidence submitted at the hearing a referendum is held, in which the landowners vote. And two-thirds of the votes must be favorable if the district is to be created.

5. Who Are the Members of the State Committee?

The State Soil Conservation Committee is created by the state law. This law provides that the Director of Extension, Director of the Experiment Station, Commissioner of School and Public Lands, Secretary of Agriculture and three farmer members appointed by the governor, shall be the state committee. The State Conservationist acts on this committee and serves as its secretary.

6. What Are Their Duties and Powers?

The State Committee holds hearings, referendums, elections, offers assistance to district supervisors, keeps the supervisors informed of the activities and experiences of other districts and helps to obtain assistance from federal, state and local agencies for the district. They have no authority to determine the activities of districts after they are established.

7. Who Are the District Supervisors?

The supervisors are five farmers and ranchers of the area who become the governing body of the district. Two of them are appointed by the state committee and three are elected by the land occupiers of the district. They serve for terms of three years, except the first two years, when two serve for one year and two for two years. A supervisor receives no compensation, but is entitled to expenses from the district, provided the district has funds available.

8. Do the Supervisors Have Any Taxing Power?

No. District Supervisors have no authority to levy taxes, issue bonds or incur indebtedness. Districts are not established to increase tax loads, but to protect the tax base, which is the land. They may make loans from the Soil Conservation District Revolving Fund on a reimbursable basis, and in accordance with the policies and procedures set up by the State Secretary of Agriculture. This revolving fund was created by the 1949 legislature.

9. What General Procedures Do Supervisors Follow?

District supervisors prepare a program which states their problems and objectives, and then they work out a plan of operation which lists the procedures they plan to follow in order to accomplish these objectives. They request help from private sources or from local, state or federal agencies who are able to help them. When this assistance is obtained they sign voluntary cooperative agreements with local farmers who desire conservation plans on their farms.

10. What Assistance Is Available to Supervisors?

The type of assistance depends on the conservation problems; the amount of assistance depends on the availability of resources from the cooperating agencies. The districts in operation in the state have received some skilled help and equipment to assist in their operations.

11. What Help May Groups Planning a District Obtain?

The county extension agent and the state extension service will be glad to explain the district organization procedure and to aid local groups in determining whether or not the district set up offers a solution to existing problems.

12. How Large or Small Should a District Be?

There is no regulation governing the size of a district. Districts now organized vary in size from a little under 200,000 to over 1,000,000 acres. Experience has shown that they are easier to administer when confined to one county.

13. How May Additional Territory Be Added to a District?

The state law makes it relatively easy for additional areas to be added to existing districts. The procedure for adding new territory to an existing district is by petition, hearing and referendum. Some districts have made as many as seven additions.

14. Do Districts Interfere with Land Use Planning?

No. The data gathered and the problems analyzed by the planning committees may lead to the organization of a district, as one of the action phases of the program. Districts have been organized and enlarged in counties doing intensive land use planning, and the planning committees have taken the lead in the organization.

15. How May a District Be Discontinued?

After three years any 25 landowners may petition that the operations of the district be terminated and the existence of the district discontinued. A referendum is held and if a majority of landowners voting are in favor of discontinuance, the affairs of the district are terminated.

16. Is Everyone in the District Required to Cooperate?

No. No one is required to cooperate with the supervisors. Cooperation is accomplished only by voluntary action of the land occupiers. Land use regulations, however, may be adopted to govern the use of lands within the districts in the interest of conserving soil and preventing and controlling soil erosion.

17. How Are Land Use Regulations Enacted?

They are enacted by a two-third majority of votes cast, such votes to represent at least two-thirds of the land area of the district. Even after a land use regulation receives the majority approval the supervisors may withhold putting it into effect. The law also provides for a board of adjustment to safeguard the rights of the individual to the fullest possible extent.

18. Have Any Land Use Regulations Been Proposed?

No. District supervisors are conducting a voluntary program to conserve soil and moisture. Their resources have been pushed to the limit in an attempt to keep up with the number of applications received. No land use regulations have been proposed in any of the 49 South Dakota districts.

19. Where Are Copies of the Law Available?

Copies of the law may be obtained by writing to the Extension Soil Conservationist, Brookings, S. D.; Ross D. Davies, Secretary, State Soil Conservation Committee, Huron, S. D.; or by requesting them from your local county agent.

20. How May an Individual in a District Obtain Help?

By making application to the supervisors he may obtain technical help for assisting in the development of a conservation plan for his farm which may include contour farming, water spreading, tree planting, dam construction, gully control and grassed waterways or whatever practices he and the supervisors agree are best suited to the farm. He may also have the use of the equipment or material, which the supervisors have at their disposal.

21. What Are the Provisions of a Typical Agreement?

The average cooperative agreement between the farmer and the district supervisors lists what is to be done, where it will be done, when it will be done, and who is to do it. These agreements may be amended at any time to include new conservation measures or to change their provisions.

22. What Is the Cost to the Individual Operator?

The cost is based on the amount of the conservation practices that the individual intends to do and the amount of assistance the supervisors are able to give. These figures are all computed in advance so that each cooperator knows the cost before he signs the agreement or has the work done. Many farms may need little or no assistance.

23. Do Individuals Sign Government Agreements?

No. The supervisors, as the governing body of the district, sign an agreement with the cooperating farmer or rancher. No agreements are signed between the cooperator and any governmental agency. Cooperating agencies make their resources available to the supervisors with one general agreement.

24. How Many Districts Are There in South Dakota?

On July 1, 1949 there were 49 districts-operating in South Dakota, covering about 60 per cent of all farm and ranch lands in the state. The map on the front cover shows the 49 districts.