

STATE SOIL CONSERVATION  
COMMITTEE



**HANDBOOK FOR  
SOIL CONSERVATION DISTRICT  
SUPERVISORS**



**2014**

## Message from the State Soil Conservation Committee



Pictured (L to R): Chairman Pal Neal; Wilson County, Regina Miller; Fentress County, Glen Long; Roane County, Vice-Chairman Ray Sneed; Shelby County, Tommy Surber; Carroll County. Not pictured: David Richesin; Loudon County and Eddie Sanders; Williamson County.

The State Soil Conservation Committee has directed the creation of this Handbook as a guide both to new and long-term District Supervisors. Our mutual objective has remained unchanged since the inception of the District Law in 1939—"to work in partnership to conserve Tennessee's soils." It is our belief that this Handbook will better clarify the roles and responsibilities of Supervisors; and with this information, erosion rates can be lessened across Tennessee. Agricultural productivity, the sustainability of our water resources, and the quality of life of our fellow citizens depend on it.

<http://www.tn.gov/agriculture/water/sscc.shtml>

## From Agriculture Commissioner Julius Johnson



The Tennessee Department of Agriculture, the State Soil Conservation Committee and the Soil Conservation Districts have been partners since the first state soil conservation law was passed in 1939.

Even before this milestone, farmers recognized the importance of soil and water conservation and its direct impact on productivity, the environment and health. We have successfully reduced the state's soil erosion rate, once among the highest in the nation, to within tolerance. This achievement is something to be celebrated and serves as a reminder that we need to continue this progress not only on our farms, but in our ever-growing urban areas too.

Soil Conservation Districts are in the best position to work with partners and to champion soil conservation at the local level for all land uses. Serving as a board member or supervisor carries a great deal of responsibility and accountability. It is important that we operate in an open, business-like manner to assure stakeholders that we are being good stewards of the public funds entrusted to us.

We are proud to provide this handbook to help district supervisors fulfill their responsibilities and to achieve their objectives under state law. The Tennessee Department of Agriculture is committed to supporting SCDs in their mission and to making a difference for all Tennesseans in the area of natural resources conservation.

<http://www.tn.gov/agriculture/>



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## List of Acronyms

|               |   |
|---------------|---|
| ARC           | Appalachian Regional Commission                       |
| ARCF          | Agricultural Resources Conservation Fund              |
| BMP           | Best Management Practice                              |
| CFR           | Code of Federal Regulations                           |
| CRP           | Conservation Reserve Program                          |
| CWA           | Cooperative Working Agreement                         |
| DU            | Ducks Unlimited                                       |
| ECP           | Emergency Conservation Program                        |
| EQIP          | Environmental Quality Incentives Program              |
| EWP           | Emergency Watershed Program                           |
| FEMA          | Federal Emergency Management Agency                   |
| GRP           | Grassland Reserve Program                             |
| NACD          | National Association of Conservation Districts        |
| RC            | Regional Conservationist for USDA-NRCS                |
| RC&D          | Resource Conservation and Development Councils        |
| SCA           | State Conservation Agency                             |
| SCD           | Soil Conservation District                            |
| SSCC          | State Soil Conservation Committee                     |
| STC           | State Conservationist-NRCS                            |
| TACD          | Tennessee Association of Conservation Districts       |
| TCA           | Tennessee Code Annotated                              |
| TCDEA         | Tennessee Conservation District Employees Association |
| TDA           | Tennessee Department of Agriculture                   |
| TDA-NPS       | TDA Nonpoint Source Grant Program                     |
| TDA-DF        | TDA-Division of Forestry                              |
| TDEC          | Tennessee Department of Environment and Conservation  |
| TDEC-DWR      | TDEC-Division of Water Resources                      |
| TDOT          | Tennessee Department of Transportation                |
| TEC           | Tennessee Environmental Council                       |
| TNC           | The Nature Conservancy                                |
| TSMP          | Tennessee Stream Mitigation Program                   |
| TSU-Extension | Cooperative Extension of Tennessee State University   |
| TVA           | Tennessee Valley Authority                            |
| TWRA          | Tennessee Wildlife Resources Agency                   |
| USACOE        | United States Army Corps of Engineers                 |
| USDA          | United States Department of Agriculture               |
| USDA-FS       | USDA-Forest Service                                   |
| USDA-FSA      | USDA-Farm Service Agency                              |
| USDA-NRCS     | Natural Resources Conservation Service                |
| USDA-RD       | USDA Rural Development                                |
| USDI          | United States Department of Interior                  |
| USDI-F&WS     | USDI-Fish and Wildlife Service                        |
| USDI-USGS     | USDI-United States Geological Survey                  |
| USEPA         | United States Environmental Protection Agency         |
| UT-Extension  | Cooperative Extension of the University of Tennessee  |
| UTIA          | University of Tennessee, Institute of Agriculture     |
| WHIP          | Wildlife Habitat Incentives Program                   |
| WRP           | Wetlands Reserve Program                              |
| WTRBA         | West Tennessee River Basin Authority                  |

## Forward

*The legacy of soil conservation and the problems that arise from uncontrolled erosion have been well documented throughout history. It is important for SCD Supervisors to have a historical perspective of the challenges facing them in their position. The following two articles give a Tennessee-specific perspective; the first paper written many years before the occurrence of the "Dust Bowl".*

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Excerpt from: Resources of Tennessee; 1<sup>st</sup> Series, Volume II, No. 6. 1912  
By Mr. A.H. Purdue, State Geologist, Tennessee Geological Survey

### **THE WASTE FROM HILLSIDE WASH**

"Of recent years the public have heard a good deal about conservation. It probably is not stating the case too strong to say that there is no greater problem in conservation than that of reducing hillside wash to the minimum. The great realization of its importance, like that of controlling flood waters, was forced upon us by the heavy rains of the past spring. Data are not at hand, and may not be available, from which the per cent of land under cultivation that is undergoing wash can be approximated, but all know that it is large. Even over those areas of gently rolling surface much of the land is subject to disastrous wash.

The soil is not only our greatest source of wealth, it is necessary to life. Its depletion in any area means the depopulation of that area, and its depletion everywhere would mean the extermination of mankind. Soil that is "worn out" from the exhaustion of one or more of its crop ingredients may be restored; but soil that is washed away is gone for all time.

It has been said that the greatest heritage to mankind is the soil, and we of the United States are just coming to realize the truthfulness of this statement. Would that every farmer could fully appreciate it! As long as land was cheap, as long as a worn out field or farm could be abandoned and another field cleared up or another farm acquired, the great value of the land, like that of the forests, was not recognized, or ever thought of. The result was that the land was as ruthlessly destroyed as the forests have been.

Some years ago when natural gas began to be extensively used, it was wantonly wasted with the belief that the supply was inexhaustible; but the mistake was soon realized, and stringent but wise laws were passed by some of the states to prevent its waste. It was a natural product of limited supply that needed to be conserved. The same is true of the soil, but to a much greater degree, for the soil is of much more worth than the natural gas, however great that may be. If it is within the province of the state to prevent the waste of natural gas and other exhaustible mineral products, is it not equally within its province to prevent the waste of the soil by those who are so thoughtlessly yet so rapidly contributing to such waste? If the worst comes to worst the states will eventually have to legislate for the preservation of the soil, but it is believed that the general intelligence of the present and future farmers will make such laws unnecessary if the importance of soil preservation

is brought to their attention; that those who own and till the soil will come to realize that the soil belongs more to future generations than to them; and that they are posterity's trustees of this source of life."

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Excerpt from "*Tennessee: A Guide to the State*", compiled and written by the Federal Writer's Project of the Works Project Administration for the State of Tennessee, published December, 1939

### **Soil Conservation**

"The story of Tennessee cannot be understood without reference to the types of soil that have determined the development of the State's three natural divisions. East Tennessee's early political dominance was due solely to first settlement. Although there were many fairly rich farmland pockets in the uplands, much of the soil was so thin that the people were able to force from it only the barest subsistence. The stream of immigration turned toward Middle and West Tennessee, where soils were deep and rich. Here a prosperous agricultural economy came into being. Inevitably Tennessee's cultural and political center also shifted westward.

In the Great Smoky Mountains there are still numbers of good small farms where the mellow sandy soil is similar to that of the Gulf Coast while in the East Tennessee Valley the soil, formed of disintegrated limestone-marble and shale with an admixture of flint-like chert, yields well to careful farming methods. Thousands of tiny "patch-farms" are scattered through the uplands and, in spite of wasteful lumbering operations, the poorest ridge soils still support fine stands of timber. Two thirds of the Cumberland Plateau is covered with forest, mostly second growth scrub. The soil is thin, porous, and unproductive. Possibly the poorest land in the State is found on the inner part of the Highland Rim. Here a skim of earth overlies porous siliceous limestone through which the vitality of the soil "leaches out." The tenacious cedar grows well in these barrens and there is fair pasturage for cattle, but the land can never be made valuable for farming.

About 40 per cent of the Central Basin, which has been called "The Garden of Tennessee", is used as bluegrass pasturage. The soil has been formed of rich, soluble limestone, and is remarkably productive. The valley of the Tennessee River is given over to medium-sized farms on moderately fertile soil.

The West Tennessee slope differs from the other divisions in that it lacks stone outcrops or free rock. Although the hill section is subject to gully and ravine erosion, there are many large and productive farms. The soil is light, siliceous, and fertile. The flat alluvial bottom lands of the Mississippi, composed of sand, silt, and clay, possess great fertility. The soil is light, porous, and many feet deep. In most of the area large plantations produce enormous yearly crops of cotton and corn with no apparent sign of exhaustion. Much swampy forest land has not yet been cleared.

As early as 1854, the State agricultural bureau warned that excessive "mining," or one-crop cultivation of the soil would finally lead to economic disaster. Farmers following this practice grew one crop year after year without letting the land lie fallow or rotating crops to build up the soil. In 1857 Charles Dod, Jr., predicted that erosion would doom Tennessee agriculture. Two years later Commodore Matthew Fontaine Maury urged erosion control. However, the period was one of prodigal short sighted waste and little was done to check the menace. Today 85 per cent of all land in the State has been damaged to some extent by erosion. In 1935 the State planning commission made a survey which revealed that three million acres had been practically ruined for cultivation by deep gullies, and that 75 to 100 per cent of the surface soil had been taken from eleven million acres by sheet erosion. In sheet erosion a thin cover of topsoil washes away during heavy rains. The severity of sheet erosion, which occurs on all lands not protected by a crop of heavy-rooted vegetation, depends on the degree of slope to the terrain and the type of soil. Shoe-string erosion is also responsible for much damage. Gullies, started by little rain rills, are gouged out to such a depth that it becomes almost impossible to fill them. Slip or landslide erosion, Tennessee's third principal type, is frequent where shale soils predominate. Water accumulates between soil and bedrock until the undermined soil slides downhill, or collapses into sink-holes.

Contour cultivation, hillside terracing, and planned crop rotation (with careful selection of crops that hold the soil) constitute the best method of fighting sheet erosion. Winter cover crops like clover and grasses have been found beneficial. Gullies, which rarely occur in forest lands or in fields growing alfalfa or Japanese clover (lespedeza), are best fought by building wooden, metal, wire, brush, or stone check dams at proper intervals. Black locust trees are frequently planted to hold the soil. Japanese clover, serving as a legume to enrich the soil, is an effective cover crop. Nothing can be done to remedy landslide erosion, once it has occurred but landslides can be prevented by proper ditch drainage of susceptible areas.

Soil conservation and erosion control in Tennessee now embrace nearly 100,000 farms with a land area of nine and one-half million acres, or about half of the farm acreage in the State. The university's extension service and the three Federal agencies--the Agricultural Adjustment Administration, the Tennessee Valley Authority, and the Soil Conservation Service--are collaborating in what is considered the most comprehensive conservation program ever attempted in the United States.

A principal land program of the TVA is that of erosion control, carried on in cooperation with farmers. Civilian Conservation Corps boys, supervised by the watershed protective section (the forest division of the TVA) do much of the control work on private property; owners must furnish teams and materials, and sign an agreement to maintain the project for five years. So actively have Tennessee Valley farmers cooperated that by 1936 more than one hundred thousand check dams had been built and eighteen million seedlings planted. Reforestation is employed only in the most badly eroded sections. Elsewhere the first two steps of control suffice--the building of check dams and diversion ditches, and the planting of cover crops.

Where cotton and other crops requiring cultivation between the rows are grown, terracing is advocated in addition to readjustment of the crop cover. Terracing associations, usually underwritten by responsible local agencies purchase large motor-driven grading machines which are operated on a communal basis.

Much of the soil in the eroded areas is too far gone to support even grass crops without plant food. The manure of horses, mules, cattle, and sheep is scrupulously conserved, but this source of home fertilizer has been greatly reduced in recent years with the increased use of motorized farm machinery. Cotton seed hulls, a valuable home product, are rarely used because the farmers prefer to sell them and buy commercial fertilizer. The best home method of fertilizing the soil consists of growing legumes and other plants to be turned under as green manure in a carefully planned rotation of crops. Perhaps one-tenth of the farmers in the State allow a field to rest every third or fourth year, as part of their rotation system. But very few, during this rest period, plant a cover crop which is to be turned under. The common practice is to let the selected field lie fallow producing the common weeds and grasses indigenous to the region.

To meet the need for cheap phosphate in the valley, Nitrate Plant No. 2, at the Muscle Shoals project of the TVA, produces a new triple superphosphate and a still newer metaphosphate from the raw phosphate rock found in Middle Tennessee. Farmers throughout the valley have organized soil conservation clubs and are demonstrating the value of this fertilizer in growing the most effective control crops--grasses for pasturage or hay, legumes in mat planting, and small grain. In demonstration areas farmers receive fertilizer free through the State agricultural extension service and farm organizations.

Erosion control not only saves reservoirs and checks flood damage, but helps the farmer escape the one-crop system which has impoverished him and exhausted his land. Reforestation provides nut and fruit crops and a continually renewed supply of timber. A cover crop of grass or legume in eroded fields provides pasture for livestock. The change from a one-crop method of farming means less silt in the river, more money in the farmer's pocket, and better food for folk who have too often existed on corn pone, sorghum, and sowbelly the year around."

*"Almost invariably, conservation farming—which, after all, is common sense farming with scientific methods—begins to show results the very first years it is applied."*

*Dr. Hugh Hammond Bennett- USDA*

## **Chapter 1                      Welcome and Introduction**

Congratulations on your election or appointment as a Soil Conservation District (SCD) Supervisor and welcome to the SCD organization. SCDs have been working with landowners to conserve soil and improve water quality for over 70 years in Tennessee. As a SCD supervisor, you will help administer the program for soil conservation in your district. The State Soil Conservation Committee of Tennessee has compiled this handbook with the assistance of the Tennessee Department of Agriculture, the Tennessee Association of Conservation Districts, the US Department of Agriculture-Natural Resources Conservation Service and the Tennessee Conservation District Employees Association to help you understand your role as a SCD supervisor and give you important information about the organization you will be representing. **The primary purpose is to give you, the supervisor, information to understand and fulfill your duties.** We hope you will find this handbook useful. As a companion to this handbook, each District will receive a SCD Reference Manual, which contains copies of current statutes, policies and materials mentioned in the handbook. We look forward to working with you as a SCD supervisor.

As a district supervisor, you play an important role. The success of each district and the goals accomplished are up to the district supervisors. Simply put, as a district supervisor, you must be aware of the natural resource concerns in your community and seek solutions through new and existing partnerships, funding opportunities, and the creation and implementation of conservation plans. Our soil and water resources will remain finite. The work district supervisors do today to protect these resources will ensure they are here for future generations.

### **History of the Tennessee Conservation Districts**

The Dust Bowl of the 1930's was a time of unprecedented hardship in America, but nowhere quite like the area of northern Texas, eastern Colorado, western Kansas and the Oklahoma panhandle. The drought experienced in this area, along with unsustainable farming practices, caused a calamity unlike the nation had ever seen. This prompted action by the federal government, led by Dr. Hugh Hammond Bennett, to establish the Soil Conservation Service, and for Congress to pass and send to the states a model soil conservation law. Tennessee passed the original act in 1939, and began the process of establishing Soil Conservation Districts across Tennessee, with public hearings and referenda held in all 95 counties. This activity was slowed in the Tennessee Valley, due to prior agreements between TVA and the USDA. Creation of new districts was also slowed during the early 1940's, because of World War II. Table 1 lists all the Tennessee Districts and their dates of organization.

*The primary purpose of this Handbook is to give you, the Supervisor, information to understand and fulfill your duties.*

**Table 1: Tennessee Counties and SCD Organization Dates**(From: The Soil Conservation District Movement in Tennessee, by T. Matthews et al, August, 1972)

| <u>County</u> | <u>Beginning Date</u> | <u>Original District Number</u> | <u>County</u> | <u>Beginning Date</u> | <u>Original District Number</u> |
|---------------|-----------------------|---------------------------------|---------------|-----------------------|---------------------------------|
| Anderson      | 11/17/1958            | 93                              | Lauderdale    | 06/13/1940            | 2                               |
| Bedford       | 07/07/1952            | 59                              | Lawrence      | 02/25/1952            | 50                              |
| Benton        | 01/10/1958            | 90                              | Lewis         | 03/13/1953            | 62                              |
| Bledsoe       | 06/28/1951            | 43                              | Lincoln       | 07/06/1951            | 46                              |
| Blount        | 11/06/1953            | 72                              | Loudon        | 06/11/1956            | 87                              |
| Bradley       | 03/07/1952            | 52                              | Macon         | 02/13/1946            | 30                              |
| Campbell      | 12/06/1957            | 89                              | Madison       | 07/10/1941            | 10                              |
| Cannon        | 02/24/1943            | 19                              | Marion        | 06/28/1951            | 42                              |
| Carroll       | 06/29/1950            | 32                              | Marshall      | 05/12/1952            | 56                              |
| Carter        | 02/04/1959            | 94                              | Maury         | 07/02/1951            | 39                              |
| Cheatham      | 08/20/1944            | 24                              | McMinn        | 12/29/1954            | 79                              |
| Chester       | 02/17/1951            | 36                              | McNairy       | 06/29/1950            | 33                              |
| Claiborne     | 06/18/1956            | 88                              | Meigs         | 02/25/1952            | 49                              |
| Clay          | 01/17/1945            | 27                              | Monroe        | 04/27/1955            | 83                              |
| Cocke         | 07/06/1953            | 65                              | Montgomery    | 08/20/1944            | 23                              |
| Coffee        | 03/07/1952            | 54                              | Moore         | 06/04/1954            | 73                              |
| Crockett      | 09/24/1941            | 13                              | Morgan        | 12/30/1952            | 61                              |
| Cumberland    | 10/12/1955            | 84                              | Obion         | 07/09/1940            | 3                               |
| Davidson      | 01/30/1946            | 29                              | Overton       | 01/17/1945            | 26                              |
| Decatur       | 04/28/1952            | 55                              | Perry         | 11/25/1953            | 69                              |
| DeKalb        | 08/19/1941            | 9                               | Pickett       | 04/26/1945            | 28                              |
| Dickson       | 02/27/1952            | 48                              | Polk          | 01/09/1956            | 85                              |
| Dyer          | 10/14/1941            | 15                              | Putnam        | 02/19/1941            | 6                               |
| Fayette       | 10/30/1950            | 35                              | Rhea          | 03/07/1952            | 53                              |
| Fentress      | 03/24/1955            | 82                              | Roane         | 06/04/1958            | 92                              |
| Franklin      | 04/10/1951            | 38                              | Robertson     | 06/25/1941            | 7                               |
| Gibson        | 02/19/1941            | 5                               | Rutherford    | 06/25/1941            | 8                               |
| Giles         | 02/27/1952            | 51                              | Scott         | 04/16/1954            | 74                              |
| Grainger      | 08/17/1953            | 68                              | Sequatchie    | 06/28/1951            | 40                              |
| Greene        | 12/28/1954            | 78                              | Sevier        | 08/06/1954            | 76                              |
| Grundy        | 11/03/1953            | 70                              | Shelby        | 09/02/1947            | 31                              |
| Hamblen       | 07/03/1954            | 75                              | Smith         | 08/20/1944            | 21                              |
| Hamilton      | 06/28/1951            | 41                              | Stewart       | 03/18/1953            | 63                              |
| Hancock       | 05/01/1956            | 86                              | Sullivan      | 08/20/1953            | 67                              |
| Hardeman      | 08/19/1941            | 11                              | Sumner        | 06/13/1940            | 1                               |
| Hardin        | 06/18/1952            | 58                              | Tipton        | 10/14/1941            | 14                              |
| Hawkins       | 06/20/1952            | 57                              | Trousdale     | 01/17/1945            | 25                              |
| Haywood       | 03/13/1942            | 17                              | Unicoi        | 03/10/1955            | 81                              |
| Henderson     | 04/20/1951            | 37                              | Union         | 06/30/1953            | 66                              |
| Henry         | 06/28/1951            | 44                              | Van Buren     | 11/24/1942            | 18                              |
| Hickman       | 07/18/1951            | 47                              | Warren        | 09/24/1941            | 12                              |
| Houston       | 06/28/1951            | 45                              | Washington    | 02/17/1955            | 80                              |
| Humphreys     | 05/11/1953            | 64                              | Wayne         | 12/16/1953            | 71                              |
| Jackson       | 08/20/1944            | 22                              | Weakley       | 02/19/1941            | 4                               |
| Jefferson     | 06/03/1958            | 91                              | White         | 11/07/1941            | 16                              |
| Johnson       | 09/29/1954            | 77                              | Williamson    | 01/08/1951            | 34                              |
| Knox          | 10/20/1952            | 60                              | Wilson        | 07/24/1943            | 20                              |
| Lake          | 09/09/1959            | 95                              |               |                       |                                 |

## Why Are Soil Conservation Districts Important Today?

Simply stated, Soil Conservation Districts are important today because many areas of Tennessee are still experiencing excessive soil erosion. Controlling erosion of farmland lessens agricultural impact to waters and improves on-farm profits. The adoption of no-till or other minimum tillage practices have had and continue to have the effect of greatly reducing erosion rates, and making crop production more profitable and sustaining for future production. Sediment is the number one water pollutant in Tennessee, so programs that provide an improved vegetative cover to the soil will lessen the movement of soil into our waterways.

Encouraging conservation measures can improve farm income. No-till practices on cropland can be less expensive than traditional tillage programs. Improvement of pastures with cross fencing and rotational grazing lessens erosion, and may provide other profit-increasing benefits.

Another important function of the Soil Conservation District is to serve as a bridge between the agricultural and urban communities. In many areas that surround large urban centers, large farms are sold and turned to subdivisions or small-acreage home sites. These new landowners may not have the knowledge to manage their land properly to prevent soil loss. Soil erosion from any and all land uses should be addressed locally by the Supervisors.

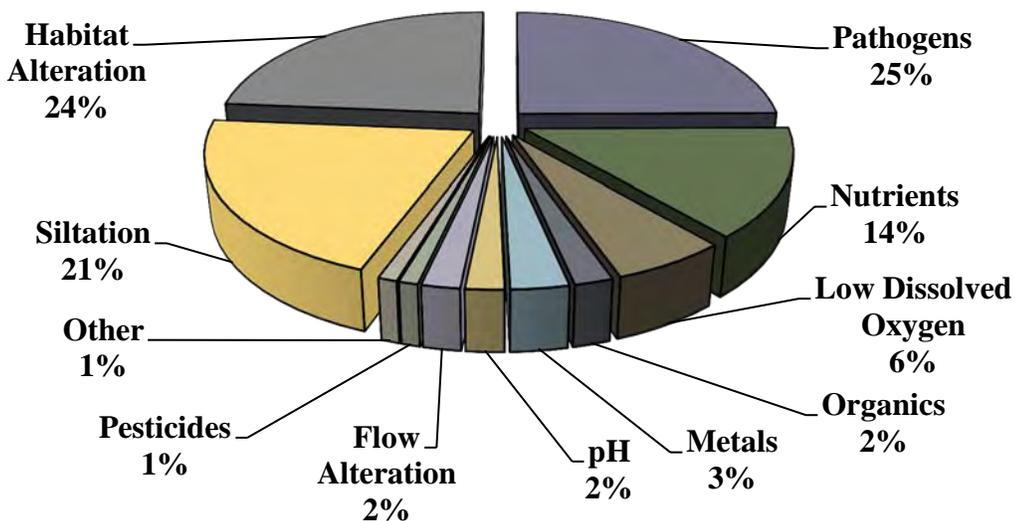
Also, the SCDs work should be of interest to local water utilities. The more soil erosion is controlled, the cleaner the source water is for the utility, which could translate into lower costs of treatment and lower water bills for their customers.

There are many streams in Tennessee that are polluted because of too much sediment, a lack of stream-side (riparian) tree canopy and excessive numbers of pathogenic (disease-causing) microorganisms. The Tennessee Department of Environment and Conservation (TDEC) regularly checks stream health for pollution sources, and publish summary reports. Figure 1 is from the latest "305(b)" Report of Water Quality in Tennessee. The listed causes of pollution come from private agricultural uses, other private land and homeowner uses, municipal impacts, industrial and business impacts, natural effects and other uses. This increases the need for SCDs to consider all uses of natural resources in the District when developing the natural resources plan.

*"Good farmers, who take seriously their duties as stewards of Creation and of their land's inheritors, contribute to the welfare of society in more ways than society usually acknowledges, or even knows. These farmers produce valuable goods, of course; but they also conserve soil, they conserve water, they conserve wildlife, they conserve open space, they conserve scenery."*  
— Wendell Berry, *Bringing it to the Table: Writings on Farming and Food*

**Figure 1: Causes of Pollution in Streams and Rivers**

(From: 305(b) Report, TDEC, 2012)



### **Links to Local Water Quality Data**

The Tennessee Department of Environment and Conservation has eight regional field offices and personnel that are tasked to perform assessments of streams, creeks, rivers and lakes to determine if they are polluted. District Supervisors should make a point to contact the Division of Water Resources manager in the respective field office and invite them to Board meetings, as they have similar goals as the District.

### **TDEC's 303(d) List**

This document is produced by TDEC staff every two years and lists the streams and other waters in Tennessee that are “polluted”; that is, not meeting one or more of the designated uses established in state regulations for those particular waters. Soil erosion from nonpoint source runoff is a major contributor to the problems in Tennessee’s waters. Soil Conservation District Supervisors and the partners need to be familiar with this document, as it points to where restoration is needed. Prioritizing conservation practices in these areas can result in measurable successes.

[http://www.tn.gov/environment/water/water-quality\\_publications.shtml](http://www.tn.gov/environment/water/water-quality_publications.shtml)

### **TDEC's Assessment Database**

This online tool gives the user current information about the health of streams. The information provided is updated as new stream assessments are performed. District Supervisors and staff should make use of this information when setting goals and making plans.

<http://tnmap.tn.gov/wpc/>

## **The Soils of Tennessee**

All conservation practices have at their core, and are developed through, soils and their study. The solutions to soil erosion problems since the Dust Bowl era and all natural resources issues since have been centered on an increase in the understanding of soils and how to better manage and maintain them. Hugh Hammond Bennett, the "Father of Soil Conservation", understood and talked about the integral part that science-based soil survey information must play in the successful implementation of Soil Conservation.

The study and mapping of soils in Tennessee has a long history as a part of soil conservation. Hugh Hammond Bennett co-authored one of the oldest soil survey reports in Tennessee which was made for Davidson County and published under the Bureau of Soils in 1903. Since then SCDs have partnered with USDA-NRCS, other federal and state agencies, including University Agricultural Research and Extension Services to publish and update soil surveys for every part of Tennessee, including the National Parks. Most of these Tennessee soil survey publications are archived and can be viewed or downloaded at:

<http://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/?stateId=TN>

In addition, the most current soil survey information for Tennessee is maintained in a National database that is served to the public for viewing, query, printing, and downloads via the Web Soil Survey application at:

<http://websoilsurvey.sc.egov.usda.gov/>

Information and contacts for getting help using these soil survey applications or about understanding the use and limitations of the soils of Tennessee can be found at:

[http://www.nrcs.usda.gov/wps/portal/nrcs/detail/tn/programs/?cid=nrcs141p2\\_016553](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/tn/programs/?cid=nrcs141p2_016553)

## **Chapter 2                    Legal Authorities and Responsibilities**

This chapter outlines various state laws and their relationship to SCD operations, addressed in TCA §43-14-201 through TCA §43-14-223 and other state statutes. Figure 2 is an organization chart displaying the relationships of the state entities involved in soil conservation.

### **The Duties and Powers of the State Soil Conservation Committee**

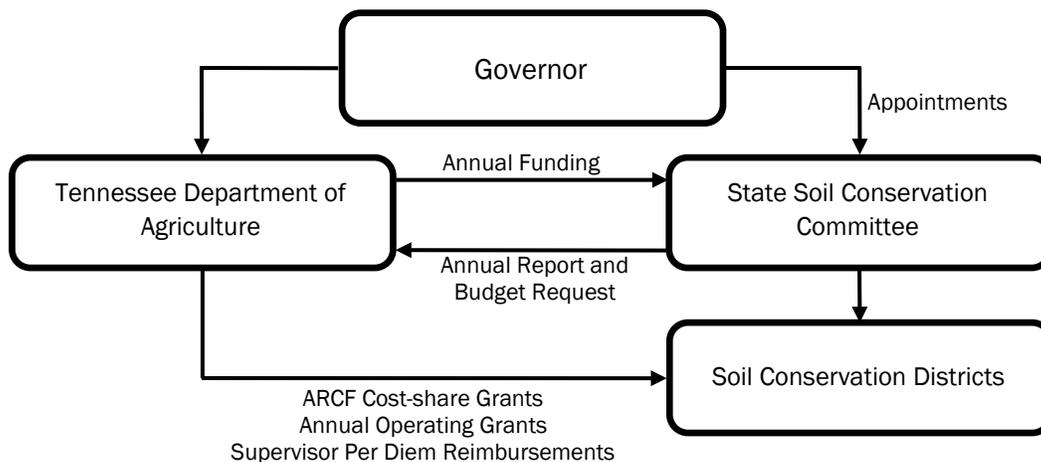
TCA §43-14-203 through 206

The statutory oversight of Tennessee's Soil Conservation Districts lies with the State Soil Conservation Committee (SSCC), which is composed of seven Governor- appointed members; one farmer and one SCD Supervisor from each grand division, one supervisor at-large, and three ex officio members; the Commissioner of the Department of Agriculture, the Commissioner of the Department of Environment and Conservation, and the Vice-President of the University of Tennessee Institute of Agriculture.

The following is from the state statute, TCA §43-14-206, and lists the duties and powers of the SSCC: “...In addition to other duties and powers conferred upon the state soil conservation committee in this part, it has the duties and powers to:

- (1) Offer such assistance as may be appropriate to the supervisors of soil conservation districts, organized as provided in this part, in the carrying out of any of their powers and programs;
- (2) Keep supervisors of each of the several districts organized under this part informed of the activities and experience of all other districts organized under this part, and facilitate an interchange of advice and experience among the districts and cooperation between them, and publish an annual report;
- (3) Coordinate the programs of the several soil conservation districts organized under this part so far as they may be done by advice and consultation;
- (4) Secure the cooperation and assistance of the United States and any of its agencies, and of agencies of this state, in the work of watershed districts and soil conservation districts;
- (5) Disseminate information throughout the state concerning the activities and programs of the soil conservation districts and watershed districts, and encourage and facilitate the formation of such districts in areas where their organization is desirable;
- (6) Constitute the committee as the state agency having the sole responsibility to administer and approve watershed districts and programs under acts of congress now in effect or hereafter enacted;
- (7) Collect and disseminate data and information concerning the causes, extent, and location of soil erosion problems in the state and study alternative solutions to these problems;
- (8) Develop and maintain a long-range comprehensive statewide plan for the conservation of Tennessee's soils, and revise this state plan from time to time as needed in consultation with appropriate sources of information; and
- (9) Prepare and submit annually to the Commissioner of Agriculture an annual report and a budget request adequate to allow for the implementation of soil conservation programs in Tennessee.”

**Figure 2: Organization of Soil Conservation in Tennessee Government**



## **The Duties and Powers of the SCD Board of Supervisors**

TCA §43-14-217 through 218

State statute TCA §43-14-217 creates a five-member board of supervisors, three elected in a special local election and two appointed by the State Soil Conservation Committee.

TCA §43-14-218 lists the powers of districts and supervisors as follows:

**(1)** Conduct surveys, investigations and research relating to the character of soil erosion and the preventive and control measures needed, publish the results of the surveys, investigations or research, and disseminate information concerning the preventive and control measures; provided, that in order to avoid duplication of research activities, no district shall initiate any research program except in cooperation with the state experiment station and the extension service of the University of Tennessee, or with the United States or any of its agencies;

**(2)** Conduct demonstrational projects within the district, upon obtaining the consent of the owner and occupier of lands, or the necessary rights or interests in lands, in order to demonstrate by example the means, methods and measures by which soil and soil resources may be conserved, and soil erosion in the form of soil washing may be prevented and controlled;

**(3)** Carry out preventive and control measures within the district, including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land on any lands within the district, upon obtaining the consent of the owner and occupier of the lands or the necessary rights or interests in the lands;

**(4)** Cooperate, or enter into agreements, with any owner and occupier of lands within the district to carry out erosion control and prevention operations, to help improve traditional areas of farm production, and to encourage diversification and innovation of farming operations within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this part;

**(5)** Enter into agreements with the Department of Agriculture and other agencies of the state to administer or assist in the administration of programs for the benefit of owners and occupiers of lands within the district in carrying out erosion control and prevention operations, improving traditional areas of farm production, diversifying farming operations and encouraging farming innovation and nontraditional agricultural activities within the district;

- (6)(A)** Obtain options upon, and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, any property, real or personal, or rights or interests therein;
- (B)** Maintain, administer and improve any properties acquired, to receive income from the properties and to expend the income in carrying out the purposes and provisions of this part; and
- (C)** Sell, lease or otherwise dispose of any of its property, or interests in any of its property, in furtherance of the purposes and the provisions of this part;

**(7)** Make available, on such terms as it shall prescribe, to landowners and occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds and seedlings,

except that all forest tree seedlings shall be obtained, insofar as available, from the nurseries of the TDA Division of Forestry in cooperation with the United States Forest Service of the USDA, and such other material or equipment as will assist such landowners and occupiers to carry on operations upon their lands for the conservation of soil resources and for the prevention and control of soil erosion;

**(8)** Construct, improve and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this part;

**(9)** Develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion within the district, which plans shall specify, in such detail as may be possible, the acts, procedures, performances and avoidances that are necessary or desirable for the effectuation of the plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices and changes in use of land, and publish the plans and information and bring them to the attention of owners and occupiers of lands within the district;

**(10)** Take over and administer any soil conservation, erosion control or erosion prevention project, located within its boundaries, undertaken by the United States or any of its agencies, as agent of the United States or any of its agencies; act as agent for the United States or any of its agencies; and accept donations, gifts and contributions in money, services, materials or otherwise, from the United States or any of its agencies, or from this state or any of its agencies, and use or expend such moneys, services, materials or other contributions in carrying on its operations;

**(11)** Sue and be sued in the name of the district; have a seal, which seal shall be judicially noticed; have perpetual succession, unless terminated as provided in § 43-14-223, to make and execute contracts and other instruments necessary or convenient to the exercise of its powers; and make, and from time to time amend and repeal, rules and regulations not inconsistent with this part, to carry into effect its purposes and powers;

**(12)** As a condition to extending any benefit under this part to, or the performance of work upon, any lands, the supervisors may require contributions in money, services, materials or otherwise to any operations conferring benefits, and may require landowners and occupiers to enter into and perform such agreements or covenants, as to the permanent use of such lands, as will tend to prevent or control erosion thereon; and

**(13)** Carry out, maintain and operate works of improvement for flood prevention and agricultural phases of conservation development, utilization, and disposal of water.

## **The Election and Appointment of District Supervisors**

TCA §43-14-212 through 216

### **Qualifications of Supervisors**

TCA §43-14-216

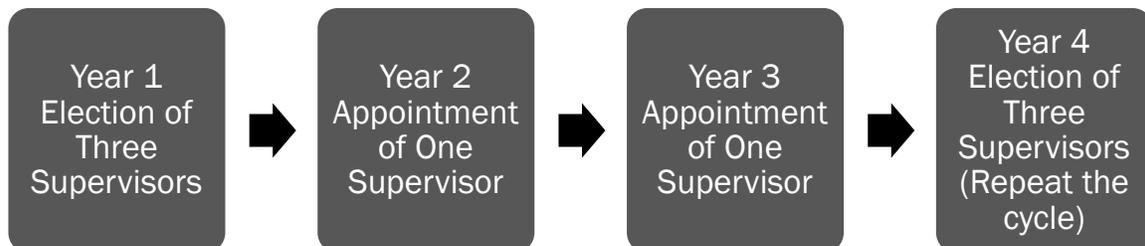
To be a candidate for election to the SCD Board, an interested person must obtain the signatures of at least 25 landowners in the District on a nominating petition.

To be appointed to the SCD Board, the nominees must be persons who are, by training and experience, qualified to perform the specialized skilled service that will be required of them in the performance of their duties as appointed District Supervisors.

### **The Election and Appointment Cycle**

Each SCD conducts an election for three supervisors once every three years. The years between elections are when the two appointed member positions to the SCD Board are filled.

**Figure 3: SCD Election and Appointment Cycle**



### **Supervisor Election Process**

TCA §43-14-216

The procedure currently followed by Districts with regard to Election and Appointment of Supervisors originated in the earliest days of the State Soil Conservation Committee. Figure 4 is an excerpt from the SSCC Meeting Minutes of June 11, 1959 and describes the election and appointment process:

### Figure 4: SCD Election and Appointment Procedure

- 2 -

The Secretary discussed with the Committee the procedure to follow in receiving nominations and election for Supervisors for next year. On motion by Bell and second by Proffitt that the Committee follow the same procedure as has been used in the past. That is, the County Agent and the Work Unit Conservationist be responsible for getting a committee of farm leaders to make nominations for appointed Supervisors and also recommending names to go on the ballot for election. This committee would be composed of a member of the Board of Supervisors whose term is not expiring, a member of the County A.S.C. Committee, a member of the County Agricultural Court Committee, and a member of the Board of Directors of the Farm Bureau.

The following actions should be completed for each election:

1. **Convene the County Nominating Committee:** The County Nominating Committee meets to set the date of election and decide on polling location(s) and the time of day polls will be open. There is no set number of polling locations, nor is there a set time (one day only, e.g.) for the vote to be taken. This committee is comprised of a member of each of these county groups: the UT Extension County Committee, County FSA Committee, Farm Bureau Committee, and a SCD Supervisor whose term is not expiring, and they work to seek out and nominate interested persons for the positions. It is important to note here that USDA personnel may not be able to participate in this activity, due to existing federal policies (see the NRCS policies on page 38 of this Handbook).
2. **Complete the nominating petitions:** Complete the nominating petitions with names of candidates to be placed on ballot; preferably more than the three names required. Historically, Districts have sought to get at least six names on the ballot.
3. **Wait for other nominations:** A reasonable waiting period between completing the nominating form and holding the election is suggested to allow other interested persons to complete their nominating petitions to have their name on the ballot if they so desire.
4. **Provide legal notice of election:** A legal notice must be run in the nearest newspaper of widest circulation. Two notices should be published at least a week apart. Additional notices may be given by posting the notice of election on appropriate websites, or by posting notices at

courthouses, municipal buildings, libraries, farm stores, community event calendars, etc. The notice should state the date(s) of the election, the voting places and the deadline for submittal of the nominating petitions to the SCD office.

- 5. Select polling officers:** Select polling officers to work the polling places. Polling locations must be staffed during announced voting hours. In all cases, ballot boxes must be attended by an unbiased party, in order to ensure a fair election process.
- 6. Maintain Poll List:** Each voter must sign the poll list, and after the election, verification of landowner status is performed in order to ensure all voters meet statutory requirements.
- 7. Conduct the election and count the votes:** Votes should be tallied by two or more people.
- 8. Secure the ballots:** Ballot boxes need to be secured and the polling officers shall verify the chain of custody.
- 9. Report Results:** Immediately report results of election to the State Soil Conservation Committee. Districts should keep the ballots for at least one three-year election cycle, and should keep the original "Certification of Election Results" form indefinitely for each election.

### **Supervisor Appointment Process**

TCA §43-14-217

The local nominating committee convenes and provides a list of nominees, consistent with TCA §43-14-217: " The two (2) supervisors appointed by the committee shall be persons who are, by training and experience, qualified to perform the specialized skilled service that will be required of them in the performance of their duties under this part." Names are transmitted by the District to the State Soil Conservation Committee prior to their meeting in March each year, so the appointments can be made by the SSCC prior to the expiration of supervisor terms on March 31<sup>st</sup>.

### **Filling of Vacancies**

TCA §43-14-217(b)

According to TCA §43-14-217(b), vacancies for both elected and appointed Supervisors must be filled, with the selection of successors to fill an unexpired term made in the same manner in which the position was originally filled. It is important to note that when a vacancy is filled, the term of service for the new Supervisor will only be the remainder of the unexpired term. This will keep the election and appointment cycles correct.

### **District Supervisor Meetings**

TCA §43-14-217(b)

District Boards should meet monthly to conduct the business of the District and to provide required oversight of financial affairs of the District, along with timely project approvals, etc. The meeting must be an official meeting with a quorum present to be able to claim the per diem allowed by state statute. The state statute provides for a \$30 "per diem" reimbursement to be paid to each supervisor for expenses related to attending the monthly meeting, for an annual amount not to

exceed \$360 per supervisor. This reimbursement is only for official meetings of the Board with at least a quorum of members present.

Since SCD Boards are public bodies by law, their meetings are subject to the State Open Meetings Act, TCA §8-44-101. Public notice of all Board meetings must be given, and all decisions shall be made in public. SCD Boards may hold executive sessions only in the case of an ongoing litigation where the Board is a party. All deliberations and meetings of the Board shall be public and available to any and all interested parties. These meetings should be announced as meetings that are open to the public, and participation by the citizens and/or interested groups in the District should be welcomed. Each SCD Board should pass a resolution setting a specific date and time of each monthly meeting, and should give notice of the meeting time and place to the public. Special called meetings at a time different than what has been established in the resolution will require separate notice, and the notice must contain a detailed agenda for the special called meeting.

It is strongly recommended each SCD board meet monthly to discuss the progress being made in meeting established program goals and objectives. At a minimum, SCD Boards need to meet to review and approve the financial transactions of the District for the month, in order to provide proper oversight to the financial affairs of the District.

### **Common Rules for District Board Meetings**

It is important for Board meetings to be conducted orderly. *Robert's Rules of Order* should be the process used in all board meetings, consistent with state statute. These meetings should be conducted in a business-like fashion. A well-planned meeting should not last more than 1 ½-2 hours but long enough to cover all business that is before the District Board. Board members should be notified of each meeting in advance to insure a quorum exists. A majority of the full board of Supervisors shall constitute a quorum and the concurrence of a majority shall be necessary for a determination of the Board. It is suggested a copy of the meeting agenda should be sent to the Supervisors and agency representatives prior to the meetings. Minutes of the previous meeting and a Treasurer's Report could also be provided at that time for reading and inspection by each Supervisor in advance of the next meeting. Public officials, agency representatives and groups should be encouraged to attend. The key to a successful Board of Supervisors meeting is an active District Board, with the full participation of all the Supervisors in the business of the District. It is good to encourage others in attendance to offer their views or expertise for the benefit of the resource issues discussed.

The Chairman is encouraged to accept the leadership role by:

- Motivating other Board members in the discussion of issues and programs of the district.
- Starting meetings promptly.
- Closing meetings after all business has been completed.

It is the responsibility of the District Treasurer to ensure that the financial procedures used by the District are in compliance with Generally Accepted Accounting Practices, and that appropriate checks and balances are in place to avoid all appearance of impropriety in the financial matters of the District. As an entity of State government, the District is subject to state law governing state funds. Whether federal, state, county, District or grant funds, these laws require appropriate and proper handling of such funds.

The following are general guidelines for conducting a meeting:

- After the minutes are read, the Chairperson asks, “Are there any corrections or additions to the minutes?” If there are no corrections, the Chairperson may say, “If not, they stand approved.” However, a motion and second to accept may be called for.
- Amendments to a motion must be seconded just as a main motion to which it applies. Amendments should be voted on before action is taken on the main motion.
- A motion should not be discussed until it has been seconded and restated by the chairperson.
- Motions which introduce business when no other motions are pending are referred to “Main Motions” and must be seconded. When it is moved that the report of a nomination committee be accepted or that nominations cease or that the Secretary be instructed to cast a unanimous ballot for those nominated, this is a main motion and as such requires a second. Main motions should be opened for discussion before putting to vote. A “call of question” is a demand that the motion be put to a vote.
- The Chairperson cannot ignore a motion. He/she must “put” a motion to vote if it has been properly made and seconded.
- The Chairperson does not vote when the vote is by acclamation (except when there is a tie). He/she may always vote when the vote is taken by ballot or by roll call.
- During the meeting, it is only after a member has addressed the presiding officer as “Mr. Chairman or Madam Chairperson” and has been “recognized” that the member is privileged to speak.
- 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.

### **Suggested District Board Meeting “Model Agenda”**

- **Call to Order:** Call meeting to order at the scheduled time. Establish that a quorum (minimum of three Supervisors) exists. If a quorum is not present, you may not vote on any issues, but you may discuss business. Briefly relate the general purpose of the meeting and refer to the agenda. Ask for additional agenda items from members. Appoint a person to take minutes and record members present.
- **Minutes:** Read or discuss previous meeting minutes, preferably mailed to Supervisors prior to meeting date. Correct if necessary and approve.
- **Treasurer’s Report:** Read or discuss report for approval. Review bills for approval of payment. Review bank statements, cancelled checks and checkbook register, and other functions as necessary to provide appropriate “checks and balances” in the District financial transactions. Vote to approve or amend treasurer’s report. This report should be made part of the official minutes of the Board meeting.
- **Correspondence:** Received and reviewed by Secretary.
- **Equipment Report:** Review report and discuss equipment as needed.
- **Committee Activities:** Hear from any active committees having information to report. Appoint new committees and assignments if needed.
- **Old or Unfinished Business:** Discuss unfinished business from previous meetings. Review/update current activities. Review long range and annual plan frequently.
- **New Business:** Present new business. Hear motions and resolutions. Schedule the date, time, plan and agenda for next meeting.

- Comments from Public-at-large.
- Report from District Employees.
- Report from State and Federal Partners.
- Comments from Visitors.
- Review Annual Plan of Work for Upcoming Month(s).
- Announcements and Adjourn: Adjourn meeting on time.

## Meeting Minutes

TCA §8-44-104

It is the responsibility of the District Supervisor serving as Secretary for the Board to see that a complete and accurate set of minutes are kept of the Board meetings. Your district's administrative secretary/office manager may want to take the minutes for ease of transcription. It is suggested that minutes be kept in a minute book. Minutes must be complete and accurate. All records should be made available, upon request, to the public. This availability can be by viewing or by requesting copies. The district may charge a reasonable fee for any copies made, but should adopt a policy for such charges.

Minutes should contain:

- Date, time and place of the meeting. Regular or special meetings, and if special, purpose of the meeting.
- Names of Supervisors present, presiding officer and if there was a quorum present as declared by the presiding officer.
- Names of advisory personnel and visitors present.
- Minutes must state that previous meeting minutes were read and approved. Corrections, if necessary, should be so stated.
- A brief review of each item of correspondence and a record of action taken on correspondence.
- The monthly financial report should be discussed, approved and made a part of the official minutes of each meeting.
- Each item of old and new business brought before the Board, a record of each motion made showing the exact wording of the motion and voting result.
- Authorization for expenditure of funds. Expenditures should be itemized.
- A brief account of reports by committees/personnel assisting districts.
- Comments by visitors.
- Time of adjournment.

*One of the best, and certainly the most promising, of the devices yet invented by man for dealing democratically and effectively with maladjustment in land use, as well as for carrying forward positive programs of desirable conservation, and for maintaining the work, is the soil conservation district—  
Hugh Hammond Bennett- USDA*

## **Financial Management of District Programs**

SCDs should refer to and use the Guides available from the Tennessee Comptroller of the Treasury:

<http://www.comptroller.tn.gov/la/finreptmanual.asp>

Districts should strive to be in compliance with state regulations. All Districts should inquire with the Secretary of State and ensure they properly registered as a not-for-profit corporation.

## **Supervisor Involvement; Separation of Duties**

It is imperative, and cannot be understated how essential it is for each SCD to have a Board of Supervisors who are interested in the work and devote the time to provide the proper oversight of the District finances. Proper separation of duties and other checks and balances are expected to be present. Failure to have a proper accounting and financial management system could result in a cessation of funding to the District. As a supervisor in one of Tennessee's 95 county SCDs, you must be aware also that the action of one district in these matters is a reflection on all the SCDs.

## **Surety Bonds**

TCA §43-14-217(d)

The Supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property, per TCA §43-14-217(d). District staff members who are full-time employees of county governments may be covered under county bonding instruments. In this case, SCD Supervisors should meet with county leaders to confirm if these employees are in fact covered. Those Districts who have staff members that are not employees of county governments must purchase the appropriate bond coverage.

## **Information Security**

Districts need to be aware of the importance of securing sensitive information from participants in the various programs. This information needs to be kept locked to minimize any risk of the unauthorized use of the information. Records should be kept for the minimum time required and should be shredded to eliminate all concerns.

## **Equipment Rental**

Many SCDs have active equipment rental programs. TDA and other agencies have provided grant funds for much of the equipment available. These grants serve as "seed" grants to start a rental program. SCDs should have binding rental agreements, proper equipment insurance, and charge a rental rate that will allow a dedicated fund to accumulate, so that the next piece of equipment can be purchased. If an on-going equipment rental program is desired by the Board, the Supervisors should consider keeping the rental account separated in the financial books and records, so the funds generated can be used for equipment related expenses. In all cases, written receipts should be given to renters for funds received, and a copy kept in the SCD records for review by the SCD Board.

## **Fund Raising Efforts**

The SCDs have the ability to perform a wide variety of fund raising activities to increase the operating funds of the local program. Again, proper accounting of these funds is important, and these accounts should be reviewed monthly by the Supervisors. Written receipts should be generated for all sales transactions, and the Supervisors should review these records at their regular monthly meetings.

## **Conflict of Interest**

TCA §12-4-101(a)(1)

As members of a public body, SCD Supervisors are subject to the state's general conflict of interest statute, found at TCA §12-4-101(a)(1), which states that it is unlawful for a person "whose duty it is to vote for, let out, overlook, or in any manner superintend any work or any contract" in which a governmental entity may be interested, to be directly interested in such contract. Each SCD Board should seek to administer their programs to avoid any claim of conflict of interest.

## **District Employee Personnel Management**

If the SCD Board is considered the employer of personnel, the Board should seek to comply with all applicable rules of the U.S. Dept of Labor, the IRS, state government, etc. The Board should ensure that all compensation to employees is proper, justified and reported as required by law, and that employees receive the correct salary or compensation documents, (W-2, 1099) for tax filings as appropriate. Communication among all parties is essential. Supervisors should consult with county government finance or payroll personnel for advice and recommendations, and should consider the adoption of a personnel manual.

Employees of the SCD are entitled to proper supervision and oversight, and periodic evaluation as is typical in all professional workplaces. Boards should collaborate as appropriate with county or state personnel officials to develop procedures or to ensure procedures in use are proper.

## **Liability of Supervisors and District Employees**

Supervisors of the SCD are legally considered state employees for purposes of liability and have coverage as such under state tort laws. Employees of the District do not have this coverage. Those employees that are full-time county employees need to determine if they are covered under any liability insurance programs for county government employees. No liability coverage exists for supervisors in the case of willful, wanton negligence.

## **Agricultural Districts Law**

TCA §43-34-101 through 108

TCA§43-34-102 states the purpose and policy of the Agricultural District statute:

"It is the intent and purpose of the state to encourage the conservation, protection, and responsible utilization of lands that are managed for purposes of agricultural production. It is recognized that these lands are finite, fragile, and valuable resources that contribute economically and socially to the well being of the state. It is also recognized that these lands are subject to change and

conversion from agricultural production as a result of urban expansion, and similar land development measures. It is the policy of the state to provide a process for the recognition of lands dedicated to agricultural production and to assure an accurate understanding of the impacts of public policy decisions that might otherwise alter the capability of those lands to remain in agricultural production.”

Soil Conservation District Supervisors have the power, granted under TCA §43-34-105 to approve or rescind the formation of Agricultural Districts.

## **Chapter 3            District Operations**

### **Contingency Plans for District Functions**

Supervisors need to develop a plan for District operations in the event of a governmental shutdown or other event where normal operations of the District are interrupted. This plan should include procedures for alternative communications and office locations, if conditions warrant.

### **Coordination with County and Municipal Governments**

Many county governments across Tennessee recognize the benefits and the overall economic impact from conservation programs to their citizens, and have included funding in their annual operating budgets for personnel and other expenses for the local District. SCD Supervisors should seek to keep local elected officials informed on the progress of soil conservation programs and the value of the District to the local economy in order to secure these funds into the future.

### **Annual Planning and Goal Setting**

The SCD Supervisors should set goals on an annual basis for all programs governed by the District. The District Board of Supervisors should discuss and set plans for implementing the intent of the grant funds allocated from the Tennessee Department of Agriculture, Agricultural Resources Conservation Fund, and if applicable, plans for projects from all other sources. In addition to the responsibilities above, the Board of Supervisors has a number of tasks related to the USDA Farm Bill Conservation Programs. Other key planning responsibilities of each District Board are to implement the Locally Led Conservation process, and conduct the USDA-NRCS Local Working Group meetings, as outlined in the following NRCS Directives:

### **Locally- Led Conservation and Local Working Groups**

#### **Part 500 of the NRCS Directives, “Locally Led Conservation”**

<http://directives.sc.egov.usda.gov/RollupViewer.aspx?hid=27712>

#### **Subpart A - Locally Led Conservation Defined** **500.0 Executive Summary**

Locally led conservation consists of a series of phases that involve community stakeholders in natural resource planning, implementation of solutions, and evaluation of results. Locally led conservation begins with the community itself, working through the local conservation district. It is

based on the principle that community stakeholders are best suited to deal with local resource problems. Generally, the locally led process will involve the phases listed in figure 500-A1.

Figure 500-A1

| Phase   | Activity   | Further Information |
|---|--|---------------------|
| 1. Public Involvement and the Conservation Needs Assessment | The conservation district leads the effort to gather public input from a broad range of agencies, organizations, businesses, and individuals in the local area who have an interest in natural resource conditions and needs. These community stakeholders evaluate natural resource conditions in a conservation needs assessment and establish broad conservation goals to meet those needs.   | Section 500.3.      |
| 2. Conservation Action Plan                                 | The conservation district involves community stakeholders developing and agreeing on a conservation action plan that documents decisions and time schedules, identifies priorities, sets goals, and identifies Government and nongovernment programs to meet those needs. Community stakeholders, under conservation district leadership, identify which Government and nongovernment programs are needed to address specific natural resource concerns.<br>Note: USDA conservation programs are just some of the many programs that can be used to satisfy the community's goals and needs. | Section 500.4.      |
| 3. Implementation of the Conservation Action Plan           | Community stakeholders, under conservation district leadership, obtain Government and nongovernment program resources and assist in implementing the programs that can satisfy the community's goals and needs, as identified in the action plan.  | Section 500.5.      |
| 4. Evaluation of the Conservation Action Plan               | The effectiveness of plan implementation should be evaluated to ensure that the community stakeholders' planned goals and objectives are achieved. An evaluation should be made to determine where the actual results differ from those anticipated. The difference may result in retracing one or more of the steps in the locally led conservation effort.   | Section 500.6.      |

## Subpart B - Local Working Groups

**501.10 Purpose:** In accordance with [federal regulations and policies] 7 CFR Part 610, Subpart C, local working groups are subcommittees of the State Technical Committee and provide recommendations to USDA on local and state natural resource priorities and criteria for conservation activities and programs.

### 501.11 Responsibilities of the Local Working Group

It is the responsibility of the local working group to –

- (1) Ensure that a conservation needs assessment is developed using community stakeholder input.
- (2) Utilize the conservation needs assessment to help identify program funding needs and conservation practices.
- (3) Identify priority resource concerns and identify, as appropriate, high-priority areas needing assistance.
- (4) Recommend USDA conservation program application and funding criteria, eligible practices (including limits on practice payments or units), and payment rates.
- (5) Participate in multicounty coordination where program funding and priority area proposals cross county boundaries.
- (6) Assist NRCS and the conservation district with public outreach and information efforts and identify educational and producers' training needs.
- (7) Recommend state and national program policy to the State Technical Committee, based on resource data.
- (8) Utilize the conservation needs assessment to identify priority resource concerns that can be addressed by USDA programs.
- (9) Forward recommendations to the NRCS designated conservationist or Farm Service Agency (FSA) County Executive Director, as appropriate.
- (10) Adhere to standard operating procedures identified in Title 440, Conservation Programs Manual (CPM), Part 501, Subpart B, Section 501.14.

### 501.12 Local Working Group Membership

A. Local working group membership should be diverse and focus on agricultural interests and natural resource issues existing in the local community. Membership should include agricultural producers representing the variety of crops, livestock, and poultry raised within the local area; owners of nonindustrial private forest land, as appropriate; representatives of agricultural and environmental organizations; and representatives of governmental agencies carrying out agricultural and natural resource conservation programs and activities.

B. Membership of the USDA local working group may include but is not limited to Federal, State, county, Tribal, or local government representatives. Examples of potential members include—

- (1) NRCS designated conservationist.
- (2) Members of conservation district boards or equivalent.
- (3) Members of the county FSA committee.
- (4) FSA county executive director or designee.
- (5) Cooperative extension (board members or manager).
- (6) State or local elected or appointed officials.

- (7) Other Federal and State government representatives.
- (8) Representatives of American Indian and Alaskan Native governments.

C. To ensure that recommendations of the local working group take into account the needs of diverse groups served by USDA, membership must include, to the extent practicable, individuals with demonstrated ability to represent the conservation and related technical concerns of particular historically underserved groups and individuals including but not limited to women, persons with disabilities, socially disadvantaged and limited resource groups.

D. Individuals or groups wanting to become members of a local working group may submit a request that explains their interest and outlines their credentials for becoming a member of the local working group to the local working group chairperson and the NRCS district conservationist (or designated conservationist). The district conservationist (or designated conservationist) will assist the soil and water conservation district in making decisions concerning membership of the group.

### 501.13 Responsibilities of Conservation Districts and NRCS

#### A. Conservation District

It is the responsibility of the conservation district to—

- (i) Develop the conservation needs assessment as outlined in 440-CPM, Part 500, Subpart A.
- (ii) Assemble the USDA local working group.
- (iii) Set the agenda.
- (iv) Conduct the USDA local working group meetings.
- (v) Transmit the USDA local working group's priority area and funding requests to the NRCS designated conservationist or the State Technical Committee, as appropriate.

Note: Where a conservation district is not present or chooses not to fulfill the responsibilities outlined in 440-CPM, Part 501, Subpart A, Section 501.13, the NRCS designated conservationist will have these responsibilities.

#### B. NRCS Designated Conservationist

It is the NRCS designated conservationist's responsibility to participate in the USDA local working group and to—

- (i) Encourage and assist other USDA agencies to participate in the locally led conservation and working group efforts, as feasible.
- (ii) Assist with identifying members for the local working group.
- (iii) Help identify program priorities and resources available.
- (iv) Assist in the development of program priority area proposals.
- (v) Comply with the National Environmental Policy Act, nondiscrimination statement, and other environmental, civil rights, and cultural resource requirements.
- (vi) Support and advise the local working group concerning technical issues, program policies and procedures, and other matters relating to conservation program delivery.
- (vii) Ensure that populations are—
  - Provided the opportunity to comment before decisions are rendered.
  - Allowed to share the benefits of, not excluded from, and not affected in a disproportionately high and adverse manner by Government programs and activities affecting human health or the environment.
- (viii) Analyze performance indicators and reports.
- (ix) Report the conservation programs' impacts on resources.

- (x) Perform the responsibilities of the conservation district where a conservation district is not present or chooses not to fulfill the responsibilities outlined in 440-CPM, Part 501, Subpart A, Section 501.6A.
- (xi) Give strong consideration to the local working group's recommendations on NRCS programs, initiatives, and activities.
- (xii) Ensure that recommendations, when adopted, address natural resource concerns.

#### 501.14 Standard Operating Procedures for Local Working Groups

##### A. Organization and Function

Local working groups provide recommendations on local natural resource priorities and criteria for USDA conservation activities and programs. **Local working groups are normally chaired by the appropriate soil and water conservation district (SWCD).** In the event the SWCD is unable or unwilling to chair the local working group, NRCS district conservationist (or designated conservationist) is responsible for those duties.

##### B. Meeting Scheduling

**The local working group should meet at least once each year at a time and place designated by the chairperson, unless otherwise agreed to by the members of the local working group.** Other meetings may be held at the discretion of the chairperson. Meetings will be called by the chairperson whenever there is business that should be brought before the local working group.

##### C. Public Notification

(1) Local working group meetings are open to the public and notification must be published in one or more newspapers, including recommended Tribal publications, to attain the appropriate circulation.

(2) Public notice of local working group meetings should be provided at least 14 calendar days prior to the meeting. Notification will need to exceed the 14-calendar-day minimum where State open meeting laws require a longer notification period. The minimum 14-calendar-day notice requirement may be waived in the case of exceptional conditions, as determined by the chairperson or NRCS district conservationist (or designated conservationist).

(3) The public notice of local working group meetings will include the time, place, and agenda items for the meeting.

##### D. Meeting Information

Agendas and information must be provided to the local working group members at least 14 calendar days prior to the scheduled meeting. The district conservationist (or designated conservationist) will assist the local working group chairperson, as requested, in preparing meeting agendas and necessary background information for meetings. The minimum 14-calendar-day notice requirement may be waived in the case of exceptional conditions, as determined by the chairperson or NRCS district conservationist (or designated conservationist).

##### E. Public Participation

Individuals attending the local working group meetings will be given the opportunity to address the local working group. Opportunity to address non-agenda items will be provided if time allows at the end of the meeting. Presenters are encouraged to provide written records of their comments to the chairperson at the time of the presentation, but are not required to do

so. Written comments may be accepted if provided to the chairperson no later than 14 calendar days after a meeting.

**F. Conducting Business**

(1) The meetings will be conducted as an open discussion among members. Discussion will focus on identifying local natural resource concerns that can be treated using programs and activities identified in 440-CPM, Part 501, Subpart A, Section 501.0C. All recommendations will be considered.

2) The following guidelines will govern meeting discussions:

(i) The chairperson will lead the discussion.

(ii) Only one person may speak at a time. Every participant should have an opportunity to speak. The chairperson or his or her designee is responsible for recognizing speakers.

(iii) The chairperson, in consultation with those members present, may establish time limits for discussion on individual agenda items.

(iv) State Technical Committees are advisory in nature and all recommendations are considered.

(v) Members may be polled, but voting on issues is not appropriate.

(vi) The chairperson will defer those agenda items not covered because of time limits to the next meeting.

**G. Record of Meetings**

Summaries for all local working group meetings will be available within 30 calendar days of the meeting and will be filed at the appropriate local NRCS office.

**H. Input to State Technical Committee**

Local working group recommendations are to be submitted to State Technical Committee chairperson, the district conservationist (or designated conservationist), or both (as appropriate) within 14 calendar days after a meeting.

**I. Response to Local Working Group Recommendations**

The designated conservationist will inform the local working group as to the decisions made in response to all local working group recommendations within 90 days. This notification will be made in writing to all local working groups members and made available for the public at the appropriate local NRCS office.

## **Records Retention**

Soil Conservation Districts are public entities, and should follow recommended policies regarding the retention of records for District activities, such as election documents and meeting minutes. The Tennessee Secretary of State's Division of Records Management has developed Records Disposition Authorizations for a wide range of state records. Districts have record retention requirements in their grant contracts with TDA that are required to be followed also. More information can be found at this website:

<http://www.tn.gov/sos/rmd/>

## **District Annual Reports/ Newsletters**

The Cooperative Working Agreement between the SCD, USDA, and TDA (Figure 5) and the grant contract between the SCDs and TDA both require annual reports be submitted. Districts should summarize the activities on a calendar year basis and submit a report detailing activities for the year, including the amount of funds spent on projects. The report should be submitted by April 1<sup>st</sup> each year.

## **Conservation District Youth and Volunteer Training**

Many Districts have had experience with Youth Boards in the past, as a means of developing the next generation of leaders for the local District. Other Districts have a process for recognizing interested citizens as Associate Board members, in order to cultivate more local interest and involvement. NRCS has the “Earth Team” program for volunteer workers to support the conservation programs locally. Supervisors are encouraged to investigate these various activities and adopt them where feasible and practical.

## **SCD Relationships with Federal and State Agencies**

### **USDA-NRCS/TDA/SCD Agreement**

Soil Conservation Districts in Tennessee operate under a Cooperative Working Agreement with the USDA Natural Resource Conservation Service (NRCS). Under this agreement, NRCS staff provides technical assistance for various conservation projects and programs agreed upon by the District. This partnership is voluntary; there are no fees for the services provided by NRCS, and no taxes are levied on county residents.

Figure 5 is an example of a Cooperative Agreement or Memorandum of Understanding between the District, the NRCS and TDA, which is currently in effect in each District.

*“...soil conservation is not just an incidental bit of the mechanics of farming; it becomes part and parcel of the whole business of making a living from the land, and is the only way by which we may have permanently productive land for a permanent agriculture to support a permanent nation.”*

*— Hugh Hammond Bennett- USDA*

## **Figure 5: Cooperative Working Agreement**

### **COOPERATIVE WORKING AGREEMENT Between the**

**NATURAL RESOURCES CONSERVATION SERVICE  
UNITED STATES DEPARTMENT OF AGRICULTURE**

**and**

**THE STATE OF TENNESSEE, DEPARTMENT OF AGRICULTURE**

**and**

**THE \_\_\_\_\_ COUNTY SOIL CONSERATION DISTRICT**

**For their Cooperation in the  
Conservation of Natural Resources**

This AGREEMENT is between the Natural Resources Conservation Service (NRCS), an agency of the United States Department of Agriculture (USDA), and the Tennessee Department of Agriculture, and the Madison County Soil Conservation District, collectively referred to as the parties, to define clearly the roles and responsibilities of the parties.

### **AUTHORITIES, STATUTES, LAWS**

NRCS is authorized to cooperated and furnish assistance to the parties in the conservation of natural resources as referenced in the Soil Conservation and Domestic Allotment Act, 16 U.S.C. 590; The Department of Agriculture Reorganization Act of 1994, Public Law 103-354; and Secretary's Memorandum no. 1010-1, Reorganization of the Department of Agriculture, dated October 20, 1994.

The State of Tennessee's authority for participation is defined in Tennessee Code Annotated, Section 43-14-101 and Tennessee Code Annotated, Section 43-14-218. The District Authority is defined in Tennessee Code Annotated, Section 43-14-201.

### **STATEMENT OF PURPOSE**

The purpose of this agreement is to supplement the Mutual Agreement between the United States Department of Agriculture and the State of Tennessee and the \_\_\_\_\_ Soil Conservation District. This cooperative working agreement documents those areas of common interest of the state, federal, and local partnership in natural resources conservation.

The customers of the parties to this agreement are individual landowners/land users, Federal and state land management agencies, other individuals, groups, and units of government. The parties mutually agree to provide leadership in resource conservation. To accomplish this we share a commitment to listen, anticipate and respond to our customers' needs; anticipate, identify, and address issues; maintain decision-making at the lowest level; advocate comprehensive resource management planning; maintain and improve our grass-roots delivery system; build new alliances to expand our partnership; foster economically viable environmental policies; improve the quality of life for future generations; and conserve and enhance our natural resources.

The parties pledge to work together by advancing and practicing teamwork; including input in the decision making process; communicating, coordinating, and cooperating; sharing training opportunities; promoting mutual respect, support, trust, and honesty; and sharing the leadership and ownership, the credit and the responsibility. A mutual goal is to improve our efficiency and effectiveness by putting quality first; empowering people to make decisions; demonstrating professionalism and dedication and striving for continuous improvement.

## Cooperative Working Agreement (cont.)

### **ROLES AND RESPONSIBILITIES**

#### **PERSONNEL**

Each party is responsible for the hiring, management, supervision, development and evaluation of its own personnel, including creating an environment that supports a diverse workforce. NRCS, through their State Conservationist, will designate a representative to be the primary staff member for assisting the District and will locate its personnel, insofar as feasible, at headquarters mutually satisfactory to all parties.

#### **TRAINING**

The parties will provide appropriate leadership in administrative and technical training as determined by program needs. Training also includes the orientation of all employees and officials in organizational philosophies, programs, authorities, roles and responsibilities of the parties.

Parties are encouraged to offer training opportunities to each other.

#### **EMPLOYMENT**

The parties will work together to coordinate individual staffing plans to include necessary disciplines for the purposes of this agreement and in accordance with respective operating procedures.

Employee evaluations will be done independently by the employing organization, but others may provide input.

### **TECHNICAL AND ADMINISTRATIVE ASSISTANCE**

The parties will work together to determine the amount of technical and administrative assistance needed and available for program delivery at each level. Such assistance may include contracts, agreements, procurement, personnel, engineering, and/or other assistance provided by the parties.

### **PROGRAM DELIVERY**

#### **NATURAL RESOURCE PLANS**

The parties will coordinate with public and private resource groups, other resource agencies, and interested parties to share information and resources in developing comprehensive natural resource plans.

#### **RESOURCE INVENTORIES**

The parties agree to identify, define, and coordinate the collection and use of resource inventory data and to share in the responsibility of disseminating the information.

The parties will cooperate in monitoring and validating the resource inventory data to assure that the data meets the needs of resource planning and evaluation processes.

#### **INFORMATION/DATA SHARING**

The parties will designate who has responsibility for collection and maintenance of particular resource information, if necessary, under separate agreement.

The parties will agree to work toward establishing and maintaining accessible data bases, when feasible.

## Cooperative Working Agreement (cont.)

### **BOUNDARIES**

The parties will agree on common boundaries for program delivery.

### **MARKETING**

The parties will coordinate their efforts in the communication of program information to their customers.

### **TECHNICAL STANDARDS**

The parties will adopt the NRCS Field Office Technical Guide (FOTG) and other science-based technical standards, as appropriate.

### **JOB APPROVAL**

Each party will assign conservation practice (job approval) authority to its personnel based on employee knowledge, skill and ability levels and within applicable laws and guidelines.

### **MAINTENANCE OF STANDARDS**

The parties will develop a process to establish and maintain consistent standards.

### **RECORDS, FACILITIES AND EQUIPMENT**

#### **WORKING SPACE**

The parties will work together to provide office space within respective funding limits, operating guidelines, and authorities. NRCS facilities will be located, insofar as feasible, within quarters mutually satisfactory to all parties.

#### **EQUIPMENT**

The parties will agree to share equipment for common use within established guidelines and procedures.

#### **VEHICLES**

The parties will agree to share vehicles subject to the requirements of state and federal laws.

#### **RECORDS MANAGEMENT**

The parties will agree to share access and use of relevant records subject to the requirements of state and federal laws.

The parties will maintain, update, and dispose of relevant records according to respective operating guidelines and authorities.

### **FUNDING**

The parties will work together to maximize available resources and actively seek funding to accomplish natural resource priorities and programs.

### **FEE FOR SERVICES**

The parties recognize that nonfederal signatories may establish procedures to collect fees, where permissible, for delivery of such services which are not provided through federal financial or technical assistance.

**Cooperative Working Agreement (cont.)**

**TORT LIABILITY**

The parties will each assume responsibility for the actions of their officials or employees acting within the scope of their employment to the extent provided by federal and state laws.

**ACCOUNTABILITY**

The parties will design and implement an outcome based-evaluation system to determine if resource and customer needs are being met and share accomplishments accordingly.

At the end of each calendar year, or of each fiscal year of the State, the District will submit to the Department of Agriculture, through the State Conservationist of the Natural Resources Conservation Service, an annual report on the District's activities and accomplishments.

**SCOPE OF AGREEMENT**

Authority to carry out specific projects or activities, such as transfer of funds, acquisition of services and property, will be established under separate agreement.

**CIVIL RIGHTS**

The parties will be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964, as amended. The Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes, namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, Americans with Disabilities Act of 1990, and in accordance with regulations of the Secretary of Agriculture (7CFR-15, Subparts A & B) which provide that no person in the United States shall, on the grounds of race, color, national origin, age, sex, religion, marital status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Agriculture or any agency thereof.

**TERMINATION**

This agreement can be modified or terminated at any time by mutual consent of all parties or can be terminated by any party giving 60 days written notice to the other parties.

This agreement supersedes the Supplemental Memorandum of Understanding.

**USDA, NATURAL RESOURCES CONSERVATION SERVICE**

By: \_\_\_\_\_  
(State Conservationist)

Date: \_\_\_\_\_

**TENNESSEE DEPARTMENT OF AGRICULTURE**

By: \_\_\_\_\_  
(Commissioner)

Date: \_\_\_\_\_

**\_\_\_\_\_ COUNTY SOIL CONSERVATION DISTRICT**

By: \_\_\_\_\_  
(Chairperson)

Date: \_\_\_\_\_

## **NRCS General Manual Part 180, Section 401**

Subpart D Setting out the Relationship between NRCS and the Soil Conservation District:

**401.30 Personnel:** Each party is responsible for the hiring, management, supervision, development, and evaluation of its own personnel, including creating an environment that supports a diverse work force.

### **401.31 Training Personnel of NRCS and Partners:**

(a) NRCS can provide administrative and technical training for conservation partnership employees in conjunction with its own training, providing their attendance will not result in additional cost to the government (Ref. 410.20, sec).

(b) SCA and District officials shall be offered the opportunity to attend any and all NRCS training sessions that relate to their duties, providing their attendance will not result in additional cost to the Federal Government (Ref. 410.20, sec 1).

(c) When enrolling a SCA, District employee or official in a training course, indicate the Type of Employee or Official in the title field of the employee data.

### **401.32 Handling Funds**

(a) NRCS employees are prohibited from handling District funds. Funds payable to a District should be directed to persons who are responsible for District business activities.

(b) NRCS employees may handle advances to a trust fund account, reimbursements by a District, or cooperator, for use by NRCS under the terms of a duly executed agreement. Such funds shall be expended and accounted for pursuant to the agreement by authorized NRCS employees.

### **401.33 Charges by Districts**

(a) Districts may charge as they deem appropriate for services rendered and materials supplied by them independently of any services or materials available from Federal resources (i.e., funds, manpower, and equipment).

(b) Fees, donations, or other gratuities to districts, may not be a condition to receiving services, materials, or cost sharing from the Federal Government.

(c) If it appears that a District is making improper charges, the STC will be notified and the matter reviewed immediately with the appropriate district governing body and others. The District governing body is to be counseled, to take necessary actions to correct the improprieties. If such inappropriate actions persist, the RC is to be notified. Then, if such inappropriate actions continue, the CWA may be terminated. The Chief will be notified of any situation that cannot be resolved before the CWA is terminated.

### **401.34 District or Tribal Cooperators**

(a) The District governing body will establish its own criteria for cooperators. NRCS representatives assisting a district must know and understand the criteria. The district must ensure NRCS that services will be provided without regard to race, religion, color, handicap, sex, age, marital status, or national origin. Failure to provide such assurance, and to act in accord with it, can be the basis for termination of all agreements.

(b) NRCS gives information to land owners and users about District programs and encourages those who could benefit from participation to cooperate with the district in planning, applying, and maintaining conservation programs.

#### **401.35 Responsibilities of the State Conservationist to the Partnership**

State Conservationist shall:

- (1) Ensure that all NRCS employees are familiar with NRCS's partnership relationship with State Conservation Agency (SCA), Tribal Groups (TGs) and Districts;
- (2) Once every two years, review the CWA and the partnership relationship, with the SCA, TGs and Districts (see 401.22, sec. b (4));
- (3) Keep all partners informed of any changes in Federal Laws, regulations or policies that may affect the conservation partnership;
- (4) Be responsible for the hiring, management, supervision, development and evaluation of NRCS personnel, including creating an environment that supports a diverse workforce;
- (5) Inform the District of personnel changes that will affect the District and;
- (6) Provide assistance to all customers within District boundaries and, when requested, use all means possible to create an environment and relationship and provide assistance within counties or areas that are not serviced by and established District to protect the natural resources of the State.

#### **401.36 Assistance to Conservation and Tribal Districts**

- (a) **NRCS employees shall not be involved in District administrative operations, including the election or selection process of the appropriate District governing bodies.**
- (b) NRCS employees, in providing services to customers, shall comply with USDA regulations (7 CFR-15, subparts A&B), the civil rights policies found in Title 230, General Manual, and the civil rights provision of the MA, CWA and the OA (if applicable).
- (c) The DC is responsible for furnishing technical guidance and assistance to the governing bodies of the District.
- (d) The DC shall maintain a close working relationship with the governing body of the District and insure coordination of field office activities with the District programs, and with all agreements and work plans.
- (e) A district employee can receive technical guidance from NRCS for those technical activities of the District that require technical consultation and technical approval (see f).
- (f) NRCS will provide technical supervision only when a District employee is assigned by the District to NRCS to carry out Federal functions (e.g. FSA, EWP, (see f)). A separate agreement will be entered into between the STC, the governing body of the District, and SCA (where applicable), covering but not limited to, the appropriate approval authorities, and working and training arrangements.
- (g) NRCS employees will not provide administrative supervision to district and other non-federal employees. In all cases and at all times, a district employee is under the administrative supervision of the District or designated district employee.
- (h) All technical work performed by District employees will follow the NRCS Field Office Technical Guide and other approved science-based technical standards.

## **USDA-Farm Services Agency**

The Farm Services Agency interacts with Soil Conservation District staff on a regular basis in the offices where all agencies are located together. A member of the local FSA committee serves on the SCD Nominating Committee for elections and appointments. FSA administers the Conservation Reserve and the Emergency Conservation Programs, which are important conservation programs.

<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=copr&topic=landing>

## **Tennessee Valley Authority**

The Tennessee Valley Authority has jurisdiction through the TVA Act of 1932 to manage the Tennessee River system for certain key functions; including, flood control, navigation, and recreation. SCDs have been the recipients of direct grants from TVA for certain specialized projects. TVA also administers the Section 26a permitting process, through which certain practices receive prior approval from TVA so as to not cause a negative impact to the river system.

<http://www.tva.com/river/26apermits/regs.htm>

## **United States Fish and Wildlife Service**

The Fish and Wildlife Service within the US Department of the Interior has had regular interaction with a number of Districts for several years. F&WS has a grant program called “Partners for Fish and Wildlife” through which funding for specific conservation projects is provided in certain geographic or watershed areas where known threatened or endangered species exist.

<http://www.fws.gov/partners/aboutus.html>

## **TDA-Agricultural Resources Conservation Fund**

The Agricultural Resources Conservation Fund of the Tennessee Department of Agriculture provides cost-share assistance to Tennessee landowners to install Best Management Practices (BMPs) that reduce agricultural water pollution. This assistance is facilitated primarily through Soil Conservation Districts although Resource Conservation and Development Councils, universities, and other agricultural associations may participate. A wide range of BMPs are available for cost-share, from those that curtail soil erosion to ones that help to remove pollutants from water runoff from agricultural operations. Normally, landowners may be eligible to receive 75% of the cost of a BMP installation. Part of the fund is available for educational projects which raise awareness of soil erosion/water quality problems and promote BMP use.

<http://www.tn.gov/agriculture/water/arcf.shtml>

## **SCD Annual Operational Grants**

Grants are provided annually to each District to assist with the administrative costs associated with the local programs. A report detailing these expenditures for the previous state fiscal year must be submitted to TDA with the District Annual Report each year.

## **TDA-Tennessee Agricultural Enhancement Program**

The Tennessee Agricultural Enhancement Program provides funding to the Water Resources Program to assist Soil Conservation Districts with lessening soil erosion and improving water quality through providing technical assistance funding in partnership with USDA-NRCS and various county governments.

<http://www.tn.gov/agriculture/enhancement/index.shtml>

## **TDA-319 Nonpoint Source Grant Program**

The TDA-NPS Program is non-regulatory, promoting voluntary, incentive-based solutions. Eligible applicants include non-profit organizations, local governments, state agencies, soil conservation districts, and universities. It is a cost-share program, paying for 60% of the cost of a project. It is up to the grantee to come up with the remaining 40%, usually in cash and “in-kind” services. It primarily funds three types of programs:

- **BMP Implementation Projects** improve an impaired water body, or prevent non-impaired water from becoming placed on the 303(d) List. Projects of this type receive highest priority for funding. All projects involving BMPs must be based on an approved “Watershed Based Plan”.
- **Monitoring Projects.** Up to 20% of the available grant funds assist water quality monitoring efforts in Tennessee streams, both in the state's 5-year watershed monitoring program, and also in performing before-and-after BMP installation, so that water quality improvements can be verified.
- **Educational Projects** funded through TDA-NPS raise public awareness of practical steps that can be taken to eliminate NPS pollution.

[www.tn.gov/agriculture/water/nps.shtml](http://www.tn.gov/agriculture/water/nps.shtml)

## **UT/ TSU Extension**

The UT Extension provides a gateway to the University of Tennessee as the outreach unit of the Institute of Agriculture. With an office in every Tennessee County, UT Extension delivers educational programs and research-based information to citizens throughout the state. In cooperation with Tennessee State University, UT Extension works with farmers, families, youth and communities to improve lives by addressing problems and issues at the local, state and national levels. A UT Extension County Committee member serves on the SCD Nominating Committee for elections and appointments.

<https://utextension.tennessee.edu/Pages/default.aspx>  
<http://www.tnstate.edu/extension/>

## **TDA- Division of Forestry**

The Division of Forestry has a variety of programs in which SCDs can become involved. There are Area and District Foresters across Tennessee willing to provide technical advice and direction to tree planting efforts of the SCD. These staff should be provided notice to the SCD Board meetings, Local Working Group meetings and SCD functions.

<http://www.tn.gov/agriculture/forestry/index.shtml>

## **Tennessee Wildlife Resources Agency**

The Tennessee Wildlife Resources Agency has four Private Lands Biologists (PLBs) that are cost-shared by the USDA-Natural Resources Conservation Service and who operate from the NRCS Area offices alongside the NRCS Area Biologist.

In their daily activities, the PLBs coordinate with District personnel as it relates to providing technical assistance and guiding people through USDA conservation programs. Approximately 40 native grass no-till drills are located at District offices and are rented to the public. The PLBs work with District personnel to make sure that they are knowledgeable on the operation and maintenance of the drills. The PLBs and TWRA Private Lands Liaison will also occasionally coordinate with Districts and conservation organizations to conduct workshops on wildlife and land management. Current listings of PLBs and other natural resource professionals' contact information and a list of native grass drills available to the public can be found at

<http://www.twraprivatedlands.org/>

## **Tennessee Stream Mitigation Program**

The Tennessee Wildlife Resources Foundation provides funding for targeted riparian zone improvements in order to provide compensatory mitigation for highway projects or other projects that have unavoidable impacts. SCDs could connect and collaborate with this program to help find suitable sites for projects.

<http://tsmp.us/>

## **Tennessee Department of Environment and Conservation**

The State Water Quality Control Act contains a broad Agricultural Exemption in TCA §69-3-120(g), which states, "Nothing whatsoever in this part shall be so construed as applying to any agricultural or forestry activity or the activities necessary to the conduct and operations thereof or to any lands devoted to the production of any agricultural or forestry products, unless there is a point source discharge from a discernible, confined, and discrete water conveyance." This means that for a few specific exceptions, agricultural and forestry activities do not require permits from TDEC.

**Permits:** TDEC, Division of Water Resources has the responsibility to enforce the Tennessee Water Quality Control Act, and accompanying regulations, and associated EPA regulations. There are permits required by TDEC to be obtained on certain conservation practices, depending on the impact to waters of the state.

**Construction Stormwater Permits.** If a farm building is constructed, and the total area disturbed in the construction activity is greater than one acre, a construction stormwater permit is required from TDEC.

<http://www.tn.gov/environment/permits/conststrm.shtml>

**Aquatic Resource Alteration Permits:** Any project that will result in dredging, filling or alteration of a stream channel must comply with the provisions of this set of permits.

<http://www.tn.gov/environment/permits/arap.shtml>

**Concentrated Animal Feeding Operations (CAFOs):** Large confined livestock operations that are defined as a CAFO require a permit for operation from TDEC, as they are defined in the regulations as a point source discharger.

<http://www.tn.gov/environment/permits/cafo.shtml>

**Complaints:** TDEC takes numerous complaint inquiries from citizens each year, many of which get addressed by contact from TDA or the SCD staff, and through the implementation of conservation practices.

**West Tennessee River Basin Authority:** This regional authority is created in state statute TCA§64-1-1101 with the purpose of maintaining, and preserving, and restoring flow and function to a number of West Tennessee River basins. Districts in West Tennessee have had interaction with WTRBA staff on projects of common interest.

[http://www.tn.gov/environment/board\\_west-tn-river-basin-authority.shtml](http://www.tn.gov/environment/board_west-tn-river-basin-authority.shtml)

### **SCD Relationships with Local Agencies, Organizations and Groups**

The Soil Conservation Districts were created in order to raise awareness and cause the erosion of our soils to be controlled. While the erosion of productive farmland is of primary importance in most Districts, the state law does not limit the work of the Districts to only agricultural lands. Therefore, it is important that each Board of Supervisors evaluate the land uses and concerns in their specific District and reach out to the following groups to partner to achieve the maximum control of soil loss in the District.

#### **Local Stormwater Agencies**

Many Tennessee counties and cities have permitted stormwater programs that seek to regulate the erosion of soils from land development. These entities need to be contacted by the District and should be invited to become affiliate members of the District, as there is much to be gained by forming these partnerships.

#### **County Public Works Officials**

Much erosion occurs in many counties from road ditch and right-of-way concerns. Each District Board should invite the Public Works and/or Road Superintendents to the monthly meetings and seek to partner on areas of mutual interest.

#### **Local Parks and Greenways Officials**

Local officials that oversee the maintenance of local parks and greenways should be invited to partner with the local SCD Board, due to the educational opportunities that may be available.

## **Utility District Boards/Municipal Water and Wastewater Systems**

Water and wastewater treatment managers have similar interests as the SCD Board, in working to improve and maintain water quality in local streams. There should be a great deal of support from these local utilities, as it is fact that less erosion means less sediment, and cleaner water. Cleaner water is less expensive to treat for drinking and may reduce the cost of local wastewater treatment.

## **Nonprofit Organizations**

Districts should build upon relationships with local nonprofit interests that share common values concerning soil loss reduction and improved water quality. Historically, Districts have worked closely with Resource Conservation and Development Councils (RC&Ds) on projects of common interest, and also groups such as The Nature Conservancy (TNC), the Tennessee Environmental Council (TEC), and Ducks Unlimited (DU), Land Trust/Conservancy groups and many other local watershed groups.

## **Agricultural Commodity Associations**

District Supervisors should seek out the leaders of the various commodity associations in each District and invite them to attend District meetings, so that local successes and challenges can be discussed and help enlisted to promote the positive activities and to address the challenging situations.

## **Animal Waste Associations**

Certain locales have the need for specialized waste pumping and land application services. Associations have been formed through regional, multi-District sponsorship to form animal waste associations. These entities are stand-alone non-profit associations that provide a fee-based service, while promoting the agronomic utilization of manures.

## **County Boards of Education**

This county board along with the Superintendent of Schools should be informed of any and all educational activities planned, so the school system can make maximum use of the event in lesson planning and incorporation into system-wide educational requirements. Vocational Agricultural programs should be contacted as potential partners for various District programs.

## **Civic Groups**

Leaders of the various civic groups should be kept informed about the work of the District, as they may have mutual goals. These groups may be interested in providing funding or volunteers to help with certain events or activities of the District.

## **Watershed Districts**

TCA §69-6-101 through 149

The purpose of the Watershed Districts Law was to facilitate the planning for and funding and operation of watershed projects, pursuant to PL-566. While the Soil Conservation Districts have no statutory authority over Watershed Districts, SCDs and Watershed Districts are encouraged to cooperate on projects of mutual interest. Older watershed structures in some cases have been transferred to Soil Conservation Districts to establish them as the owner of record.

## **Conservation Assistance and Education to Citizens**

### **Conservation Practices**

A suite of conservation practice standards are available to address a wide range of soil erosion concerns from all agricultural operations. Technical assistance is also offered to many urban and suburban landowners to assist with resource concerns in these situations. The USDA-NRCS Field Office Technical Guide is an important reference for conservation practices.

### **Conservation Field Days and Events**

Many Districts sponsor a variety of activities where local citizens are invited to view conservation practices installed and working on a particular farm or farms. These events are popular and serve to raise awareness in the community about the conservation programs offered through the District and the local partners. Some SCDs hold “tree days” to provide free or low-cost seedlings to individuals for promotion of the work of the District.

### **Agricultural Complaint Resolution**

District Boards and staff can assist in the resolution of citizen complaints by providing information and education to the parties about possible solutions.

### **Urban Issues**

Soil Conservation District Supervisors and staff can provide technical assistance to help with resource concerns in urban areas. This is consistent with the broad mission of Districts. This is a daily occurrence in Tennessee’s more urban Districts. Much of the assistance is requested from homeowners and small acreage owners.

### **Soil and Water Education**

There are numerous programs that District Supervisors, staff and volunteers can become involved in related to education of the public about the importance of soil erosion prevention and water quality improvement.

## **NACD Soil Stewardship**

The National Association of Conservation Districts has developed materials for general use in classrooms and at various public events, such as “Sammy Soil” and “Ruby Raindrop”, along with annual Soil Stewardship materials.

<http://www.nacdnet.org/education>

## **Agriculture in the Classroom**

(Sponsored in Tennessee by the Tennessee Farm Bureau)

In 1981 the U.S. Department of Agriculture (USDA) invited representatives of agricultural groups and educators came to a meeting in Washington, D.C. to discuss agricultural literacy. A national task force was selected from this group. Representation came from agriculture, business, education, and governmental agencies, some of whom were already conducting educational programs in agriculture.

This task force recommended that the USDA be the coordinator for national agricultural classroom literacy and that it sponsor regional meetings to help states organize their own programs. They also urged the department to encourage the support of other national groups. Since that time, significant progress has been made through these partnerships of agriculture, business, education, government and dedicated volunteers.

Each state organization addresses agriculture education in a way best suited to its own needs. In some cases, an all-volunteer network is responsible for teacher education and materials distribution. States have formed educational nonprofit organizations which have the benefit of a tax-deductible status. In some states leadership is provided through the departments of education, agriculture or other government agencies; in other states through agriculture organizations or commodity groups; some through universities or colleges; and in some cases through the dedicated efforts of one or two individuals.

<http://www.tnfarmbureau.org/content/agriculture-classroom-teacher-workshops>

## **Envirothon**

Many SCDs across Tennessee along with NRCS staff and the Tennessee RCD Council sponsor teams to compete in the annual Envirothon. This environmental education program consists of the annual North American Envirothon Competition in which winning teams from participating states and Canadian provinces compete for recognition and scholarships by demonstrating their knowledge of environmental science and natural resource management. The competition is focused on four universal testing categories (i.e., soils/land use, aquatic ecology, forestry, and wildlife) and a current environmental issue.

The Envirothon program is an effective educational tool, capable of supplementing environmental education both inside and outside the classroom. Led by a volunteer advisor, teams usually meet from late autumn until spring. Teams work collaboratively to develop their knowledge of ecology and natural resource management and to practice their environmental problem-solving skills in preparation for Envirothon competitions.

<http://www.envirothon.org/>

## **Project WET**

WET stands for Water Education for Teachers. Project WET is an international, interdisciplinary, water science and education program for formal and non-formal educators of K-12 students. In Tennessee, the mission of Project WET is to help teachers provide water education to their students with the goal of reducing nonpoint source pollution and improving water quality. This service is provided primarily through educator workshops. Project WET is located in The Center of Excellence for Field Biology of Austin Peay State University.

<http://www.apsu.edu/wet>

## **Project WILD**

Project WILD is sponsored in Tennessee by TWRA and links students and wildlife through its mission to provide wildlife-based conservation and environmental education that fosters responsible actions toward wildlife and related natural resources.

<http://www.projectwild.org/TennesseeCoordinator.htm>

## **Project Learning Tree**

PLT is sponsored in Tennessee by the TDA-Division of Forestry and uses the forest as a "window" on the world to increase students' understanding of our environment; stimulate students' critical and creative thinking; develop students' ability to make informed decisions on environmental issues; and instill in students the commitment to take responsible action on behalf of the environment.

<https://www.plt.org/mission-goals-governance>

## **State and National SCD Associations**

### **Tennessee Association of Conservation Districts**

The Tennessee Association of Conservation Districts (TACD) is an association made possible by the 95 Soil Conservation Districts across Tennessee. TACD is a not-for-profit corporation officially registered through the Tennessee Secretary of State.

TACD started with discussions among the Districts already formed in 1943 and 1944, after the passage of the Soil Conservation District Act for Tennessee in 1939. Toward the end of World War II, the Association-then called the Tennessee Association of Soil Conservation Districts, held the first official meeting in August of 1945. W.F. Fletcher of Haywood County was the first President of the Association.

The mission of TACD is: Helping Conservation Districts conserve and enhance the natural resources of Tennessee through education, leadership and advocacy.

Some of the objectives of the TACD are:

- To advance the programs of Soil Conservation Districts;

- To promote the welfare of the people of Tennessee through the work of Soil Conservation Districts;
- To develop citizen participation and leadership in the affairs of Soil Conservation Districts;
- To encourage cooperation among Districts and Local, State and Federal agencies;
- To promote education and information about soil and water conservation;
- To encourage the exchange of information and promote cooperation among Districts;
- To promote effective organization and management of Soil Conservation Districts; and
- To develop and recommend legislative proposals as needed to promote and enhance the conservation of Tennessee's soil and water resources.

TACD encourages every supervisor, district employee, state and federal employees, interested landowners and other professionals to actively participate in TACD programs and initiatives to expand their ability to protect Tennessee's abundant natural resources through the local Soil Conservation District and to assist in making our Association even more successful in the future.

[www.tnacd.org](http://www.tnacd.org)

### **Tennessee Conservation District Employees Association**

The purposes for which TCDEA is formed are:

- To promote resources conservation in Tennessee and in local conservation districts;
- To more adequately assist in the implementation of district programs and activities;
- To establish and maintain a standard of quality for conservation district employees;
- To carry on an education and improvement program for conservation district employees;
- To instill in conservation district employees the same pride and dedication as is displayed by district supervisors.

TCDEA administers a Professional District Employee Program which includes the certification levels of Standard, Associate Standard, Professional, and Master I through III. The purposes of this certification process are:

- To make the position of District Employee, Office Manager, Administrative Assistant, Soil Conservationist, Soil Conservation Technician more professional;
- To make the general public more aware of the duties and responsibilities involved with these positions;
- To stimulate TCDEA members to augment their education and to increase their general knowledge;
- To become better qualified for these positions by completing course work and other activities which will enhance the work that is being performed; and
- To create and enhance pride in their chosen profession.

Any district employee in Tennessee shall be eligible for membership in the Tennessee Conservation District Employee Association. Dues are \$25.00 per year per employee and they are payable at the TACD annual convention or by November 30th. Dues are required to be paid by February 1st of the forthcoming convention to be a voting member. Any past district employee shall be eligible to be an affiliate member with the same dues as a regular member. Affiliate members shall be non-voting members.

[www.tcdea.tnacd.org](http://www.tcdea.tnacd.org)

## **National Association of Conservation Districts**

The National Association of Conservation Districts (NACD) is the non-profit organization that represents America's 3,000 conservation districts and the 17,000 men and women who serve on their governing boards. Conservation districts are local units of government established under state law to carry out natural resource management programs at the local level. Districts work with millions of cooperating landowners and operators to help them manage and protect land and water resources on all private lands and many public lands in the United States. **NACD's mission is to serve conservation districts by providing national leadership and a unified voice for natural resource conservation.** Among the goals of the organization are to:

- Represent districts as their national voice on conservation issues;
- Provide useful information to conservation districts and their state associations;
- Build partnerships with federal and state agencies and other organizations in order to carry out district priorities and programs;
- Analyze programs and policy issues that have an impact on local districts; and
- Offer needed and cost-effective services to districts.

The association was founded on the philosophy that conservation decisions should be made at the local level by local people with technical and funding assistance from federal, state, and local governments and the private sector. As the national voice for all conservation districts, NACD supports voluntary, incentive-driven natural resource conservation programs that benefit all citizens. The association's programs and activities aim to advance the resource conservation cause of local districts and the millions of cooperating landowners and land managers they serve.

NACD maintains relationships with organizations and government agencies; publishes information about districts; works with leaders in agriculture, conservation, environment, education, industry and other fields; and provides services to its districts. NACD is primarily financed through voluntary contributions of its member districts and state associations.

<http://www.nacdnet.org/>

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STATE OF TENNESSEE  
POLICY OF NON-DISCRIMINATION

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