White River Natural Resources Conservation District

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White River NRCD 2024-2025 Approved Policy Positions*

**Positions approved by a vote of the White River NRCD Board of Supervisors at the 2024 Annual Meeting (meeting minutes). Legal references and status updates added November 2, 2026.*

Farm Bill Request

Request to Congress: Fund Conservation Districts Through the Farm Bill

Since the 1930s, conservation districts have been the backbone of locally-led conservation efforts, created to address critical natural resource challenges and implement federal conservation programs (16 U.S.C. § 590a et seq.; Standard State Soil Conservation Districts Law, 1936). Despite their nearly century-long service, the federal government has never directly invested in this vital, decentralized, national infrastructure for democratic decision making.

There exist about 3,000 conservation districts across the country (16 U.S.C. § 3801(a)(5)). We respectfully request that Congress allocate $100,000 annually to each conservation district nationwide in the new Farm Bill. This modest investment would enable districts to fulfill their federally mandated responsibilities, improve government efficiency, and enhance environmental outcomes.

Why Fund Conservation Districts Now?

1. A Long-Standing, Unfunded Infrastructure:

- Conservation districts were created in the 1930s during the Dust Bowl era to address soil erosion and water management (16 U.S.C. § 590a; 10 V.S.A. chapter 31). For nearly 90 years, they have implemented federal conservation priorities without dedicated federal funding, relying instead on inconsistent state and local resources.
- The result is a patchwork of underfunded districts struggling to fulfill their mandated roles in administering programs like the Conservation Reserve Program (CRP) (16 U.S.C. §§ 3831–3835a; 7 C.F.R. part 1410), ensuring compliance with Highly Erodible Land and Wetland Conservation provisions (16 U.S.C. §§ 3811–3814, 3821–3824; 7 C.F.R. part 12), and approving Conservation Plans (16 U.S.C. § 3801(a)(3)(C)).

2. Recognized in Federal Law but Never Funded:

- Though they are state-level bodies, Conservation districts are specifically referenced in the Food Security Act of 1985 for their role in conservation planning and compliance for Highly Erodible Lands and Wetlands, as well as in administering programs like the Conservation Reserve Program (CRP) (16 U.S.C. § 3801(a)(3)(C), § 3812). Every Conservation Reserve Program (CRP) contract

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requires a conservation plan, which must be approved by the local conservation district board (16 U.S.C. § 3832(a)(1); 7 C.F.R. § 1410.22(a)).

- The Code of Federal Regulations (CFR) highlights the critical role districts play in delivering technical assistance, developing conservation plans, and facilitating compliance with federal guidelines (7 C.F.R. §§ 610.2–610.3; 7 C.F.R. § 12.2).
- Federal guidance mandates that districts lead local working groups, which bring together community stakeholders to ensure conservation programs address locally identified resource concerns (7 C.F.R. § 610.25; 440-CPM Part 501, Subpart C). These efforts are integral to the locally-led conservation process, ensuring programs are effective and responsive to community needs (440-CPM Part 501, Subparts A–B). NRCS policy assigns districts this work, including convening and chairing Local Working Groups, publicizing meetings and seeking broad participation, developing conservation needs assessments, and keeping meeting records (440-CPM Part 501, Subpart C). NRCS often formalizes these expectations with districts through unfunded cooperative agreements (UCAs) and memorandums of understanding.

Other ways conservation districts are named in federal law and regulation (added Nov. 2026):

- State Technical Committees must include conservation district representation (16 U.S.C. § 3861(c)(9)).
- Districts can sponsor watershed and flood prevention projects and approve landowner plans under them (16 U.S.C. §§ 1001–1003).
- Districts can sponsor Emergency Watershed Protection disaster-recovery work (7 C.F.R. part 624).
- Districts are named eligible partners in the Regional Conservation Partnership Program (16 U.S.C. § 3871a(4)(J)).
- NRCS technical assistance is provided through and in cooperation with conservation districts (7 C.F.R. § 610.3).

3. Improving Government Efficiency:

- Conservation districts streamline federal conservation efforts by serving as a single, trusted point of contact for landowners, reducing the need for redundant federal staff and administrative oversight (7 C.F.R. § 610.3).
- Adequately funding districts allows them to lead on-the-ground implementation, ensuring programs are tailored to local needs and delivered effectively.

4. Enhanced Environmental Outcomes:

- Districts' local expertise enables them to design conservation strategies that directly address community challenges, improving soil health, water quality, and habitat restoration.

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- This tailored approach ensures federal conservation dollars achieve maximum environmental impact, avoiding the inefficiencies of one-size-fits-all solutions.

5. Cost Savings Through Decentralization:

- Funding conservation districts would reduce the federal administrative burden by empowering a decentralized, locally-led system that is already in place.
- This investment will save taxpayer dollars over time by focusing resources on actionable conservation work rather than unnecessary bureaucratic layers.

The Proposal: We urge Congress to include $100,000 per year for each conservation district in the new Farm Bill, for a total annual line item of about $300,000,000, an estimated 0.2% of the average annual Farm Bill expenditures (CRS R45525). This funding will:

- Empower districts to meet their federal mandates, including leading the locally-led conservation process and ensuring program compliance (7 C.F.R. § 610.25; 440-CPM Part 501).
- Strengthen community engagement through local working groups, fostering trust and collaboration between federal agencies, landowners, and stakeholders.
- Ensure districts have the staff and resources needed to implement federal conservation priorities effectively and equitably.

Conclusion

For nearly a century, conservation districts have served as the nation's decentralized, democratic conservation infrastructure without direct federal investment. Funding these districts through the Farm Bill is a necessary step to modernize and strengthen their capacity to address today's resource challenges. This modest annual allocation of $100,000 per district will reduce redundancies, improve government efficiency, and deliver better environmental outcomes while honoring the locally-led conservation model that has been the foundation of American conservation since the 1930s.

USDA already works through conservation districts under longstanding agreements and memorandums of understanding (7 C.F.R. § 610.3), including unfunded cooperative agreements, so this is a natural next step, not a new experiment: it would simply put funding behind agreements that already exist. Where NRCS has funded cooperative agreements for the locally-led process, the model has already proven workable. Without such funding, districts are accountable for outcomes without the resources needed to deliver them. It would be a direct investment in trusted local governments that are already doing this work, letting each district begin to staff the work federal and state law already asks of it but does not fund directly, from natural resource assessments and locally-led conservation planning to writing and approving conservation plans and responding to requests for technical assistance (10 V.S.A. § 723; 7 C.F.R. part 610), leverage additional federal, state, and local resources, and grow along with the needs of

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its community. We respectfully request that Congress prioritize this funding in the new Farm Bill to ensure the continued success of this essential infrastructure.

Vermont State Request

Update the Vermont Soil Conservation Act (Title 10, Chapter 31)

Recommendation 1: Remove mortgage restriction language 10 V.S.A. § 723(5)

Context: VT is the only state in the country with language prohibiting mortgages on real estate property for conservation districts. This restriction severely limits our options for acquiring land or office space.

Update (Nov. 2026): Recommendation 1 enacted

The General Assembly adopted this recommendation in 2025 Acts and Resolves No. 178 (Adj. Sess.) (S.323), Sec. 21, signed June 18, 2026, effective July 1, 2026. It struck from § 723(5): "provided however, that real estate shall not be mortgaged, and provided however, that the sale, lease, or other disposition of real property of the district is approved by the written consent of the governor."

Recommendation 2: Update composition of the NRCC 10 V.S.A. § 703

Context: Fix outdated Agency names, specifically:

- "Chair of the State Forests and Parks Board" should be updated to: "Commissioner of the Forest, Parks, and Recreation Department" (3 V.S.A. § 2872)
- "Chair of the State Fish and Wildlife Board" should be updated to: "Commissioner of the Fish and Wildlife Department" (3 V.S.A. § 2871; 10 V.S.A. § 4041)
- "Director of the State Planning Office" should be removed and potentially replaced with another statewide planning organization, such as VHCB (10 V.S.A. § 311).

References added (Nov. 2026)

The successor to the Forests and Parks Board is the Board of Forests, Parks and Recreation (3 V.S.A. § 2802(a)(4)). The State Planning Office no longer exists; its executive order (No. 5-73) was rescinded by Executive Order No. 08-95.

Recommendation 3: Change "Landowner" language back to "Land Occupier" or "Resident" 10 V.S.A. § 719, § 723(4), § 723(6)

Context: Current language restricts voting rights and services to "landowners". This is likely unconstitutional. According to our database, only 7 states in the U.S. require landownership for voting in

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Conservation District elections: Alabama, Arizona, Arkansas, Colorado, Mississippi, Tennessee, and Vermont. Guam and Missouri use the term landowner but also allow for alternatives.

References added (Nov. 2026)

- § 702(5) defines "owner" as holding title in fee to one or more acres; § 719 states "Only landowners shall be eligible to vote."
- Other sections using owner or landowner language: § 709, § 712(b), § 714(a), § 717, § 724, § 727, § 729. The act already uses "occupiers" in § 723(8) and "persons in possession" in § 725 and § 728; the 1936 Standard State Soil Conservation Districts Law used "land occupier."
- Legal basis: U.S. Const. amend. XIV; *Kramer v. Union Free School District No. 15*, 395 U.S. 621 (1969); Vt. Const. ch. I, art. 8; ch. II, § 42.
- Related case law: *Salyer Land Co. v. Tulare Lake Basin Water Storage District*, 410 U.S. 719 (1973); *Ball v. James*, 451 U.S. 355 (1981); districts' public purpose, 10 V.S.A. § 701.
- Original intent: the model law's drafters chose "land occupier" on purpose so that owners, tenants, and sharecroppers could all vote, since an absentee owner may have less at stake than the person who farms the land (Glick interview, 1990).

Increase Appropriations to the Conservation Districts

We are requesting the Natural Resources Conservation Council's base budget be increased from $360,000 to $3,000,000 in the VAAFM's FY26 budget to support ongoing operations of Vermont's 14 Conservation Districts and our statewide council, the NRCC, which is referred to as an Agency of the State in our enabling statute (10 V.S.A. § 703). This increase in funding would allow NRCC to hire critical staff and host a website (10 V.S.A. § 704), and would allow the 14 individual Conservation Districts to be able to sustain and expand access to our state and federal legislatively mandated core services (10 V.S.A. §§ 706, 708, 723), conduct meaningful ongoing community engagement, respond to emergent needs and disasters, and leverage millions of dollars of federal funds into Vermont.

Update (Nov. 2026)

The $360,000 figure reflects earlier years (NRCC minutes, July 2022). VACD reports a FY2025 total appropriation of $612,000 and a Governor's recommended FY26 base of $500,000 (VACD overview, Jan. 2025; VACD comment, Feb. 2025).

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Table of Authorities

Authority	Type	What it covers
16 U.S.C. § 590a et seq. (Soil Conservation Act of 1935, Pub. L. 74-46)	Federal statute	Origin of the federal soil conservation program
Standard State Soil Conservation Districts Law (USDA, 1936)	Federal model law	Template for state district enabling acts
The Preparation of the Standard State Soil Conservation Districts Law: An Interview with Philip M. Glick (USDA SCS, 1990)	Legislative history	Drafter's account: no taxing power, federal/state funding, "land occupier" voting
16 U.S.C. §§ 1001–1003 (Watershed Protection and Flood Prevention Act, PL-566)	Federal statute	Districts as watershed project sponsors; district-approved plans
16 U.S.C. § 3801	Federal statute	Defines "conservation district" and district-approved conservation plan
16 U.S.C. §§ 3811–3814, § 3812	Federal statute	Highly erodible land conservation; district-approved conservation systems
16 U.S.C. §§ 3821–3824	Federal statute	Wetland conservation
16 U.S.C. §§ 3831–3835a; § 3832(a)(1)	Federal statute	CRP; plan approved by the local conservation district
16 U.S.C. § 3842	Federal statute	Delivery of technical assistance
16 U.S.C. §§ 3861–3862	Federal statute	State Technical Committees; § 3861(c)(9) requires the state association of conservation districts
16 U.S.C. §§ 3871a(4)(J), 3871b	Federal statute	Conservation districts as RCPP eligible partners; partner contributions

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Authority	Type	What it covers
Pub. L. 115-334 (Agriculture Improvement Act of 2018)	Federal statute	Current farm bill; CRS R45525 cost estimate
H.R. 7567; S. 5526 (119th Cong.)	Pending bills	2026 farm bill vehicles
7 C.F.R. part 12	Federal regulation	HEL and wetland compliance; § 12.2 definitions
7 C.F.R. part 610, subpart A (§§ 610.2, 610.3)	Federal regulation	NRCS technical assistance through conservation districts
7 C.F.R. § 610.25	Federal regulation	Local working groups
7 C.F.R. part 624	Federal regulation	Emergency Watershed Protection; districts as sponsors
7 C.F.R. part 1410 (§ 1410.22)	Federal regulation	CRP conservation plan approval
7 C.F.R. part 1464	Federal regulation	Regional Conservation Partnership Program
440-CPM Part 501, Subparts A–D (Jan. 2026)	NRCS policy	Locally led conservation and program delivery
440-CPM Part 501, Subpart C (Jan. 2026)	NRCS policy	District responsibilities for local working groups
440-CPM Part 500, Subpart A (archived)	NRCS policy (retired)	Original locally led conservation definition
180-GM Part 409	NRCS policy	Conservation planning policy
NRCS EWP fact sheet	NRCS guidance	Conservation districts as EWP sponsors
10 V.S.A. chapter 31 (§§ 701–740)	Vermont statute	Soil Conservation Act: NRCC, districts, elections, powers
10 V.S.A. § 723	Vermont statute	Powers of supervisors (mortgage, aid, equipment)

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Authority	Type	What it covers
2025 Acts and Resolves No. 178, Sec. 21	Vermont session law	Removed mortgage restriction, eff. July 1, 2026
3 V.S.A. § 2802, § 2871, § 2872	Vermont statute	ANR departments and Board of Forests, Parks and Recreation
10 V.S.A. § 4041	Vermont statute	Department of Fish and Wildlife; Fish and Wildlife Board
10 V.S.A. § 311	Vermont statute	Vermont Housing and Conservation Board
Executive Order No. 08-95	Vermont executive order	Rescinded the State Planning Office order (No. 5-73)
U.S. Const. amend. XIV; Vt. Const. ch. I, art. 8; ch. II, § 42	Constitutional	Equal protection; free elections and voter qualifications
Kramer v. Union Free Sch. Dist. No. 15, 395 U.S. 621 (1969)	Case law	Strict scrutiny for property-based voting limits
Salyer Land Co. v. Tulare Lake Basin Water Storage Dist., 410 U.S. 719 (1973); *Ball v. James*, 451 U.S. 355 (1981)	Case law	Special-purpose district exception