

# ***District Authority***



# *District Supervisors...*

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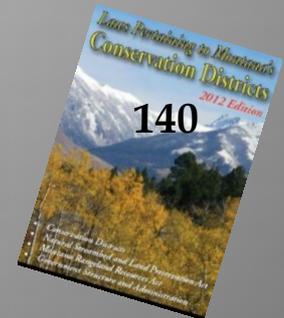
◆ *WHY* are you a Supervisor?

◆ TO DO: Worksheet on Issues .....  
Burr under the saddle, wish list or your passion...

# Montana State Law Title 76, Chapter 15

- ◆ **76-15-102. Declaration of policy.** It is hereby declared to be the policy of the legislature to provide for the conservation of soil and soil resources of this state ... ..

**Conservation District Authority**  
**MCA 76-15-102. Declaration of policy.** It is hereby declared to be the policy of the legislature to provide for the conservation of soil and soil resources of this state, for the control and prevention of soil erosion, for the prevention of floodwater and sediment damages, and for furthering the conservation, development, utilization, and disposal of water and thereby to preserve natural resources, control floods, prevent impairment of dams and reservoirs, preserve wildlife, protect the tax base, protect public lands, and protect and promote the health, safety, and general welfare of the people of this state.



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# The Function of the Conservation District

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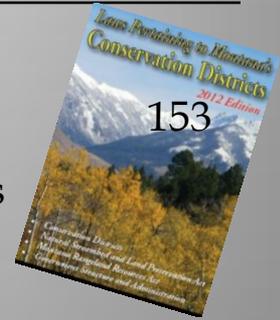
To take available technical, financial, and educational resources, whatever their source, and focus or coordinate them so that they meet the needs of the local land user for conservation of soil, water, and related resources.

Adapted from Pete Nowak's "the Conservation District Official..."

# Authorities:

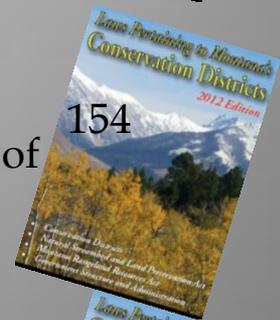
## Legal status of district - Immunity (76-15-320)

- ◆ A CD, district employee or supervisor is immune from suit for any liability..., unless the act or omission constitutes **gross negligence**, was committed in **bad faith**, or was committed with **malicious purpose**.



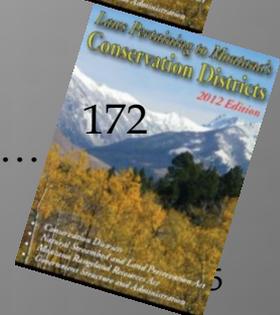
## Rulemaking Authority (76-15-321)

- ◆ ... power to make ...rules to carry into effect the purposes and powers of this chapter (CD's) ie. 310 rules



## Land use Regulations (76-15-701)

- ◆ ... formulate regulations governing the use of lands within the district ... ie. Rosebud CD CBM rules.



# Authorities:

## ◆ Natural Streambed and Land Preservation

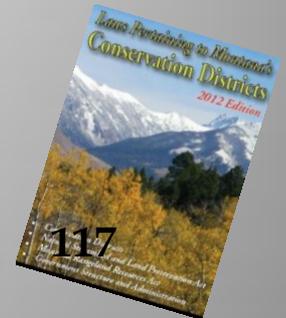
Act of 1975 (310 Law) (75-7-102):

### Purpose of the law:

. . . That natural rivers and streams and lands immediately adjacent to them are to be protected and preserved to be available in their natural or existing state . . .

### Further . . .

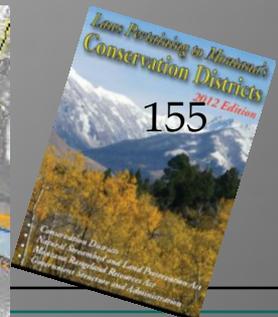
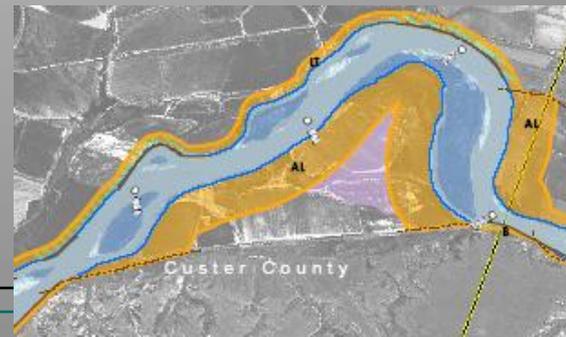
. . . minimize erosion and sedimentation . . . The policy recognizes the needs of irrigation and agricultural uses and the need to protect the use of water for any beneficial purpose guaranteed by the constitution .



# Authorities:

## ◆ Study of problems relating to soil and water conservation (76-15-401):

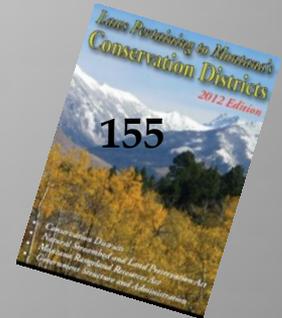
- soil erosion;
  - flood water and sediment damages;
  - land drainage;
  - conservation and development of soil, water, related natural resources . . .
  - All in cooperation with state and federal agencies
- ◆ Smith River hydrology Study Meagher CD
  - ◆ CMZ mapping by YRCDC
  - ◆ Photo Riparian base-line Mineral CD



# Authorities:

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- ◆ Development of soil and water conservation plan (76-15-402):

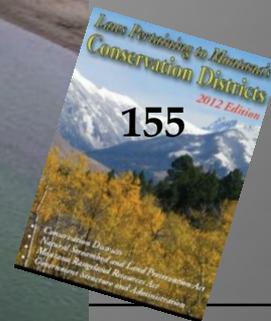


# Authorities:

◆ Operation of Projects & Works (76-15-403):



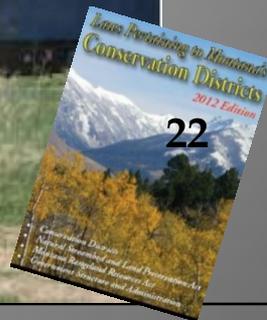
Hill County CD car removal project:



# Authorities:

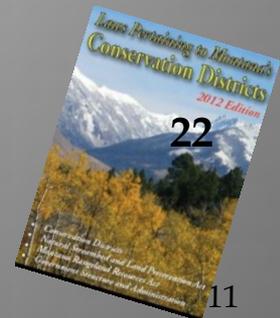
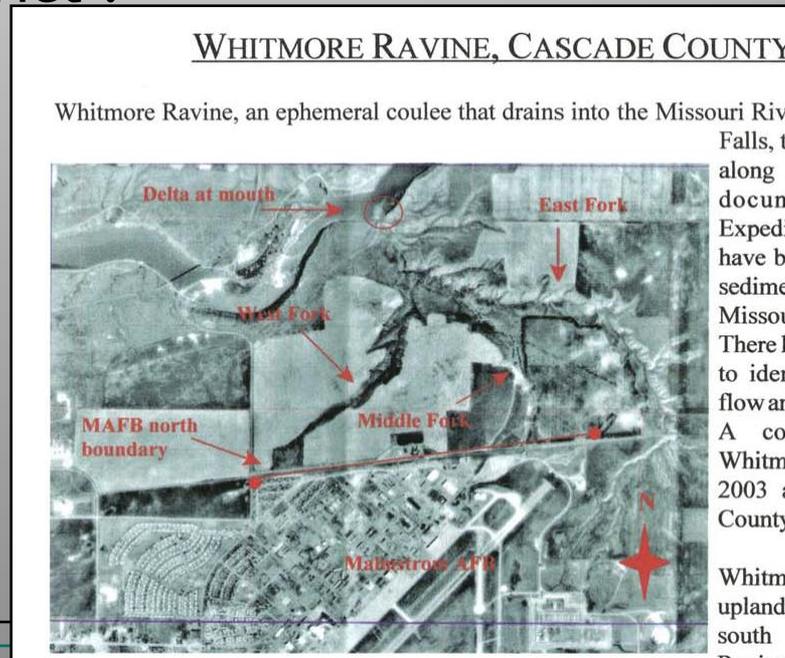
preventative and control measures:

Russian Olive tree removal demonstration



# Authorities:

- ◆ Cooperate, or enter into agreements (76-15-403(3)) with and to furnish financial or other aid to, any agency, governmental or otherwise, or any occupier of lands within the district .



# Authorities:

- ◆ Furnishing of Supplies and Equipment. (76-15-406)

