

HB

539

FISCAL NOTE

No. 1
 Bill Version: HB 539
 (H) Publish Date: 3/18/96

STATE OF ALASKA
1996 LEGISLATIVE SESSION

Revision Date: Original Dept Affected Natural Resources
 Title: An act changing the name of the Alaska BRU: Agricultural Development
Soil and Water Conservation Board. Component: Agricultural Development
 Sponsor: House Resources
 Requestor: House Resources Component Serial No. 455

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ none

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact associated with implementation of this legislation.

Prepared by: Jeff Hanman, Executive Director, S&W Board Phone: 485-2495
 Division: Agriculture Date: 12-Mar-96
 Approved by Commissioner: [Signature] Date: 12-Mar-96
 Agency: Natural Resources

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

-SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 3/27/96

FURTHER:

DATE TURNED INTO OFFICE: 4-1-96

The Resources Committee considered HOUSE BILL NO. 539

"An Act changing the name of the Alaska Soil and Water Conservation Board."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:

- same title
 - new title
- House Bill:
- same title
 - technical title
 - new: SCR# _____

SIGNING/DQ PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Peace</i>	✓				
<i>Adrian L. Taylor</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>					
<i>[Signature]</i>					
CHAIR: <i>[Signature]</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
<i>DNR</i>	<i>3/16/96</i>	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

ALASKA DEPARTMENT OF NATURAL RESOURCES
SOIL & WATER CONSERVATION
DIRECTORY

SEPTEMBER 1995



Alaska Department of
**NATURAL
RESOURCES**

Alaska Department of Natural Resources

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Alaska Association of Soil & Water Conservation Districts

BOARD OF DIRECTORS

(the 10 district chairs sit as the Board)

Board Officers:	Districts:
Mike Swan, President	Kenai
Shirley Schollenberg, First V.P.	Homer
Omar Stratman, Second V.P.	Kodiak
Meg Burgett, Sec.-Treasurer	Wasilla
Mike Carlson, NACD Council Member	Salcha-Big Delta
Tommy Corr, lifetime alternate (non-voting)	Kenai

National Association of Conservation Districts

President:

Gerald Digemess
5155 Rock Road
Sumas, WA
Phone: (206) 988-5522

Pacific Region Director:

Delbert Winterfeld
PO Box 99
Swan Valley, ID 83449
Phone: (208) 483-3683

Pacific Region Representative:

Ray Ledgerwood
NACD Pacific Region Office
N.E. 1615 Eastgate Blvd.-Ste B
Pullman, WA 99163
Phone: (509) 334-1823

**United States Department of Agriculture
Natural Resources Conservation Service**

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Asst. State Conservationist
(programs):
James Schmidt
Asst. State Conservationist
(operations):
Dennis Loreth

FIELD OFFICES

Anchorage Field Office

PO Box 203136
Anchorage, AK 99520
Phone: (907) 272-4119
Fax: (907) 272-0524

District Conservationist:

Dwane Coffey

Soil Conservationist:

Joseph White

Serves: Alaska SWCD,
Anchorage

**Delta Junction Field
Office**

PO Box 547
Delta Junction, AK 99737
Phone: (907) 895-4241
Fax: (907) 895-5003

District Conservationist:

Joanne Kuykendall

Serves: Salcha-Big Delta
SWCD

Fairbanks Field Office

1760 Westwood Way
Fairbanks, AK 99709
Phone: (907) 479-2657
Fax: (907) 479-6998

District Conservationist:
Joyce Swartzendruber

Conservation Agronomist:
Ann Rippy

Soil Scientist:
David K. Swanson

Civil Engineer:
Ronald Krogstad

Serves: Fairbanks SWCD

Homer Field Office

PO Box 400
Homer, AK 99603
Phone: (907) 235-8177
Fax: (907) 235-2364

District Conservationist:
Mark Kinney

Soil Scientist:
Doug Van Patten

Serves: Homer, Kodiak SWCD

Kenai Field Office

PO Box 800
Kenai, AK 99611
Phone: (907) 283-8732
Fax: (907) 283-8158

District Conservationist:
Debra Swanson

Serves: Kenai SWCD

Palmer Field Office

268 East Fireweed, #3
Palmer, AK 99645
Phone: (907) 745-4274
Fax: (907) 746-5182

District Conservationist:
Calvin Steele

Soil Conservationist:
Ted Cox

Soil Scientist:
Mark Clark

Range Conservationist:
Daryl Kautz

Serves: Kenny Lake, Palmer,
Upper Susitna, Wasilla
SWCD

Soil and Water Conservation District

Schedule of Monthly Meetings

Fairbanks:

- third Tuesday of every month

Homer:

- second Thursday of every month

Kenai

- third Thursday of every month

Kenny Lake

- first Thursday of every month

Kodiak

- meets every other month

Palmer

- second Wednesday of every month

Salcha-Big Delta

- first Wednesday or Thursday each month

Upper Susitna

- third Monday of every month

Wasilla

- last Wednesday of every month

Alaska Resource Conservation & Development Offices

Kenai Peninsula RC&D Office

P.O. Box 800
Kenai, AK 99611
Phone: (907) 283-4793
Fax: (907) 283-8158

RC&D Coordinator:
Al Poindexter (Interim)

Mat-Su RC&D Office

351 Parks Highway, Suite 100
Wasilla, AK 99687
Phone: (907) 373-1062
Fax: (907) 373-1064

RC&D Coordinator: Diane
Holcomb

Office Automation Clerk:
Linda Giani

Middle Yukon Kuskokwim RC&D Office

P.O. Box 309
Aniak, AK 99557
Phone: (907) 675-4578
Fax: (907) 675-4579

RC&D Coordinator: Phil
Naegele

Southeast Conference RC &D Office

124 West 5th Street
Juneau, AK 99801
Phone: (907) 463-3445
Fax: (907) 463-4425

RC&D Coordinator: Wilt
Sheridan (Interim)

Yukon Flats RC &D Office

P.O. Box 33
Fort Yukon, AK 99740
Phone: (907) 662-2597
Fax: (907) 662-2222

RC &D Coordinator:
Pat Stanley (Interim)

Alaska State Legislature

Committees:
House Resources
Co-Chairman
World Trade &
State Federal Relations
Transportation
Rules
Oil & Gas



Representative William K. Williams

During Session:
State Capitol
Juneau, AK 99801-1182
(907) 465-3424
Fax (907) 465-3793

In Ketchikan:
352 Front Street
Ketchikan, AK 99901
(907) 247-4672
Fax (907) 225-8546

SPONSOR STATEMENT

House Bill 539

An Act changing the name of the Alaska Soil and Water Conservation Board.

House Bill 539 was introduced by request of the Soil and Water Conservation Board. It simply changes the name of the Board to the Natural Resources Conservation and Development Board. This request has been made for the following reasons:

- The declaration of policy for the board is to provide for the development, use and conservation of the farm, forest and grazing land of the state. The present name does not reflect adequately that the board has a resource development as well as a conservation mission.
- This name change is in agreement with that of the major federal player in the partnership -- the Natural Resources Conservation Service. This organization changed its name from the Soil Conservation Service in the Department of Agriculture.
- The board, as well as the local Soil and Water districts, has a close tie with the NRCS Alaska Resource Conservation and Development offices in assisting rural regions of the state in adding value to their available resources.

The name change will not affect any of the statutory responsibilities of the board.

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

SOIL AND WATER CONSERVATION BOARD

400 WILLOUGHBY AVE,
5TH FLOOR
JUNEAU, ALASKA 99801
PHONE (907) 465-2495
FAX (907) 465-3886

March 1, 1996

The Honorable Loren Leman
Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182

Dear Senator Leman:

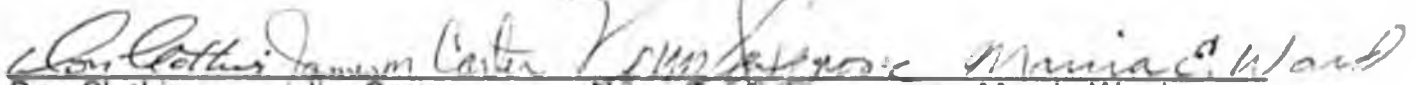
The Soil and Water Conservation Board feels that it would be more indicative of their objectives if their name were changed to the **Natural Resources Conservation and development Board**.

This is in keeping with the federal portion of the soil and water partnership wherein the Soil Conservation Service changed their agencies name to the **Natural Resources Conservation Service**.

Adding the word "development" to the board's title reflects the value added resource based capability that the partnership of board-districts-NRCS Alaska Resource Conservation & Development Offices brings to the state's economy.

As we discussed with you and Annette we would appreciate your introduction of a Committee Bill that would accomplish the board name change in Sec 41.10.040 and sec 41.10.140. Representative Williams will be introducing a companion bill in the House Resources Committee.

Sincerely,


Don Clothier Jim Carter Norm Cosgrove Marcia Ward
Chair, SWCB Member, SWCB Member, SWCB Member, SWCB


Jeff Hartman
Executive Director

The State - Federal - Soil & Water Conservation District Partnership

- The Soil & Water Conservation program traces its roots to the great dust bowl era of the 1930s. In 1937, President Roosevelt wrote each state recommending the legislation that led to the State Soil & Water conservation programs. The Alaska Soil Conservation District Law was passed in 1947 during our territorial days.
- The Alaska Soil and Water Conservation Board consists of five members appointed by the Governor. The board elects a chairman and serves without compensation except that they receive the same per diem and travel expenses authorized for members of state boards.
- Each board member is a land user and represents a major land areas of the state with one each from the Arctic and northwest Alaska, the Yukon and Tanana Valleys, southwest Alaska and the Kenai Peninsula, Southcentral Alaska, and southeast Alaska.
- The members serve for three years as an advisory board to the Commissioner of Natural Resources who appoints an Executive Director to support the Board.
- The Board coordinates the Soil and Water Conservation Districts in the state. Districts are comprised of 25 or more land users who have petitioned the Commissioner with the Board's recommendation to form a district. The Commissioner after holding public hearings fixes the boundaries of the district.
- At the present time there are nine local districts in Alaska with approximately 780 members who are resource users within the districts. Each district elects five supervisors from its membership in annual elections supervised by the Board. All areas of the state not in a local district are in the Alaska District administered by the Soil & Water Board. Districts are members of the National Association of Conservation Districts of which there are 3,000 districts.
- The districts represent the local land owners of a grass roots partnership of local owners, state and federal resource management agencies that work together to manage, conserve and develop resources. The districts provide volunteer expertise of 45 supervisors averaging 15 hours a month. This amounts to 8000 volunteers hours annually.
- The state resource management agencies within the Department of Natural Resources of Agriculture, Forestry, Geological and Geophysical Survey, Land, Mining and Water, Oil and Gas, and Parks have signed memorandums of Agreements with the districts that they will be consulted in resource decisions and area plans for their regions.
- The federal partner in this relationship is principally the Natural Resource Conservation Service in the Department of Agriculture. NRCS provides federally funded conservationists, agronomists, soil scientists, and civil engineers in field offices in Anchorage, Delta Junction, Fairbanks, Homer, Kenai, and Palmer.
- The NRCS also funds Resource Conservation and Development Offices maned by RC&D Coordinators in Kenai, Southeast Conference, Mat-Su, Yukon Flats, and Middle Yukon Kuskowim. The USDA federal budget in Alaska for FY95 was \$242 million and is programmed for \$248 million in FY 1996.
- The value added part of the partnership is land conservation plans requested by local owners, erosion control projects, water quality projects, best management practices, educational programs on conservation in our local schools, resource development expertise and the synergy that results when all those having a responsibility for the Alaska resources work together for the common good.

For more Information or questions, contact:

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THE STATE - FEDERAL - SOIL & WATER CONSERVATION DISTRICTS PARTNERSHIP

**Memorandum of Understanding
Establishes State/Federal/District Partnership
Initiates AS 41.10/PL 46 requirements**

**DNR Commissioner
Div of Agriculture
Div of Forestry
Div of Geological and Geophysical Survey
Div of Land
Div of Mining and Water
Div of Oil & Gas
Div of Parks
Alaska Soil & Water Conservation Board**

**Secretary, US Dept of Agriculture
Natural Resource Conservation Service
Resource Conservation & Development Offices
US Forest Service
Ag Stabilization and Conservation Service
Cooperative Extension Service**

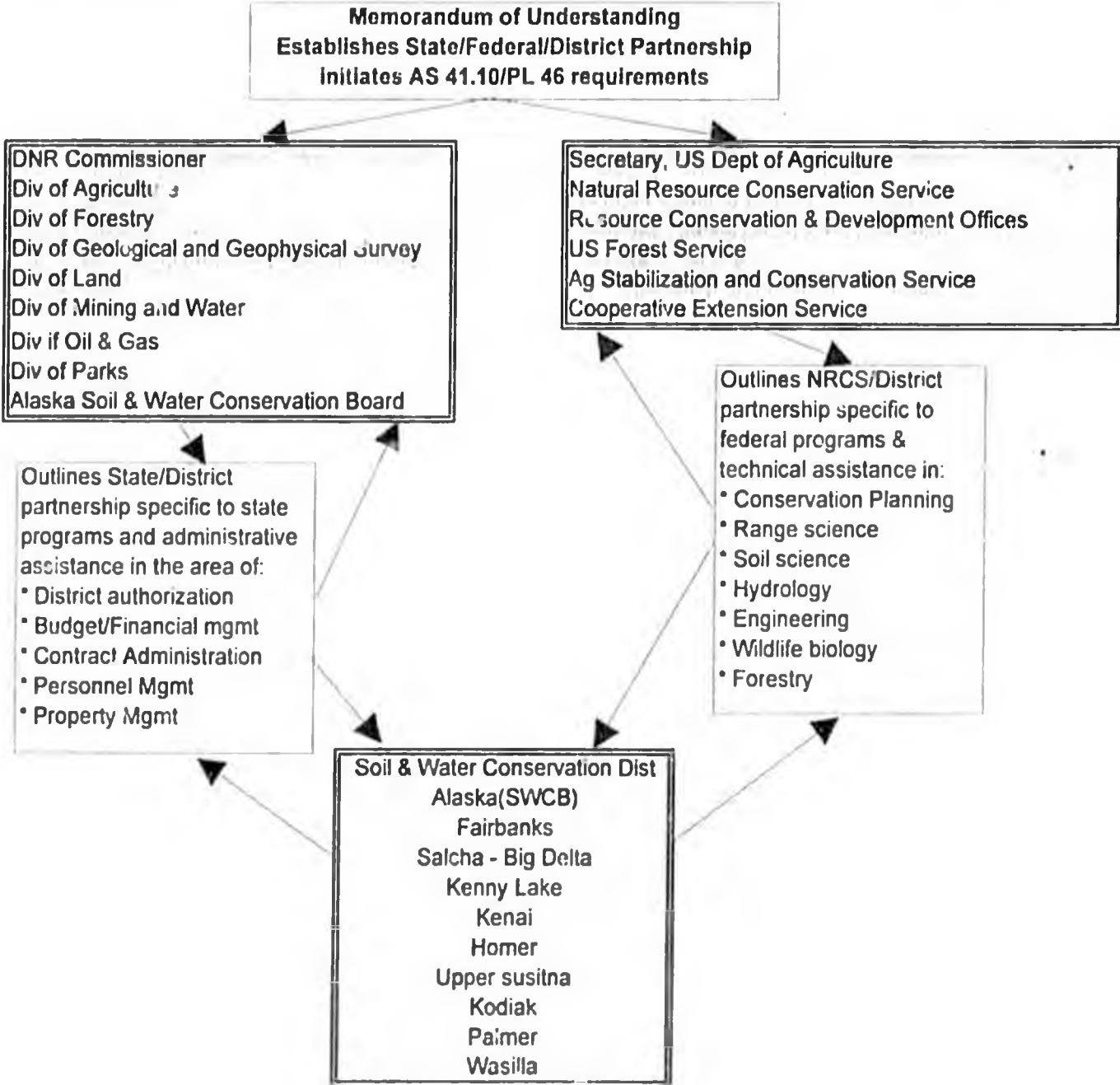
**Outlines State/District
partnership specific to state
programs and administrative
assistance in the area of:**

- District authorization
- Budget/Financial mgmt
- Contract Administration
- Personnel Mgmt
- Property Mgmt

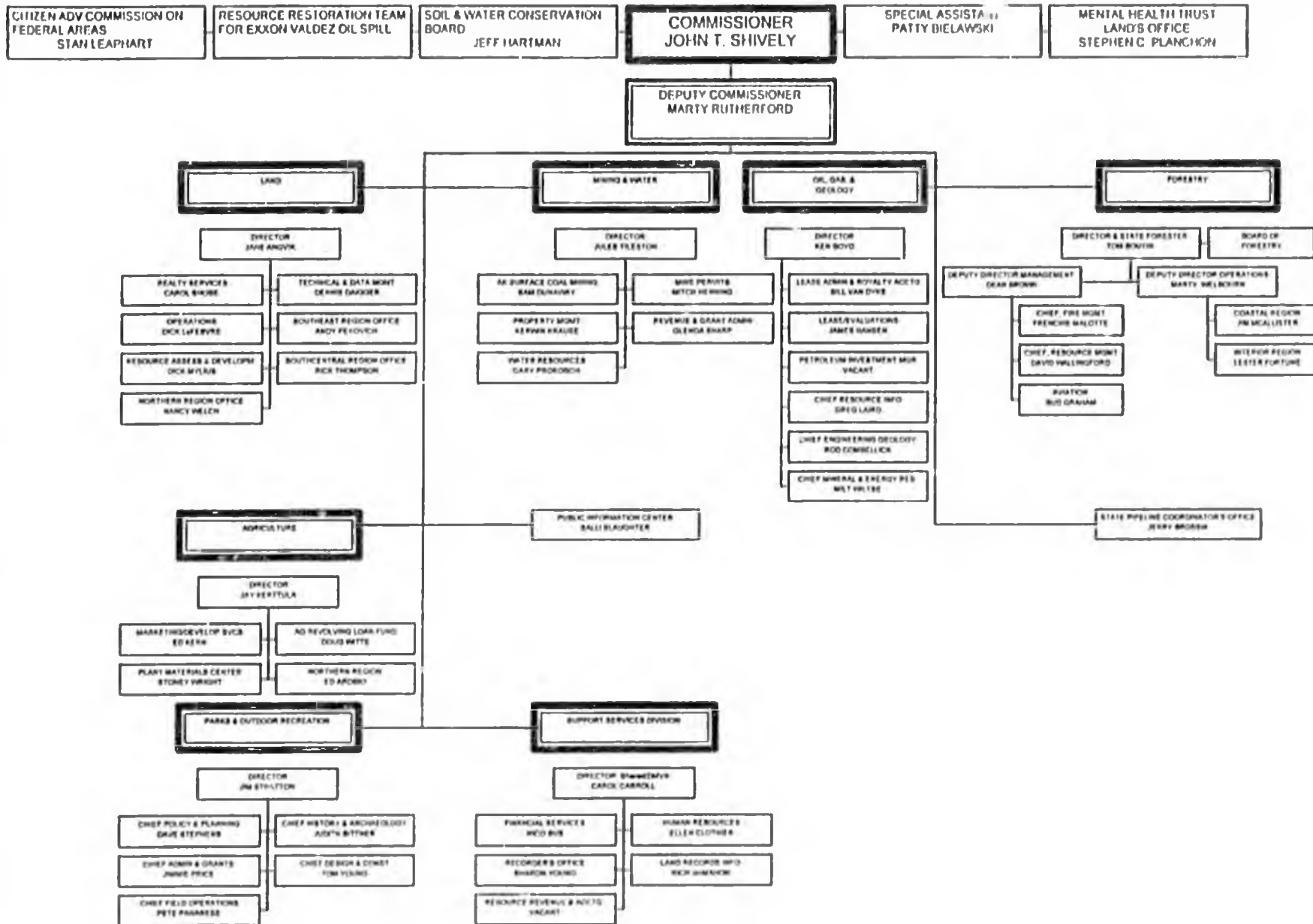
**Outlines NRCS/District
partnership specific to
federal programs &
technical assistance in:**

- Conservation Planning
- Range science
- Soil science
- Hydrology
- Engineering
- Wildlife biology
- Forestry

**Soil & Water Conservation Dist
Alaska(SWCB)
Fairbanks
Salcha - Big Delta
Kenny Lake
Kenai
Homer
Upper susitna
Kodiak
Palmer
Wasilla**



FY 97 ALASKA DEPARTMENT OF NATURAL RESOURCES



OVERVIEW

Public private partnership that provides grass roots access to 10 Alaskan Soil & Water Conservation Districts with 760 cooperators in state and 3,000 districts nation wide.

Five Resource Conservation and Development districts focusing on value added resource development contributing \$550,000 of federal money.

- RC&Ds are federally manned under the direction of local Alaskan leadership.

Example projects:

- Delta Clearwater project \$5.2 non state dollars
- Kodiak Clean Lakes project \$200,000 non state dollars
- private and native land coordination such as the Land managers forum in Nome with the Reindeer Herders association and Native land owners

Benefits:

Public private partnership for 5 million acres of private land and 104 million acres of Native land.

Volunteerism fosters value added resource development in tight budget situations.

STATE OF ALASKA
Boards and Commissions

SOIL AND WATER CONSERVATION

BOARD: Alaska Soil and Water Conservation Board

BOARD IDENTIFICATION NUMBER: 097

DEPARTMENT: Department of Natural Resources

AUTHORITY: AS 41.10.040

STATUS: Active

PROHIBITIONS: Must be bona fide users of land selected from the five major land areas of the state.

TERM: 3 years

DESCRIPTION: 6 members: 5 appointed by the Governor; resident bona fide users of land (producers of renewable resources) selected from the five major land areas of the state: Arctic and northwest AK, Yukon and Tanana Valleys, southwest AK and Kenai Peninsula, southcentral AK, and southeast AK. In addition, the Commissioner of Natural Resources or, in Commissioner's absence, the Director of the Division of Agriculture, serves ex-officio but without a vote.

FUNCTION: Meets and advises Commissioner in the exercise of powers, duties, functions of the Commissioner. Receives/reviews reports regarding the use of soil resources. Holds public hearings/meetings to determine if land is being used in a manner consistent with sound soil and water conservation practices. Recommends action to provide for the effective and orderly development of agricultural, forest, and grazing land. Reviews appeals by an applicant/lessee from decisions of directors of other Dept. Natural Resources divisions regarding a sale/lease of agricultural/grazing land and submits recommendations to the commissioner/hearing officer. Serves in advisory capacity to the soil and water conservation districts. Advises the Commissioner of Natural Resources and Director of Div. of Agriculture in review of farm conservation plans for all agricultural land sales in the Alaska District. Represents state of Alaska in local, federal, and state soil and water conservation programs for sound resource development and conservation of resources.

CHAIR: No provision.

SPECIAL FACTS: Serve at the pleasure of the Governor.

COMPENSATION: Standard Travel and Per Diem.

MEETINGS: 1 regular meeting annually at state capital; approximately 4 times per year plus special meetings.

FOR FURTHER INFORMATION CONTACT: Jeff Hartman, Executive Director, Alaska Soil and Water Conservation Board, DNR, 400 Willoughby Avenue M/S 1000, Juneau, AK, 99801 1724, Phone: 907 465 2495, Fax: 907 465 3886

STATE OF ALASKA
Boards and Commissions

Membership Roster
SOIL AND WATER CONSERVATION (097)

Member	Appointed	Reappointed	Term Exp.
James Carter Southcentral P.O. Box 286 Willow, AK 99688	09/30/91	06/30/93	06/30/96
Don C. Clothier Jr. Southeast P.O. Box 7656 Ketchikan, AK 99901	08/17/92	06/30/93	06/30/96
Norman A. Cosgrove Yukon/Tanana P.O. Box 861 Delta Junction, AK 99737	08/05/84	10/12/95	06/30/98
Tom Gray NW/Arctic P.O. Box 24 White Mountain, AK 99784	02/19/92	06/30/94	06/30/97
John Shively Commissioner/Natural Resources Commissioner Department of Natural Resources 400 Willoughby Avenue Juneau, AK 99801-1724	02/08/95		
Marcia E. Word SW/Kenai Peninsula P.O. Box 350 Soldotna, AK 99669	06/30/92	10/12/95	06/30/98

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

SOIL AND WATER CONSERVATION BOARD

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JUNEAU, ALASKA 99801
PHONE (907) 465-2495
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March 1, 1996

The Honorable Loren Leman
Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182

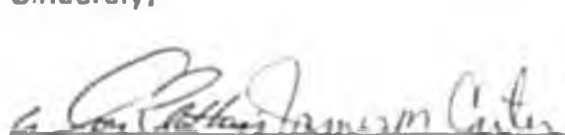
Dear Senator Leman:

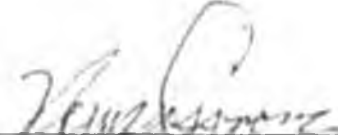
The Soil and Water Conservation Board wishes to express our appreciation for the time you took out of your busy schedule to meet with us during our annual Capital Meeting. We especially appreciate your recognition of the board during the Senate Resources Committee hearing on Navigability.


As we discussed, we feel that the state - federal - local soil and water conservation district partnership provides a unique, and valuable grass roots model. This model can be used for the two way passing of information, for the conservation of our valuable resources, and the strengthening of our economy through the development of value added resource based economic development.

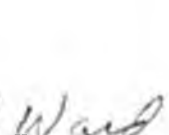
We appreciate your support and we will keep you informed of activities of the SWCD program that might be of interest to you. We will anticipate making a presentation before your committee at our next year's meeting.

Sincerely,


Don Clothier
Chair, SWCB


Jim Carter
Member, SWCB


Norma Cosgrove
Member, SWCB


Marcia Ward
Member, SWCB


Jeff Hartman
Executive Director

Chapter 10. Soil and Water Conservation.

Section	Section
10. Declaration of policy	80. Vacancies
30. Purpose of chapter	90. Compensation and per diem
40. Soil and Water Conservation Board	100. Duties of board
46. Executive director	110. Powers of commissioner
50. Appointment	120. Approval of land user
60. Qualifications of board members	130. Creation and boundaries of soil and water conservation districts
68. Major land areas of the state	140. Definitions
70. Term of office	
75. Board meetings	

Collateral references. — 3 Am. Jur. 2d. Agriculture. §§ 19, 25, 38-41.
 3 C.J.S. Agriculture. H 3, 5-7.
 Measure of damages for wrongful removal of earth, sand, or gravel from land. 1 ALR3d 801.
 Prohibiting or regulating removal or

exploitation of oil and gas, minerals, soil, or other natural products within municipal limits. 10 ALR3d 1226.
 Liability for diversion of surface water by raising surface level of land. 36 ALR4th 891.

Sec. 41.10.010. Declaration of policy. The farm, forest, and grazing land of the state is a basic asset of the state. It is the policy of this chapter, in the interest of the health, safety, and general welfare of the people of the state, to provide for the development, use, and conservation of this land in accordance with its capabilities. (§ 47-4-2 ACLA 1949)

Sec. 41.10.020. Creation and boundaries of soil conservation district. (Repealed, § 14, ch 69 SLA 1983.)

Sec. 41.10.030. Purpose of chapter. The purpose of this chapter is to provide for the orderly development of land, for guiding settlement, and for conserving soil and water and soil resources and controlling and preventing soil erosion. (§ 47-4-3 ACLA 1949; am § 1 ch 69 SLA 1983)

Natural Resources § Development

Sec. 41.10.040. Soil and Water Conservation Board. The Alaska Soil and Water Conservation Board is composed of five members. The commissioner or, in the absence of the commissioner, the director of agriculture, serves ex officio but without a vote on the board. (§ 47-4-4 ACLA 1949; am § 1 ch 87 SLA 1980; am § 2 ch 69 SLA 1983)

3-4-90 [unclear] [unclear] change

A 7 proposed [unclear] [unclear] [unclear]

Sec. 41.10.045. Executive director. The commissioner shall appoint an executive director and clerical staff to assist the board. (§ 3 ch 69 SLA 1983)

Sec. 41.10.050. Appointment. The governor shall appoint members of the board subject to confirmation by a majority of the members of the legislature in joint session. (§ 47-4-4 ACLA 1949; am § 1 ch 82 SLA 1960)

Sec. 41.10.060. Qualifications of board members. Members of the board shall be resident bona fide users of land selected from the five major land areas of the state. (§ 47-4-4 ACLA 1949; am § 1 ch 82 SLA 1960; am § 4 ch 69 SLA 1983)

Sec. 41.10.065. Major land areas of the state. The five major land areas of the state are:

- (1) the Arctic and northwest Alaska;
- (2) the Yukon and Tanana Valleys;
- (3) southwest Alaska and the Kenai Peninsula;
- (4) southcentral Alaska; and
- (5) southeast Alaska. (§ 5 ch 69 SLA 1983)

Sec. 41.10.070. Term of office. The term of office of members is three years. (§ 47-4-4 ACLA 1949; am § 1 ch 82 SLA 1960; am § 6 ch 69 SLA 1983)

Cross references. — For terms of full-time members of the board, see § 13, ch. 69, SLA 1983 in the Temporary and Special Acts.

Sec. 41.10.075. Board meetings. The board shall hold one regular meeting annually at the state capital and one or more additional meetings at a time and place in the state selected by the board. (§ 7 ch 69 SLA 1983)

Sec. 41.10.080. Vacancies. The governor shall fill vacancies by appointment for the unexpired term. (§ 47-4-4 ACLA 1949; am § 1 ch 82 SLA 1960)

Sec. 41.10.090. Compensation and per diem. Members receive no salary but receive the same per diem and travel expenses authorized for members of state boards. (§ 47-6-4 ACLA 1949; am § 1 ch 82 SLA 1960)

Cross references. — For per diem and travel expenses, see AS 29.20.120.

Sec. 41.10.100. Duties of board. (a) At the request of the commissioner, the board shall meet and advise the commissioner in the exercise of the powers, duties, and functions of the commissioner.

(b) The board shall also

(1) receive and review reports concerning the use of soil resources of the state;

(2) hold public hearings and meetings to determine whether land in the state is being used in a manner consistent with sound soil and water conservation practices;

(3) make recommendations for specific action necessary to provide for the effective and orderly development of agricultural, forest, and grazing land in the state;

(4) review an appeal by an applicant or lessee from a decision of the director of the division of land and water management concerning a sale or lease of state agricultural or grazing land and submit its recommendations in the commissioner or hearing officer;

(5) act in an advisory capacity to the soil and water conservation districts in the state;

(6) act in an advisory capacity to the commissioner and director of the division of agriculture in the review of farm conservation plans for all state agricultural land sales in the Alaska District. (§ 47-4-4 ACLA 1949; am & 1 ch 87 SLA 1960; am §§ 8, 9 ch 60 SLA 1963)

Sec. 41.10.110. Powers of commissioner. The commissioner has the power to

(1) conduct land capability surveys and investigations of potential agricultural areas and of soil conservation and erosion control, including necessary preventative and control measures, in the state; to publish the results of these surveys and investigations and to disseminate information concerning the results of the surveys and investigations to prospective settlers and the general public;

(2) make technical guidance and other assistance available to settlers of new land to assure the development of the land in a manner that will permit it to be used in accordance with its capabilities and treated in accordance with its needs;

(3) carry out measures for soil conservation and erosion control within the state, including engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land, with the consent and cooperation of the land user or agency having jurisdiction of the land;

(4) cooperate with, furnish assistance to, and enter into agreements with, a user of land or agency within the state;

(5) construct, improve, and maintain soil erosion control and conservation structures as are necessary and practical for carrying out the purposes of this chapter.

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(6) develop comprehensive plans for the conservation of soil and control of soil erosion within the state, cropping programs, tillage practices and changes in land use, and publish plans and information and bring them to the attention of users of land within the state;

(7) accept contributions in money, services, materials, or equipment from the United States or its agencies, from an agency of the state, and from any other source, for use in carrying out the purposes of this chapter. (§ 47-4-5(1 - 7) ACLA 1949; am §§ 2, 3 ch 82 SLA 1960; am § 10 ch 69 SLA 1963)

Sec. 41.10.120. Approval of land user. A survey, investigation or plan for land may not be undertaken by the commissioner and measures for soil conservation and erosion control may not be carried out without the prior approval of the user of the land. (§ 47-4-5(8) ACLA 1949; am § 11 ch 69 SLA 1963)

Sec. 41.10.130. Creation and boundaries of soil and water conservation districts. (a) The commissioner may, on the recommendation of the board, create soil and water conservation districts in the state upon petition signed by 25 or more land users setting out the proposed boundaries of the proposed district. The commissioner shall fix a time for and give notice of a public hearing based on the petition at a convenient location or locations within the boundaries of the proposed district. The commissioner may fix the boundaries of the district created, supervise the election of, prescribe the duties of, and install a governing body of five land users to be known as district supervisors for each district created, and delegate to the district supervisors powers as the commissioner considers necessary to accomplish the purposes of this chapter within the district boundaries.

(b) The area of the state that is not located within a district organized under (a) of this section shall be governed by the board. (§ 47-4-5(9) ACLA 1949; am § 3 ch 82 SLA 1960; am §§ 12 ch 69 SLA 1963)

Sec. 41.10.140. Definitions. In this chapter *N2 10*

(1) "board" means the Alaska Soil and Water Conservation Board;

(2) "land user" or "user of land" means a person who

(A) is a producer of renewable resources, including farming and forestry, and

(B) has a current cooperative agreement with a soil and water conservation district. (§ 47-4-5(10) ACLA 1949; am § 3 ch 82 SLA 1960; am § 13 ch 69 SLA 1963)