

**Alaska Department of Natural Resources  
Alaska Association of Conservation Districts  
and  
USDA Natural Resources Conservation Service**

**OPERATIONAL AGREEMENT,  
STRATEGY, and LONG-RANGE PROGRAM  
PLAN**

**2010 -2015**

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## **Introduction**

The State of Alaska, Department of Natural Resources (DNR) is responsible for the development and conservation of all non-game natural resources occurring on state owned land. DNR also provides programs and assistance to other agencies and private landowners for natural resource conservation and development throughout the state.

The U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) provides technical assistance to private landowners by providing leadership in a partnership effort to help America's private landowners and managers conserve their soil, water, and other natural resources.

Alaska Soil and Water Conservation Districts (SWCDs) are State of Alaska authorized entities with the delegated authority to exercise the duties prescribed by the Commissioner of the Department of Natural Resources as provided in Alaska Statutes (AS) 41.10.

The Alaska Association of Conservation Districts (AACD) is a non-profit organization that performs administrative services for the soil and water conservation districts. AACD's board consists of a representative from each soil and water conservation district's board of supervisors.

Even though SWCDs perform an important service in Alaska, SWCDs lack a consistent and stable funding source as well as a strategy and long-range program plan. The SWCDs' efforts focus primarily on the development and execution of Annual Work Plans (AWP), which are approved, as appropriate, by the Commissioner of DNR and the State Conservationist for the NRCS if NRCS funds are utilized. Working with the agencies and available funding sources involved, each individual SWCD prepares and implements its own AWP.

For the purposes of this agreement, the term 'partner' is meant to encompass the following: federal and state agencies, municipalities, boroughs, city councils or assemblies, native or tribal organizations, private businesses or corporations, non-profit organizations, public service groups, homeowner associations, the University of Alaska or other public education entities, or private individuals.

Current SWCDs include:

Alaska (serves areas where other SWCDs do not exist)  
Anchorage  
Salcha-Delta  
Fairbanks  
Homer  
Kenai

Kenny Lake  
Kodiak  
Mid-Yukon/Kuskokwim  
Palmer  
Upper Susitna  
Wasilla

## **Purpose**

This Operational Agreement, Strategy and Long-Range Program Plan is intended to guide the Department of Natural Resources, the Soil and Water Conservation Districts, the USDA Natural Resources Conservation Service, and the Alaska Association of Conservation Districts through the next five years, from 2010-2015.

The *Purpose* is to direct the SWCDs towards effective programs in soil and water conservation and to clearly define the roles and responsibilities between DNR, NRCS and the SWCDs as the AACD. SWCD Annual Work Plans, staff position descriptions, district committees, projects, programs, activities, and services will reflect this strategy and program plan. AWP's will be tailored to achieve annual progress towards the overall strategy and program plan goals.

The *Strategy* is to undertake the orderly development of land, for guiding settlement, and for conserving soil and water resources and controlling and preventing soil erosion.

The *Long-Range Program Plan* provides the means for articulating the projects, programs, activities, and services to be undertaken to implement this strategy. This document presents the vision and challenges for the future, a foundation upon which the Districts build their programs and ultimately serve the public.

This document reflects DNR's, and more specifically SWCDs, inter-relationship with the Alaska Association of Conservation Districts (AACD), and the Department of Natural Resources' Divisions. It also addresses the role of the Natural Resources Conservation and Development Board as an advisory entity to the Department of Natural Resources Commissioner.

This document also reflects DNR's and AACD's, through its member SWCDs, a similar functional and working relationship with the NRCS.

## **Memorandum of Agreement between the Alaska Department of Natural Resources, the Alaska Association of Conservation Districts, and the USDA Natural Resources Conservation Service**

The Alaska Association of Conservation Districts (working with and under the direction of the Soil and Water Conservation Districts), the Department of Natural Resources, and the Natural Resources Conservation Service, agree that this document shall serve as a Memorandum of Agreement between the parties.

This Operational Agreement, Strategy and Long-Range Program Plan (Agreement) was prepared by the DNR, the AACD working under the direction of the Soil and Water Conservation Districts, and the NRCS. Both the DNR and NRCS are responsible for approving the Annual Work Plans of the SWCDs that are applicable to each agency.

Incorporated in this Agreement is the District Operations Manual and DNR Commissioner's delegation of authority to the SWCDs under AS 41.10.

Nothing in this agreement precludes the parties to this agreement, including the individual SWCDs, from entering into separate agreements with any of the parties to this agreement or other private or governmental agencies as long as such agreements are not in conflict to this agreement. Nothing in this agreement is intended to invalidate or modify the terms of any existing agreement between any of the parties to this agreement. Nothing in this agreement alters or limits any of the powers delegated to the SWCDs by DNR under AS 41.10.

## **Strategy and Long-Range Plan**

Planning is the basic tool to develop programs. To develop and maintain effective programs, each districts' supervisors must identify local conservation needs and resource concerns; set corresponding goals; develop plans with clear, measurable objectives; ensure implementation; monitor programs or projects; and evaluate results.

SWCDs meet their delegated responsibilities and objectives by implementing their approved AWP's . These AWP's detail specific projects and activities on an annual basis that further the goals of this Strategy and Long-Range Program Plan.

The Long-Range Program Plan is an effort to improve, enhance and facilitate the programs and projects carried out by the SWCDs. This Strategy and Long-Range Program Plan provides a framework to DNR, NRCS, and AACD, working under the direction of the SWCDs, and other program and funding entities with the ability to address multi-year programs and projects in a comprehensive manner to ensure that they fit with the overall mission of DNR, NRCS and the SWCDs. SWCDs are also encouraged to develop individual 5-year plans and may refer to section 7.03 (pages 38-41) of the District Operations Manual for additional information.

## **Goals and Objectives**

For the purposes of this agreement, these goals are assumed to be those of the DNR and the SWCDs. In implementing these goals and objectives, the SWCDs will work with federal, state, and other entities or agencies as appropriate or that may be the responsible authority. The goals and objectives include, but are not limited to, the following:

### Goal: Consistent and Professional Management and Leadership

- Objective: Establish direction within the framework of this Strategy and Long-Range Program Plan through state and local public input and annual work planning.
- Objective: Maintain professional, legally defensible, personnel management and administration practices.

- Objective: Maintain sound accounting practices and fiscal management.
- Objective: Maintain existing SWCDs, expanding the existing boundaries when appropriate, and establish new districts throughout the state.
- Objective: Develop and maintain good relationships with current and potential partners including but not limited to: federal, state and local agencies and organizations.
- Objective: Maintain adequate staff to implement natural resource programs, projects, and to address issues.
- Objective: Update and maintain SWCD Operating and related manuals and reference materials as appropriate.

Goal: Education and Training

- Objective: Utilize the Canon Envirothon to educate high school students about the importance of conservation practices.
- Objective: Get Water Education for Teachers (Project W.E.T.) in Alaska's classrooms.
- Objective: Educate the public about invasive plants and develop programs for their control.
- Objective: Get Alaska's Awesome Soils education out to the public and to educators.
- Objective: Develop and provide training for district cooperators.
- Objective: Identify and participate in training sessions and seminars as continuing education for district supervisors and staff.
- Objective: Utilize the "Ag in the Classroom" program to educate students about the importance of sustainable agriculture.
- Objective: Participate in and support speech and poster contests to raise public awareness of conservation and resource issues, develop and maintain demonstration projects to provide for interactive public learning opportunities, develop and produce newsletters, brochures and other publications, and develop, support or participate in other outreach activities.

Goal: Soil Resources

Objective: Identify, develop or utilize available programs to encourage and accomplish soil resources protection including soil erosion prevention and restoration programs.

Objective: Protect agricultural and forest soil resources.

Goal: Water Resources

Objective: Work with appropriate partners to assist in establishment of riparian buffers and utilization of best management practices (BMP's) needed for watershed protection and restoration.

Objective: Develop and implement restoration and protection programs for essential wetlands.

Objective: Develop and implement nutrient management and agricultural waste management programs.

Goal: Plant Materials/ Invasive Plants

Objective: Develop and enhance a working relationship with the Division of Agriculture, Plant Materials Center regarding re-vegetation restoration projects.

Objective: Identify and participate in NRCS' and other federal programs available to manage and control invasive plants.

Objective: Organize and participate in demonstration projects.

Objective: Develop and maintain noxious and invasive plant species eradication and management projects in cooperation with the State Noxious Weed Coordinator.

Goal: Forest Management and Development

Objective: Work with partners on regeneration and forest thinning projects.

Objective: Work with partners on regeneration techniques by species and by region.

Objective: Participate in long-term study and demonstration projects focused on tree species, soil, and climate conditions.

Objective: Work with partners to establish forestry and wood lot programs and promote responsible timber harvest methods that sustain the wood fiber needs of the communities.

Objective: Work with the DNR Division of Forestry and other partners on wildland fire mitigation planning and projects.

Goal: Agriculture

Objective: Work with the Division of Mining, Land, and Water and Division of Agriculture to ensure agricultural land sale programs meet local and state needs.

Objective: Work with the Division of Agriculture in development of farm conservation plans.

Objective: Work with appropriate partners to protect Alaska's farms for future generations.

Objective: Work with the Division of Agriculture regarding the establishment of new agricultural producers, markets, and support of Alaska Grown.

Objective: Work with appropriate partners in the identification and establishment of grazing lease opportunities.

Goal: Climate Change and Renewable Energy

Objective: Provide assistance in distribution of information and in development of demonstration projects relating to renewable or alternative energy.

Objective: Increase landowner use and access to information and programs designed to impact climate by educating the public on the benefits of sustainable living practices and earth-friendly land and water management options.

Objective: Work with partners to develop "green infrastructure."

Objective: Participate in research and studies related to climate change and alternative energy sources by collecting and providing local information and input to the University of Alaska and other appropriate partners.

Objective: Work with appropriate partners in the identification and development of alternative energy sources including biofuels



including but not limited to those produced by Alaska farms, fisheries, and forests.

## **Emerging Issues**

As part of the AWP development process, SWCDs should identify new proposals or partnerships and alert DNR and NRCS. The overall Strategy and Long-Range Program Plan will be reviewed at least every five-years to address these issues and the Strategic and Long-Range Plan will be amended accordingly. Such amendments will be accomplished with an “emerging issues summary” submitted annually as an accessory document to the AWPs.

## **Organizational Structure and Functional Roles of the Parties**

### **DNR**

The Department of Natural Resources is directed by various state statutes to manage the natural resources (non-game) within the state. One of these responsibilities is the management of land and water resources. The Commissioner, under AS 41.10.130, delegates to the SWCDs powers as the Commissioner considers necessary to accomplish the purposes of soil and water conservation. The NRCDB, created under AS 41.10, performs as an advisory board at the request of the DNR Commissioner in the exercise of the Commissioner’s powers under AS 41.10.110 and acts in an advisory capacity to the SWCDs. The NRCDB also has other specific duties under AS 41.10.100 which include:

- reviewing reports concerning the use of soil resources
- holding public hearings and meetings to determine whether land in the state is being used in a manner consistent with solid soil and water conservation practices
- make recommendations for the development of agricultural, forest, and grazing land in the state
- act in an advisory capacity to the soil and water conservation districts in the state
- advising the Commissioner and Director of the Division of Agriculture on farm conservation plans and state agricultural sales located within the Alaska SWCD
- making recommendations to the Commissioner regarding SWCD programs, projects, and state funding
- provide recommendations on other natural resource matters as requested by the Commissioner

The principal staff of the NRCDB is the Executive Director, housed within the Department of Natural Resources Commissioner’s Office.

### **NRCS**

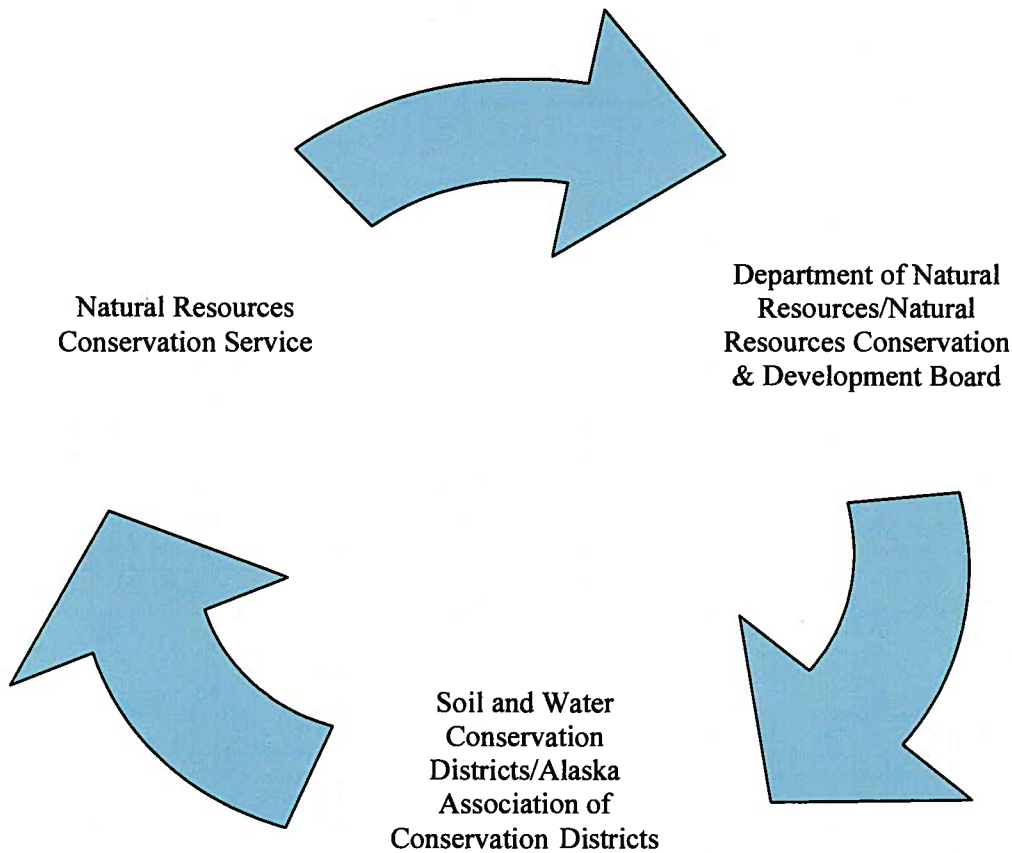
The U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) provides technical assistance to private landowners by providing leadership in a partnership effort to help America's private landowners and managers conserve their soil, water, and other natural resources.

NRCS provides technical assistance based on sound science and suited to a customer's specific

needs. They provide financial assistance for many conservation activities. Participation in NRCS programs is voluntary.

The NRCS Conservation Technical Assistance (CTA) program provides voluntary conservation technical assistance to land-users, communities, units of state and local government, and other federal agencies in planning and implementing conservation systems. These programs provide environmental, social, financial and technical benefits in such areas as clean water, ecological sciences, engineering, resource economics, and social sciences.

The NRCS is also responsible for working with individual SWCDs throughout the state and AACD, as the collective SWCDs.



*The diagram above shows the flowing relationship between the three principal organizations. None of the organizations report to or are directly responsible for each other's programs. However, coordination between the entities is necessary for overall program management and functional organization.*

### **SWCDs**

The SWCDs are composed of at least 25 cooperators that are bona fide land users within the boundaries of their Districts. Each District is operated by a Board of Supervisors that are elected

by the cooperators in annual elections. Each District is self-governing and establishes programs and develops work plans that meet the needs of the cooperators within their District.

One of the goals of the SWCDs is to provide assistance to current and potential cooperators by distributing information concerning the district's services and the conservation issues within each district. They do this by communicating directly with landowners, schools, libraries, communities, villages, tribal governments and cooperators and acting as facilitators for the conservation of soil, water, agricultural and other natural resources. They are the most effective way of communication at local events such as school programs, town meetings, newsletters, state fairs, and outreach programs across the state.

The SWCDs also facilitate information sharing among agencies, non-governmental organizations, industry, academia and members of the public to increase communication and reduce redundancy among related activities, projects and programs.

Each SWCD is encouraged to seek funding and grants from other governmental and private entities that are not a part of this agreement.

All Districts are members of the AACD.

## **AACD**

The AACD Board consists of an elected representative from each SWCD. The AACD's principal role is to provide administrative services, act as the employer of record for the SWCDs and to seek funding as a collective body of the SWCDs. AACD disseminates funds to the SWCDs awarded to AACD and serves as liaison to said funding sources regarding reporting and financial accountability.

The AACD is a non-profit Alaska Corporation founded by all the SWCDs to handle personnel and administrative matters for the Districts. The AACD is directed by a Board of Directors made up of one voting representative from all the SWCDs.

The AACD principal staff is a Chief Administrative Officer who is responsible for the day-to-day operations of AACD and providing administrative and personnel services to the SWCDs.

## **Preparing and Prioritizing Proposals for Programs, Projects, Activities and Services**

The SWCDs make recommendations to the DNR and NRCS for programs, projects, activities and services to offer. The AACD and NRCDB will work together to review and provide comments regarding legislation or other proposals that may affect the soil and water conservation districts as requested by DNR and/or NRCS. In the case of a disagreement between AACD and NRCDB regarding the above matters, the DNR and/or NRCS will try to resolve any conflict or disagreement. However, it is recognized that both the DNR and NRCS are individually responsible for prioritizing programs, projects, activities, services, and financial obligations created through their organizations. Conflict resolution processes do exist and can be utilized in the case of a disagreement between a SWCD or AACD and NRCS or any other

federal agency. More information on these processes can be obtained from NRCS or any other federal agency. Conflicts between a SWCD or AACD and DNR will be mediated by a Deputy Commissioner with the assistance of the Department of Law if necessary.

### **Coordination of Annual Work Plans**

Annual Work Plans (AWPs) shall be prepared by the SWCDs for submittal to DNR and AACD as required by the annual cooperative agreement executed by DNR with the SWCDs. While a combined AWP including both NRCS and DNR required components may be a future possibility, the District Operations Manual contains current guidelines and a template for AWP preparation and submittal to DNR and AACD. SWCDs shall follow the District Operations Manual until such time as a new template is approved by DNR and the SWCDs. SWCDs are responsible for working with NRCS to develop and submit AWP or work contracts satisfying NRCS' requirements. An Annual Report will be prepared by each SWCD based on their District's prior year AWP. The NRCDB Executive Director will work with AACD to compile these individual SWCD reports into one document available for distribution as appropriate.

### **Evaluating Progress and Measuring Success**

Under this Strategy and Long-Range Program Plan, the DNR Commissioner and, where appropriate, the NRCS State Conservationist will assess the districts accomplishments annually based on the AWP and the collective Annual Report. DNR, NRCS, and AACD will review this agreement, the delegated powers, Strategies, and Long-Range Program Plan at least every five years.

The Strategy and Long-Range Program Plan (SLRPP) and AWP can be amended or supplemented at any time, but particularly on an annual basis with individual SWCDs when specific soil and water conservation programs, projects, activities and services are identified.

## **Administrative Provisions**

### **Period of Performance**

This Operational Agreement, Strategy and Long-Range Program Plan takes effect upon signature of all the parties.

### **Termination**

This Operational Agreement, Strategy and Long-Range Plan may be terminated by any of the signatories to this document upon thirty (30) days written notice to the other parties to the agreement.

This Operational Agreement, Strategy, and Long-Range Plan may also be terminated immediately with the mutual written consent of all the parties at any time.

### **Integration**

This Operational Agreement, Strategy, and Long-Range Plan, any appendices, and amendments hereto embody the entire agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein; and this Operational Agreement, Strategy, and

Long-Range Plan shall supersede all previous communications, representations or agreements, either oral or written, between the parties. Exceptions to this include; the District Operations Manual, individual agreements or work contracts between SWCDs or AACD and NRCS or any other potential or current funding source, individual agreements each SWCD executes with AACD, and the annual cooperative agreements between DNR and SWCDs.

### **Severability**

If any section or clause of this Operational Agreement, Strategy, and Long-Range Plan is held invalid by a court of competent jurisdiction, or is otherwise invalid under law, the remainder of this Operational Agreement, Strategy, and Long-Range Plan shall remain in full force and effect.

### **Interpretation and Enforcement**

The parties, following negotiations between them, are executing this Operational Agreement, Strategy, and Long-Range Plan. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The titles of sections in this Agreement are not to be construed as limitations or definitions but are for identification purposes only.

### **No Third-Party Beneficiaries**


It is specifically agreed between the parties executing this Operational Agreement, Strategy, and Long-Range Plan that it is not intended by any of the provisions to create in the public or any member thereof a third-party beneficiary hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

### **Signatures of the Parties**

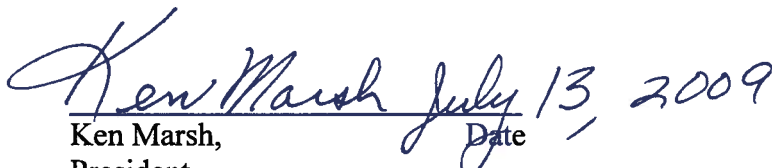
**Alaska**  
**Department of Natural Resources**

**USDA**  
**Natural Resources Conservation Service**

  
\_\_\_\_\_  
Dick LeFebvre,                      July 10, 2009  
Deputy Commissioner                      Date

  
\_\_\_\_\_  
Robert Jones,                      7/13/09  
State Conservationist                      Date

**Alaska Association of Conservation Districts**

  
\_\_\_\_\_  
Ken Marsh,                      July 13, 2009  
President                      Date