

Marion Soil and Water Conservation District USDA Conservation Plan Review Policy

Purpose: Oregon's Soil and Water Conservation Districts are invited to provide input and take board action on conservation plans provided by the Natural Resources Conservation Service (NRCS).

The Marion Soil and Water Conservation District (SWCD) shall use the following procedures and criteria to evaluate conservation plans for USDA Programs including but not limited to:

- Conservation Reserve Program (CRP) General and Continuous
- Conservation Reserve Enhancement Program (CREP)
- Environmental Quality Incentive Program (EQIP)
- Grassland Reserve Program (GRP)
- Wetland Reserve Program (WRP)
- Wildlife Habitat Incentives Program (WHIP)

The Directors shall follow the procedures and criteria as listed below.

- 1) Conservation plans shall be reviewed and acted upon according to procedures in 2 (a) and 2 (b) below at a sanctioned SWCD board meeting. When necessary the board may also choose to use procedure 2 (c).
- 2) The conservation plan will be reviewed in one of three ways:
 - a) **Open Session.** This method is strongly preferred by the Directors based on public review for public funds expended. In order to review a plan in open session, an individual must provide written permission stating that he or she has given the Directors authorization to review and discuss certain details of their plan. An individual is encouraged to attend the open session but is not required to do so.
 - b) **Closed Executive Session.** An Executive Session may be held to discuss aspects of the plan that an individual did not give his or her permission to discuss in open session. The Directors may find it necessary to review and discuss this information in order to help them make a decision regarding the plan in open session. The Directors shall determine who will be permitted to attend the executive session. All others will be asked to leave temporarily until the board resumes the open session. Once the board reconvenes the open session, the Directors must have written permission from the individual to state at the least the name used on the conservation plan in order for the board to take any official action. Official action by the board may include either approving, not approving, recommending or not recommending to write a letter of support based on what USDA program the plan falls under.
 - c) **No Written Permission.** If an individual does not give the board written permission to disclose any information about his or her plan in open session, then the board may delegate the authority to a director or directors to review and sign the plan on behalf of the board.
- 3) A Conservation Plan shall be evaluated on the following criteria:
 - a) The plan meets the individual's conservation, environmental and economic objectives.
 - b) The plan meets one or more of the District's resource concerns as stated its Business Plan.
 - c) The practices are necessary and will treat the identified problem(s).
 - d) The practices are feasible.
 - e) All necessary permits, land rights, water rights, and other assurances are expected to be obtained with minimal difficulty or already have been obtained.
 - f) The project does not have any direct off-site negative impacts to neighboring properties.
 - g) Other special districts, i.e. a water control district, in the project area has been contacted and proof of contact has been submitted to the Marion Soil and Water Conservation District prior to the board reviewing the plan.
- 4) The District Chair shall be authorized to sign conservation plan revisions, if the District Manager and the Chair in consultation with NRCS determines that the revisions are minor and limited in scope.
- 5) This policy can be amended at any time at a regularly sanctioned District meeting.

This policy was adopted unanimously by the Board of Directors at its regularly scheduled meeting on September 3, 2003.

Adopted: September 3, 2003
Approved: September 3, 2003

Marion Soil & Water Conservation District



Ralph Fisher, Chair

Marion Soil and Water Conservation District USDA Conservation Plan Review Procedures

Purpose: Oregon's Soil and Water Conservation Districts are invited to provide input and take board action on conservation plans provided by the Natural Resources Conservation Service (NRCS).

The Marion Soil and Water Conservation District (SWCD) shall use the following procedures to review and approve conservation plans for USDA Programs including but not limited to:

- Conservation Reserve Program (CRP) General and Continuous
- Conservation Reserve Enhancement Program (CREP)
- Environmental Quality Incentive Program (EQIP)
- Grassland Reserve Program (GRP)
- Wetland Reserve Program (WRP)
- Wildlife Habitat Incentives Program (WHIP)

The Marion SWCD and NRCS Staff shall follow the procedures listed below when preparing to mail conservation plan information for review by the elected board members prior to any board meeting.

- 1) Give general background information and list the practices and activities that the plan covers.
- 2) Prepare and include a conservation plan map showing area or location of property.
- 3) List what information the landowner or individual has given permission to release.
 - a) If information is limited, then state that further discussion of their plan beyond permitted information shall require an executive session
 - b) Or state that permission has been given that any information may be discussed in open session.
- 4) Clearly state funding status by:
 - a) No funding being requested at this time.
 - b) There is a potential for future funding.
 - c) There is a request for funds and list what program or financial source being sought.
- 5) When preparing the information for mailing, assemble together all the plans that require an executive session and then assemble together those plans that can be discussed in open session. This is to help avoid any confusion about what plans can or cannot be discussed in open session.
- 6) For quick reference, list on a separate piece of paper and preferably in alphabetical order, all the conservation plans with each planner's name and phone number along side it.
- 7) When mailing plan information it shall be placed in a separate envelope and marked confidential.
- 8) No conservation plans, unless requested during an executive session, shall be brought into the meeting room. The staff shall have available only the signature page for signing once a plan has been approved.
- 9) Prior to the board meeting staff shall compile a list of all conservation plans to be approved during the meeting. Staff shall then separate out those plans with limited permission that would require an executive session from those that can be freely discussed in an open meeting. This list will be distributed during the board meeting and shall only contain the information that the landowner or individual has granted permission to release and nothing else.

The Marion SWCD Board Members shall follow the procedures listed below when reviewing conservation plan information prior to any board meeting.

- 1) Each board member shall review each plan prior to the board meeting and call the person who wrote the plan if there are questions or for further clarification.
- 2) After reviewing a plan's information, each board member shall come to the board meeting prepared to make a decision to either approve or not approve a plan.
- 3) Board members are not to discuss with others any information about an individual's conservation plan unless they have written permission from the individual.
- 4) Board members **shall not** bring into the meeting room any plan information that was mailed to them prior to the meeting. If necessary, board members may bring their own notes to use as a reference when making a decision on a particular plan.
- 5) These procedures can be amended at any time at a regularly sanctioned District meeting.

**Marion Soil and Water Conservation District
USDA Conservation Plan Review Procedures Continued:**

The Marion SWCD Board Chair shall follow the procedures listed below during a board meeting.

- 1) The chair and all the board members shall be given a list of all conservation plans that need to be approved during the meeting. The list shall have the plans separated by the ones with limited permission that would require an executive session from those that can be freely discussed in an open meeting.
- 2) The chair shall ask the board members if there is a need to call an executive session for the purpose of discussing any of the plans from the list of those that have only granted a limited release of information.
- 3) Should there be a request for an executive session then the chair shall call one in accordance with **ORS 192.660 (1) (f) "To consider records that are exempt by law from public inspection."** The chair will state the start and ending time of the executive session and announce only those persons who will be allowed to remain during the executive session. All others will be excused from the room until the open session resumes.
- 4) The chair shall resume the open session at the appropriate time and ask those that have stepped out of the room to return.
- 5) Should there be no request for an executive session to discuss any of the plans, then the chair shall go down the list and ask for board motions to approve the said conservation plans according to the what information can be released

These procedures were adopted unanimously by the Board of Directors at its regularly scheduled meeting on January 20, 2004.

**Adopted: January 20, 2004
Approved: January 20, 2004**

Marion Soil & Water Conservation District



Ralph Fisher, Chair