



California Resource Conservation District
DIRECTOR'S HANDBOOK

CALIFORNIA
RESOURCE
CONSERVATION
DISTRICT

DIRECTOR'S
HANDBOOK

Produced by:

California Department of
Conservation

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INTRODUCTION AND HISTORY



INTRODUCTION

Resource Conservation District (RCD) directors play a critical role in the protection and improvement of local natural resources. As representatives of their community, directors have the responsibility to assess local conservation needs and develop programs to meet those needs. This handbook is designed as a reference tool for directors to use as they fulfill their important duties. The handbook provides an overview of directors' powers, authorities, roles and responsibilities. The book was designed to be useful for both new and experienced directors, district staff, and partners. Many of the responsibilities outlined in this handbook can be delegated to district staff. Directors have the responsibility and ultimately liability for their RCD, they must be aware of the district basics in order to be effective and responsible leaders of their districts. The delegation of responsibilities and identifying the roles of staff and director is an important aspect of effective distinct function.

For more information about any of the topics covered in this handbook, directors can consult the RCD Guidebook.

The Guidebook and other RCD resources are available on the Division of Land Resource Protection website:
www.conservation.ca.gov/dlrp/RCD

Note: The information included in this handbook is not intended to be used as legal advice or opinion, only as a guideline for Resource Conservation Districts. This handbook should not be considered a complete discussion of all laws that may apply to RCD activities. The Department of Conservation assumes no responsibility for improper or incorrect use of the information provided.

EXPLORING ONLINE CALIFORNIA PUBLIC RESOURCE CODE

This handbook contains several references to government codes throughout the chapters and sections. Please remember that these codes are subject to change. Directors should review the codes frequently in order to remain up-to-date.

Codes can be accessed by visiting the ‘California Legislative Information’ website. This website organizes code by section and also has the ability to search text and keywords. Most references to Resource Conservation Districts can be found in the Public Resources Code, listed under the ‘California Law’ tab on this website. However, the Government Code and others also apply to RCDs.

Once on the ‘California Legislative Information’ website the Public Resources Code that applies to RCDs can easily be found by clicking the box next to Public Resources Code, and then clicking on the Division 9 link.

‘California Legislative Information’ website:
<http://leginfo.legislature.ca.gov>

HISTORY

In response to the national “Dust Bowl” crisis of the 1930s, the federal government passed legislation in 1937 establishing the Soil Conservation Service (SCS). Shortly after the formation of the SCS, conservationists realized that a federal agency in Washington might not be sufficiently responsive to local needs; Soil Conservation Districts were formed under state law to be controlled by local boards of directors. In 1938, California generated legislation authorizing the formation of Soil Conservation Districts under Division 9 of the Public Resources Code. These

districts assisted landowners with erosion and flood control problems (primarily on agricultural lands), functions originally envisioned by the formation of the SCS. Under Division 9, Soil Conservation Districts were empowered to manage soil and water resources for conservation, but these powers were expanded in 1971 to include related resources including fish and wildlife habitat. This expansion of power was reflected in the change of name from “Soil” Conservation District to “Resource” Conservation District.

Districts receiving property tax revenues prior to the passage of Proposition 13 in 1978 generally continue to receive county collected property taxes; however, most districts receive very little regular funding through local taxation and rely heavily on competitive grants and other types of fundraising to stay in operation.

Today, there are over 90 districts that manage diverse resource conservation projects over more than 85 percent of the state.

DIRECTOR BASICS



RCD boards consist of five, seven or nine directors as specified in *Section 9301(a) of Division 9*. The number of directors can be changed through a resolution adopted by the majority of the board of directors. The change must be published at least once in a newspaper of general circulation in each county the district serves. The RCD must also notify the County Board of Supervisors of any vacancies created by a larger board or resignations created as a result of a smaller board.

DIRECTOR QUICK FACTS

- RCD directors serve four-year terms.
- There is no limit to the amount of terms or length of service a director can serve.
- Directors can be elected in a general election or appointed by the county board of supervisors. In cases where the district is in more than one county, the board of supervisors that represent the largest portion of the RCD appoint the directors after conferring with the other counties.
- Both new and multiple term directors must qualify for office and take an oath of office upon (re)election or (re)appointment.

QUALIFICATIONS

To qualify to serve as an RCD director, candidates must:

1. Be a registered voter in California.
2. Reside within the district.
3. **Meet one of the below requirements:**

- a. Own land in the district.
 - b. Have served as an associate director for two years. Serving as an associate director is not a substitute for being a district resident; it is a substitute for owning land within the district.
4. A registered voter who is not a district resident can become a director if a resident landowner appoints them as their agent. A resident landowner must submit a statement assigning the director candidate as his/her agent for the purposes of serving on the RCD board.

Suisun RCD and Grasslands RCD are exempt from the district residency requirement.

Even if all of the above qualifications are met, **an individual cannot be a county supervisor and an RCD director at the same time.**

CONFLICT OF INTEREST

As elected or appointed officials of a public agency, RCD directors must avoid conflicts of interest. Directors have a responsibility to disclose actual or potential conflicts before their appointment. The degree to which directors must disclose assets or business interests in a conflict of interest statement varies based on the districts conflict of interest code. Upon becoming a Director it is important to review the RCD Conflict of Interest code developed by the RCD. It is recommended that these codes be updated at least every 5 years. Each RCD must have its own Conflict of Interest Code. Directors must fill out a Conflict of Interest Form 700 annually as well as upon assuming and leaving office. More information on conflict of interest requirements can be found

on the Fair Political Practices Commission website at:
www.fppc.ca.gov

*To avoid potential conflicts of interest, it's important to remember that directors cannot receive **any** financial benefits from the district.*

CONFLICT OF INTEREST QUICK FACTS

- “No director or other officer of the district shall be interested directly or indirectly in the sale of equipment, materials **or services** to the district.”
Section 9304 of Division 9
- Directors are prohibited from receiving any compensation for their work as a director.
- Being a director and an employee of the district at the same time is prohibited.
- Directors can be reimbursed for travel expenses to and from meetings. The board must establish reimbursement amounts in travel or reimbursement policy. The policy must be adopted in a public meeting and must specify the types of occurrences that qualify a member of the legislative body to receive reimbursement of expenses. *Government Code Section 53232.2 and 53232.3*

VACANCIES

To ensure that districts retain experienced directors at all times, some director terms will expire in even numbered years and some in odd numbered years. Every other year one of the group of directors will be up for re-election or appointment. The four-year terms terminate at noon on the

last Friday in November of the second year after taking office. When a term expires it creates a scheduled vacancy that can be filled by either election or appointment. Note, if a new director has not met the requirements for becoming a director, the incumbent can stay in office until the successor has qualified. *Section 9314 Public Resources Code*

ELECTIONS

When RCDs choose to fill vacancies by election they must follow the Uniform District Election Law, Sections 10500-10556 of the Election Code. Elections are held on the first Tuesday after the first Monday in November. Every other year one class of directors will be up for reelection. All registered voters from the district at large are eligible to vote for directors. A retiring director does not leave his position until his or her successor has qualified for office unless the director has submitted an official resignation letter, with a copy sent to the Board of Supervisors. Division 9 requires applications for election to be signed by at least 10 voters within the district.

APPOINTMENT

In 1985, Division 9 was amended to allow directors to be appointed by their county board of supervisors. To exercise this option, the RCD must submit a request to the board of supervisors of the principle county no later than 125 days prior to Election Day in any election year. The board of supervisors solicits and reviews candidates then selects directors after consulting with any other counties within the district. *Section 54974 of the Government Code* requires county supervisors to post a vacancy announcement within 20 days after notified of a vacancy and allow at least 10 working days to receive applications. The RCD must let the Board of Supervisors know in writing when a vacancy occurs.

Candidates should file their applications with the appropriate county officials. Check with the county to determine who should receive the application. The board of supervisors has the responsibility to solicit recommendations for new directors from a variety of organizations and interests within the district. It is the intent of the Legislature that the supervisors only appoint applicants with a “demonstrated interest in soil and water conservation.” *Section 9314, Division 9*

UNSCHEDULED VACANCIES

Unscheduled vacancies are created when any of the following events occur:

- A director dies.
- A director resigns. If a director wishes to resign he/she must notify the board of supervisors of the principal county in writing.
- A director is disqualified. (see ‘Disqualification’ below)
- A competent tribunal declares his/her election or appointment void.

The procedure for filling an unscheduled vacancy depends on whether the exiting director was appointed or elected. If the director was originally elected to the board, the remaining RCD directors can either (1) fill the vacancy themselves by making an appointment until the next election or (2) hold an election at the next election date. If the directors make an appointment, **they must first post a vacancy notice and allow 15 days for responses.** It’s a good idea to post the notice in a generally circulated newspaper and at the main library within the district.

If the board of supervisors appointed the director that is leaving, the supervisors have a responsibility to appoint a new director to fill the vacancy. The new director will serve until the end of the unexpired term. **It is the responsibility of the RCD to notify the board of supervisors of an unscheduled vacancy.** Often, RCDs will suggest a replacement to the supervisors based on the qualifications as outlined above.

DISQUALIFICATION

According to *Section 1770 of the Government Code* directors can be disqualified for the following reasons:

- A court declares the director physically or mentally incapacitated due to disease, illness, or accident and there is reasonable cause to believe that the director cannot perform his or her duties for the remainder of the term.
- The director ceases to be a resident of the state or district. The director need not be a resident landowner within the district if he or she is a designated agent of such a landowner. The director does, however need to be a resident of California to meet the registered voter requirement. *Suisun and Grasslands RCD directors are exempt from the residency requirement.*
- The director ceases to perform his or her duties for a period of three consecutive months and the absence is not due to illness.
- The director is convicted of a felony or violation of his or her official duties.
- The director refuses or neglects to file his or her oath of office after receiving the certificate of election or appointment.
- A court declares the directors' election or appointment void.

- A director is committed to a hospital or sanitarium as a drug addict, inebriate or stimulant addict.
- The director is listed in the Excluded Parties List System and: is appointed; the RCD is involved in activities that may be reasonably covered by federal law; and, a federal agency head has not granted the director an exception in writing permitting the director to participate in a federally covered activity.

ASSOCIATE DIRECTORS

Associate director positions were established to give those who did not meet the qualifications of a director a chance to take an active role in the district. Under Division 9, the associate director position can help an individual qualify for a position on the board after they have served as an associate for two or more years; the potential board member is still required to reside in the district but is not required to own property within the district.

ASSOCIATE DIRECTORS QUICK FACTS

- Associate directors do not have the right to vote on board matters.
- Associate directors are not permitted to take part in closed session meetings.
- Associate directors can attend meetings and provide the district with extra expertise.
- Associate directors can serve on various district committees.
- Associate directors should be included in the RCD Conflict of Interest policy and file a Form 700.

POWERS AND AUTHORITIES



MANAGEMENT

In *Section 9401 of Division 9*, RCD directors are empowered to manage district operations, projects, improvements and any property owned by the district. Day-to-day district management can involve the management of daily operations as well as district projects. It is important to note that many districts have staff that is assigned to manage district operation and projects, the roles of staff and board should be defined for each district. Information is provided here so both RCD directors and RCD staff can be familiar with RCD management responsibilities.

DISTRICT OPERATIONS

Directors must ensure that the RCD follows state and federal laws such as the Equal Opportunity Employment Practices Act. Furthermore, directors have the critical task of envisioning a district program to meet local conservation needs. In order to accomplish both important duties, the district should develop policies and procedures to manage daily operations more efficiently. Some policies are required by law (for more information see the Policies Section). Having procedures and policies in place that all directors are aware of, as well as a trusted staff-director relationship, can help the directors focus more effort on developing RCD goals and less effort on the details of everyday operations.

Procedures can range from simple to complex. For instance, assigning one director to handle district media relations is considered a procedure. Procedures are simply the way the district routinely handles district business. Some policies, such as a personnel policy, are vital for a successful operation that complies with local, state, and federal laws.

If the district has staff a clear definition of roles should be established between staff and board members. Defining roles will help to ensure that staff and board understand their roles allowing for the district to operate efficiently.

PROJECTS

RCDs get involved in a wide variety of resource conservation projects. Projects can take place on both public and private lands. Some examples of projects a district might be involved in include: conservation education, erosion control, installing best management practices, demonstration projects, fuels reduction, road management or maintenance, developing watershed plans, and more. Project management will vary depending on the nature of the project; however, there are some basic management steps that will apply to all projects. The first step in project management is to identify a need and create a plan to address that need. The next step is to secure funding and identify partnerships that need to be developed. The district then executes the plan once funding and partnerships are in place. The final step in project management is to monitor and report on success.



RCD SPOTLIGHT
HUICHICA CREEK
SUSTAINABLE VINEYARD
NAPA RCD

In 1991 the Napa RCD purchased a 21 acre property with the goal of demonstrating a practical, economically viable agricultural system that can co-exist with, and become part of, a sustainable natural system. The Huichica Creek Sustainable Agriculture Demonstration Vineyard is located in the Carneros Region of southern Napa County. Originally a property that was grazed, the property now supports 14 acres

of vineyard and over 6 acres of restored riparian corridor and enhanced wetland areas. The property supports a variety of nesting waterfowl and mammals. The property also provides opportunities for youth and community education programs, Audubon bird-watching expeditions, USGS monitoring, restoration and cover crop trials, and workshops related to sustainable farming.

LANDS, EASEMENTS, & PROPERTY

Division 9 also gives districts the right to own and manage land, easements, and property. There are many reasons a district may want to own property. Some districts own their office space and rent out unused space to partners. Other districts own property they use for demonstration projects, to sell native plant, and more.

RCDS CAN PURCHASE:

- Easements for conservation purposes. *One source of funding for such easements is the Department of Conservation's California Farmland Conservancy Program.*
- Office space.
- Equipment or tools to help them complete their conservation work.
- Land and a building to house the district office.

PUBLIC FUNDS

Regardless of the source all district funds are public funds. This means that there are some restrictions on what can be purchased by districts.

COOPERATING AND COORDINATING

Districts can cooperate with other entities to plan, receive funding, and deliver services. Many districts are involved in cooperative efforts to develop watershed and other resource management plans. Frequently districts work with other entities to receive funding through grant programs. It is also common for districts to work with agencies such as NRCS, UC Extension, US Forest Service, Bureau of Land Management, Environmental Protection Agency, and others to provide landowners with technical assistance through Memoranda of Understanding (MOUs). Division 9 also gives districts the right to develop partnerships with other districts to discuss and address common issues or problems. Many districts are members of the California Association of Resource Conservation Districts (CARCD). There are ten CARCD regions throughout California, designed keeping basic bio-regions in mind. Regional meetings generally take place twice a year to discuss issues of importance to the area. District directors are encouraged to participate in RCD regional meetings to share information and find common regional goals.

Districts can form alliances with other organizations including for-profit and non-profit organizations, as well as individuals, to help them achieve their goals.



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RCD SPOTLIGHT

FINNON LAKE PROJECT

GEORGETOWN DIVIDE RCD

Residents recall summer dips in Finnion Lake, the jewel of their rural El Dorado County community. The lake's location presented a reliable water supply to combat wildfires and

provided an economic base to the community associated with camping, hiking, fishing, boating, bird watching, and swimming. However, in 1997, the State determined that the 1905 earthen dam's structural deficiencies needed to be remediated. At a projected cost of over 3.5 million dollars, the lake rested at 50 acre feet until the Georgetown Divide Resource Conservation District took on the project. With support from the Department of Water Resources, Sierra Nevada Conservancy, County of El Dorado, El Dorado County Water Agency and the community, over \$1 million was raised to complete the project. In 2014 the State authorized storage of 518 acre feet. Officials at the state Division of Safety of Dams told Mark Egbert, District Manager, that they'd never seen a dam project of this size undertaken with such a tiny budget. "This is a demonstration that collaboration and commitment does achieve results," said Egbert. Locally, county Supervisors Ron Briggs and Jack Sweeney championed the dam project. "That was a real demonstration of leadership," said Egbert. "When you see elected officials recognize a rural community in need, and work to restore a community asset like this, that's inspiring."

For more information visit www.finnonlake.com

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Another advantage to partnerships is that RCDs can coordinate with partners to more effectively reach government decision makers. Working together to present a unified front results in a much stronger legislative outreach program. (See "*Legislative Education*" section)

When a RCD forms a partnership that results in working outside of its boundaries *Government Code 56133* requires that the district request approval from the Local Agency Formation Commission (LAFCo) prior to commencing work.

EDUCATION AND OUTREACH

Sections 9402 and 9411 of Division 9 specifically give RCDs the power and the responsibility to educate their communities about resource conservation issues. Districts can provide both adult and youth conservation education. Directors are also encouraged to keep their local, state, and federal legislative representatives informed about district activities.

ADULT EDUCATION

RCDs should be creative about providing education and outreach to adults. In order to reach different people and interest groups it is important to develop a wide variety of education and outreach methods.

Section 9402 of Division 9 empowers districts to conduct surveys, investigations and research related to resource conservation. When RCDs conduct surveys or research within their district they should make every effort to share their results. This will provide an opportunity to improve district visibility and allow others to learn from the RCD and further their own goals.

In the past, RCDs have used a wide variety of adult education and outreach strategies. Awards, media outreach, public appearances, demonstration projects, and direct instruction are five common education and outreach methods.

OUTREACH STRATEGIES

AWARDS

- “Cooperator of the year” or “Volunteer of the year” awards recognize contributions of local landowners and

community members who have contributed to the district.

- Some districts offer scholarships to graduating high school students. Such awards are an excellent way to encourage good stewardship and publicize the RCD.

MEDIA OUTREACH

Media outreach can be an effective way for RCDs to reach their constituents.

- **Website:** RCDs can have a website to publicize district activities and reach out to constituents they might not otherwise be able to reach. In 2012 *Assembly Bill 1344 amended Section 54954.2 of the Government Code* to require all special districts and local agencies to post board agendas to their website. Agendas should be posted 72 hours in advance of meetings and include links to or information on how to obtain any information provided in a board packet. This law does not require local agencies to create a website if they do not already have one. RCDs are strongly encouraged to post their minutes as well.
- **Social Media:** Many RCDs use social media sites to expand their outreach potential. *Note- Directors should use caution when conducting discussions in social media; such discussions have the potential to result in Brown Act violations.*
- **Newspapers or on the radio:** Districts can also advertise special programs or upcoming events in local newspapers or radio stations.

WEBSITE POSTING REQUIREMENTS QUICK FACTS

- Board Agendas must be posted on the district's website.

- Meeting minutes are not required to be posted, but it is strongly recommended to post these and board meeting documents to increase transparency.
- Staff and Board compensation must be posted annually on the RCD website, this can either be posted directly to the site **OR** a link to the “Government Compensation in California” site can be provided. (*AB 2040*) www.publicpay.ca.gov



RCD SPOTLIGHT

‘RELEVANT’ & ‘VISIBLE’
 “STANISLAUS GROWN”

EAST STANISLAUS RCD

The East Stanislaus RCD created the “Stanislaus Grown” project as a way to assist growers in promoting locally grown product and by helping consumers be more aware of where their produce is comes from. In 2014, 10,000 copies of “Stanislaus Grown Local Food & Farm Guide” were printed. These were placed in hotels, markets, restaurants, and other venues throughout the county. In just 6 months what was meant to be a 2-year supply was already distributed. The Local Food & Farm Guide is a professionally designed booklet that includes a guide and description of local markets, restaurant, farms, and fruit stands that use local products. The guide is also a tool to educate the public about the RCD’s projects and local resource issues. “Stanislaus Grown” epitomizes a project that can help an RCD be ‘Relevant’ and ‘Visible,’ two of the key components identified in the 2014 RCD Vision for building RCD capacity.

For more information: www.stanislausgrown.org

NEWSLETTERS/DIRECT MAILINGS

Some districts choose to publicize their activities and educate the public through monthly or quarterly newsletters. Newsletters can be sent out electronically or by mail. Newsletters typically contain information about upcoming events, district activities, and educational articles. Some districts sell advertising space to help pay for publication costs. Direct mailings can also be an effective outreach tool. For example, if a district conducts or plans a demonstration project that reduces runoff from a dairy, they may want to distribute invitations to workshops and provide information on techniques to all area dairy farms. To view sample newsletters visit the RCD Resource Library at www.conservation.ca.gov/dlrp/RCD

An RCD newsletter cannot advocate for the election or appointment of an individual seeking office (i.e. board members). Cal. Govt. Code § 85300 Advocating for the passage of a ballot measure is also prohibited by Gov. Code §54964. For more information see the “Talking to Legislators” Section.

PUBLIC APPEARANCES

RCDs should take advantage of all opportunities to publicize their work and educate the public. County fairs or other community events are an ideal location for RCDs to garner public support for their activities. Speaking at meetings held by other organizations, such as the Farm Bureau or a Homeowners Association, can result in new partnerships and improved public awareness of conservation issues.

DEMONSTRATION PROJECTS

Section 9411 of Division 9 states that directors have the authority to carry out demonstration projects on public land with the consent of the agency administering the land, or on

private lands with the consent of the landowner. Demonstration projects not only educate but also showcase the value of new and proven conservation techniques.

DIRECT INSTRUCTION

Workshops and field trips are another useful education and outreach tool. They provide landowners with an opportunity to learn from experts about improving environmental health and about advances in conservation technology. Workshops and public meetings can also give landowners a chance to voice their opinions on RCD activities.

Glenn County Resource Conservation District



RCD SPOTLIGHT

“RUN YOUR TAIL OFF”
5K/10K

GLENN COUNTY RCD

An RCD can engage their community with creative ideas! The Glenn County RCD hosts a 5k/10k run-walk through the watershed to educate the community and raise funds for their ‘RCD Connects with Kids’ program.

YOUNG ADULT & CHILD EDUCATION

Section 9419 of Division 9 states that each district may develop and disseminate conservation education programs for use in kindergarten through 12th grade. Districts are also encouraged to use existing conservation education programs. There are many ways an RCD can provide educational opportunities for children. The following are a few ideas about how to provide youth conservation education.

CONTESTS

Each year **CARCD sponsors a “Speak-Off” contest** for California’s high school students. A unique topic is chosen annually. Students prepare and present a short speech at a series of events, held first at an RCD meeting, then at a CARCD regional meeting, and finally at the CARCD annual state meeting. Each RCD can hold their own local Speak-Off contest. The CARCD regional chair or the Chair of the CARCD Education Committee can provide more information about participating in this event.

EXTRACURRICULAR ACTIVITIES

Activities outside of the regular school day can also be an effective way to educate school children. Some examples include clean up days, field trips, competitions, and coordinating with other events and activities to integrate natural resource and conservation values into existing programs.

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RCD SPOTLIGHT

“WATERSHED EDUCATION SUMMIT”

EL DORADO COUNTY &
GEORGETOWN DIVIDE RCDS

Each year high school students come together at the five day Watershed Education Summit (W.E.S.) conference. In collaboration with local high schools and El Dorado National Forest the RCDS host an event where high school students work with professional foresters, hydrologists, etc. to collect physical and biological data about the watershed. This not only engages and educates the students in natural resource issues, but also provides valuable data for the US Forestry Service on watershed response to management practices.

CLASSROOM EDUCATION

On-site programs are another option for youth education. RCDs can develop curriculum to be used in the classroom or they can promote existing programs. Students can learn about watersheds, how to monitor water quality, how to improve watershed health and more.

LEGISLATORS

It is important for directors to maintain a relationship with their local, state and national legislators. RCDs should send legislators and leaders newsletters, annual reports, annual plans, and other materials that highlight the district's work. It can make an even greater impact to take legislators and their staff out in the field to demonstrate the importance of the district's work. Visits to completed or on-going projects can make a lasting impression.

TALKING TO LEGISLATORS

RCDs are local government entities and all district funds are public money, this means RCDs are restricted from politically advocating or lobbying.

RCDs are allowed to provide information about the district and explain how proposed legislation may affect RCD work and its constituents. For example an RCD could say:

“Raising fees could have [] impact on farmers”

OR

“This policy will affect the RCD and our constituent in the following negative ways.....”

TALKING TO CONSTITUENTS

RCDs can have a page on the district website that provides unbiased factual information about pending legislation.

RCDs SHOULD NOT:

Districts should not say "vote for..." or "vote no on..." at any point.

Districts cannot print bumper stickers advocating a position or advocate a position in the RCD materials electronic or printed. Example of this unapproved advocacy would be:

"Yes on measure F"

OR

"Vote for Bruce Lee for City Council"

SIGN-ON LETTERS

This is a grey area and the District's best judgement should be used to determine whether the letter is educating or advocating. Remember RCDs must only educate, so if the letter is so generic that there is no education, the District should not sign on. The way the letter is written makes a difference.

Advocating

For example, if a letter reads: "The coalition of agencies strongly urges a 'no' vote on Prop. 32" this could be considered advocating and the district should not sign on to the letter.

VS.

Educating

In comparison, if the letter reads: "Prop. 32 provides [] for [] and could benefit wildlife and local economies by []," the letter provides education and not advocacy and the District could sign on to the letter.

ACCEPTING FUNDING

Division 9 gives RCDs the right to accept funds to use for resource conservation work within their district. RCDs can accept grants and gifts from federal, state, and private sources. *Section 9403.5 of Division 9* also gives RCDs the right to establish fees for the services they deliver. Before charging for their services, RCDs should consult legal counsel and secure appropriate insurance. RCDs can also accept contributions from individuals, organizations, or other entities.

All District funds are public money, regardless of the source.

EMPLOYEES & CONTRACTORS

Section 9404 of Division 9 allows RCDs to hire employees, contractors or agents as needed. Employees can help the district reach their goals and objectives. RCDs can also hire contractors for short term specialized work. For more information about employees and contractors see the “Personnel and Volunteers” section.

LEGAL POWERS

RCDs are given the right to sue and can also be sued. Division 9 states that RCDs have the right to consult their county counsel. Depending on the policies of the county counsel the district may be charged a fee for their advice. Districts can also hire private legal services and consultants.

ANNUAL & LONG-RANGE PLANNING

Directors have a responsibility to assess the conservation needs of their district and devise plans to meet those needs.

Plans should be based on input from constituents the district serves.

As of January 2000, Division 9 requires RCDs to develop both annual and long-range plans in order to be eligible for grant funding through the Department of Conservation. This handbook provides detailed information about the planning process in the “Planning” section, templates, and guides for RCD planning can be found in the RCD Resource Library.

CONTINUING DIRECTOR DEVELOPMENT

Directors have a responsibility to expand their knowledge of local conservation issues, district operations, and other topics related to their district. Several organizations and agencies can help directors accomplish this task. Directors are required to complete ethics training every 2 years (*Government Code 53235*). This training is available online at the Fair Political Practices Commission website (www.fppc.ca.gov) or on the Attorney General’s website (oag.ca.gov/ethics)

The Department of Conservation’s RCD Assistance Program has staff available to provide RCDs with training pertaining to board operations, the rules and regulations RCDs must follow, grant writing and fundraising, strategic planning and policy development, and community outreach and education. The Assistance Program provides training in other areas on request.

CARCD also provides directors with training and help with RCD issues. CARCD also has an email listserve to allow districts to discuss issues and share information. To subscribe send an email to staff@carcd.org requesting to be added to the carcd listserve.

Additional support can be found in the California RCD Resource Library. This is a comprehensive web-based accumulation of resource documents including: guidebooks, example documents, templates, trainings and much more to help build the capacity of the RCD and board.

The California RCD Resource Library can be found at:
www.conservation.ca.gov/dlrp/RCD

Notes:

ORGANIZATION AND ADMINISTRATION



Like any agency or business, RCDs must deal with organizational and administrative issues. This section of the handbook contains information and advice to assist RCDs in dealing with these matters.

COMMON BOARD STRUCTURES

Section 9023 of Division 9 specifies that the powers of the district “shall be exercised and the duties performed by the directors acting as a body and not as individuals.” Decisions should be made using a majority vote. No one director should have any more power than another. However, many districts find it helpful to assign specific duties to individual directors.

DIRECTOR ROLES & DUTIES

PRESIDENT:

According to *Section 9306 of Division 9*, the board should elect a president from among the directors to serve the board. Typical responsibilities of the board president include: developing meeting agendas, facilitating meetings, suggesting or asking for motions, appointing committee meetings, assigning committee responsibilities, training new board members, and other duties as determined by the board.

VICE PRESIDENT:

The vice president serves as a back up to the president. He or she will take on the responsibilities of the president when the president is not available. The president may also ask the vice president or any other director to assume some of the duties typically assigned to the president.

SECRETARY:

The secretary oversees the distribution of meeting agendas under the direction of the president. The secretary keeps track of suggested agenda items for future agendas, and has

the responsibility to keep minutes, record committee activities, and initiate correspondence on behalf of the board. Division 9 states that the secretary can either be a non-paid director or a paid staff member.

TREASURER:

The board treasurer plays an important role in district operations. The treasurer is responsible for the following: keeping complete and accurate records of district expenditures, issuing receipts for money received by the district, paying district bills when approved by the board, making monthly financial reports, completing annual financial reports, depositing checks into the district account, as well as assisting with financial audits. These duties may be assumed by a non-paid director or paid staff member as the board determines.

*It is the duty of **all** district board members to exercise fiscal oversight for their district, whether or not the district has a manager or other staff in place.*

ASSOCIATE DIRECTOR:

Associate directors are also a vital part of a district board. The position of associate director was created to allow the public an opportunity to take an active role in the operation of a district without being a voting member of the board. Often associate directors become directors after serving the district as an associate. Associate directors can assist districts with special projects or activities and serve in an advisory capacity to the board. The Public Resources Code is fairly silent regarding Associate Directors. As a result, RCDs are strongly encouraged to develop an Associate Director policy that addresses matters such as appointment, dismissal, duties, etc.

COMMITTEE MEMBERS:

Many directors serve on board committees. Examples of common board committees include education, budget, fundraising, legislation and advocacy, and public relations. The board develops committees based on specific needs of the district.

Directors who do not serve the board as officers, have the responsibility of participating in planning, gathering information and making recommendations to the board, assuming duties and carrying out tasks as assigned, and participating in all board meetings.

MEETINGS

Section 9308 of Division 9 states that directors shall hold regular monthly RCD meetings at a usual location and time within the district. Meeting locations and times can be changed by the vote of the board if the decision is posted in a newspaper of general circulation within the district.

Meetings are an essential part of RCD operations. They allow directors to make decisions about district direction and give the public a chance to comment on district activities. The following requirements and suggestions help RCDs stay in compliance with applicable laws and get the most out of their meetings.

QUORUM

A quorum is the minimum number of directors who must be present for formal actions of the board to be valid. A majority of the directors constitutes a quorum. For example, if the board has five members, three must be present at the meeting in order to make any formal decision or take action on any item. The board may meet without a quorum, but may not take action. This rule applies even if the district has

vacancies. For instance, even if a five-member board has two vacancies, the RCD must still have three directors present in order to pass formal motions. In the case of a seven member board, and only four members are present, they must unanimously vote on a motion to take action. The exception to the requirement of a quorum is that a number less than a quorum may adjourn a meeting.

THE RALPH M. BROWN ACT

“All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency.”

Government Code 54953

As public agencies, RCDs must comply with the provisions of *Government Code 54950 et seq.*, commonly known as the Brown Act or the Public Meeting Act. The Brown Act was passed in 1953 to ensure that local agencies conducted their business in public. The act establishes the rule that all meetings of a legislative body of a local agency should be open to the public, subject to specific exceptions.

“MEETING” DEFINED

The Brown Act has undergone several revisions since it was first adopted. In the 1994 revision, the Brown Act was changed to officially define the term meeting.

Meeting: “meeting includes any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.” *Section 54952.2(a)*

In other words, a meeting is a gathering of a majority of board members to discuss district business. For example, if three directors of a five-member board got together for

coffee just before the regular board meeting and discussed district business, they would be in violation of the Brown Act. Collective briefings of any form must be open to the public and comply with the Brown Act agenda requirements.

MEETING EXCEPTIONS

The act provides a few exceptions that allow directors to meet in the same place and time **as long as they avoid discussing district business.**

Directors are permitted to attend:

- Conferences.
- Community meetings.
- Purely social or ceremonial events such as a wedding or graduation ceremony.
- Meetings of another legislative body. Directors are allowed to discuss district business at such meetings if it is on the agenda posted by the other legislative body. The meeting must be open to the public and comply with all Brown Act requirements.

It's important to remember that with all the exceptions, the board must avoid discussing district business unless it is part of an agenda that complies with all Brown Act requirements.

REGULAR MEETING REQUIREMENTS

MEETING LOCATION:

- **Accessibility:** Districts cannot conduct a meeting in a venue that prohibits the admittance of any person or is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase.
- **Within Boundaries:** Regular or Special Meetings must be held within the district boundaries. If there is no

meeting location available within the district boundaries, the meeting must take place in the closest meeting facility to the district.

- **Regular Meetings:** The district must select a day, time, and place for their regular meetings. The day, time, or location can be changed only after the district passes a resolution and publishes a notice of the change in a newspaper of general circulation.

Section 9308 of Division 9

TELECONFERENCING: is a tool that districts can take advantage of to reduce travel costs; certain steps need to be taken to use teleconference in compliance with the Brown Act:

- Agendas must be posted at all teleconferencing locations, including homes.
- Each teleconferencing location shall be identified in the notice and agenda of the meeting.
- Each teleconferencing location shall be accessible to the public.
- At least a quorum of members shall participate from locations within the district boundaries.

AGENDA REQUIREMENTS

AGENDA CONTENT:

- **When & Where:** Agenda must include the time and place of the regular meeting.
- **Business Description:** Agenda should include a brief (not to exceed 20 words) general description of each item of business to be discussed at the meeting, including items discussed in closed session.
- **Public Comment:** Agenda must provide an opportunity for members of the public to directly address the board. The board can adopt reasonable regulations to limit the amount of time allocated for public testimony on

particular issues and for each individual speaker. Any time limits should also be indicated on the agenda.

AGENDA POSTING:

The agenda must be posted:

- 72 hours before the start of the meeting.
- In a location freely accessible to the public.
- On the district's website if applicable.

In general the board cannot take action on an item that does not appear on the agenda. However, there are exceptions to regular meeting posting rules to provide for special circumstances and emergency situations that require immediate action.

OTHER 'POSTING RULES' EXEMPTIONS

IMMEDIATE ACTION EXEMPTION:

The need for immediate action exception occurs when the failure to act immediately will result in a lost opportunity. For example, if a director finds a promising grant opportunity the day of the meeting but the application is due in two days, the director could bring it up at the board meeting for a vote and not be in violation of the act.

EMERGENCY SITUATION EXEMPTION:

An emergency situation exists in the following cases:

- Public health or safety is threatened.
- A failure to act will result in a work stoppage.
- There is a severe disaster.

PREVIOUS AGENDA EXEMPTION:

The item from a previous agenda exception is rarely used. This exception can only be used if an item appeared on a previous agenda and was continued from a meeting that occurred not more than five days earlier.

OTHER MEETING TYPES

In addition to regular meetings, an RCD can also hold special or emergency meetings. The rules for these meetings are similar to regular meetings however posting and notice requirements differ.

SPECIAL MEETINGS:

- A Special Meeting may be called at any time by the board president of the district or by a majority of the members.
- Written notice must be delivered to each member of the board and anyone who has requested to be notified of meetings.

Posting Requirements:

- The notice shall specify a time and a place and the business to be discussed.
- Notice must be posted 24 hours before the meeting in a location that is accessible to the public.
- Notice must be given to any newspaper or local radio station that has previously requested notice about the district's meetings.
- A notice of the special meeting must be posted on the districts website, if applicable.

EMERGENCY MEETINGS:

'Emergency' defined: An emergency situation exists in the following cases:

- Public health or safety is threatened.
- A failure to act will result in a work stoppage.
- There is a severe disaster.

Government Code 54954.2(b)

This would generally apply to RCDs only in rare circumstances. An example may be if there is a severe flood

that results in widespread damage. Another example may be if NRCS offers to help stabilize riverbanks but they request that the district act as a local sponsor. If a director brings up the topic at the board meeting for a vote, he or she would not be in violation of the Brown Act.

Posting Requirements:

For an emergency meeting that district does not need to provide 24 hour notice.

The district is required to:

- Notify any newspaper or local radio station that has previously requested notice about the districts meetings, at least 1 hour before the meeting. Notice can be given over telephone.
- The meeting minutes should be posted for a minimum of 10 days in a public place.

SERIAL MEETINGS

Directors need to be careful to avoid having a “serial meeting.” Serial meetings occur when a collective concurrence is developed without having a formal meeting.

SERIAL MEETINGS: WHAT TO AVOID

“**Daisy chain**” **serial meeting** could be initiated when director A talks to director B about district business, then director B talks to director C about the same topic and so on until a majority of board members have discussed the topic. In such a case, if the majority of the members have talked about the topic and a collective concurrence has been established, a serial meeting has taken place.

“**Hub and spoke**” **serial meeting** refers to a situation in which one person discusses an issue with a majority of the board in separate conversations. For example, Robert, an

employee of Cindy Creek RCD, called the RCD president to discuss RCD business. Robert then called the vice president to discuss the same topic and told the vice president what the president thought. Robert continued to call directors until he had reached a majority. In this case the board had indirectly discussed a topic without public notice and was therefore in violation of the Brown Act. Such serial meetings can also take place using email, fax, or any other method of communication.

*Districts must be careful when using email or social media as a communication tool, it is easy for a group of directors to conduct a serial meeting over email. **Remember: a quorum of directors discussing any RCD business outside of a meeting is a violation of the Brown Act.***

CLOSED SESSIONS

Without specific authority in the Brown Act for a closed session the topic must be discussed in public. If the district decides to hold a closed session it must post an agenda that identifies the reason for the session and briefly what will be discussed. The agenda must cite the section of the Brown Act that allows for the closed session. Section 54954.5 of the act contains examples of how to present reasons for a closed session on an agenda.

After the closed session, the board must open the meeting to the public and disclose what was discussed and what actions resulted. It is important to remember that meetings and segments of meeting are either open or closed.

CLOSED SESSIONS QUICK FACTS

- The RCD can't invite certain members of the public and exclude others.

- Associate directors are not permitted to be in closed sessions.
- Closed sessions should only include RCD directors plus any additional support staff or attorneys needed for the discussion.
- Closed sessions are allowed for some personnel matters. Such as:
 - Appointment or employment of staff.
 - Employee performance evaluations.
 - Employee discipline, dismissals, or complaints against an employee.

If the board chooses to hold a closed session for any of these reasons, they must notify the employee in writing at least 24 hours in advance of the meeting. The employee has the right to have the matter discussed in public but need not exercise their right to do so.

CLOSED SESSIONS MAY BE CALLED FOR IN THE FOLLOWING CIRCUMSTANCES:

Pending litigation: can be discussed in a closed session. Boards can confer with their attorney in a closed session regarding formally initiated litigation or anticipated litigation.

Real Estate Negotiations: Real estate negotiations can include the purchase, sale, or lease of property. Prior to closed session negotiations, the RCD must identify its negotiator, the property discussed in negotiation, the negotiating parties, and what is being negotiated (price, terms of payment, etc.).

Labor Negotiations: Some aspects of labor negotiation can also occur in a closed session. However, it is important to note that closed session labor negotiations must occur between the district and an employee organization. At this time, there is no labor organization in California that represents RCD employees.



KEEP UP TO DATE!

As mentioned earlier, all government codes are subject to change. RCD directors have a responsibility to study and be aware of code changes that affect district operations. It is extremely important that directors ensure that the district complies with laws such as the Brown Act.



POLICIES

Policies are a useful tool to help directors manage district operations. Some policies are required by government code, while others are encouraged to help guide future RCD decisions and protect the district. The district should consider developing policies based on specific needs, projects, etc.

RCDS MAY ALSO CONSIDER ADOPTING POLICIES FOR:

REQUIRED:

- Nondiscrimination Policy
- Personnel Policy
- Reimbursement Policy (*govt. code 53232.2*)
- Procurement Policy

RECOMMENDED:

- Vehicle Use Policy
- Public Records Request Policy
- Volunteer Policy
- Associate Director Policy
- Bidding Policy
- Fee for Service Policy
- Investment Policy
- Retention Policy
- Social Media Policy
- Code of Ethics/Ethics Training Policy
- Any other district concerns

The above list of policies is not meant to be an exhaustive listing of every required California statute, please be continually appraised of state requirements.

PERSONNEL POLICY DEVELOPMENT

The first step to creating a personnel policy or for that matter, any policy, is to review policies created by other agencies or organizations. Places to look include: the RCD Resource Library, RCD Guidebook, other RCDs, CARCD, the county, legal firms, or any other agency or organization the RCD has contact with. A district should exercise judgment in making sure their policies are applicable to California laws and regulations. It is always a good idea to get an attorney to review such policies. Personnel policies can help the RCD avoid many problems. The following list identifies items that are typically found in a personnel policy.

Employment

- Definition of employment classes (full, part-time, temporary)
- Length of any probationary period
- Statement of nondiscrimination

- Qualification requirements for employees
- List of people with authority to hire, set salaries, and conduct reviews
- Employee's supervisor (it is typically district manager for employees, and the board or president for executive or managerial position)
- Job descriptions
- Termination and its effect on benefits
- Statement regarding employment of relatives and conflict of interest

Compensation

- Working hours, overtime, paydays, paid holidays
- Methods of salary progression
- Listing and general explanation of benefits, including who is eligible to receive them

Employer/Employee Relations

- Grievance procedures
- Administration of discipline
- Code of conduct

Performance Evaluation

- How employees are evaluated and by whom

Employee Training

- Orientation of new employees
- How training needs are determined
- Training plans

Employee Services

- Safety on the job, including procedures for reporting accidents and seeking medical attention (if the district does not have a separate safety policy)
- Awards program and other recognition, if any, for significant contributions of employees

Once a personnel policy has been developed, directors should ensure that personnel management is conducted according to policy. Furthermore, directors must clearly explain the policy to all employees and ensure that the policy is understood. It is also important to conduct annual performance reviews of all employees. Such reviews and policies should be signed by the employee acknowledging that they have been read and understood.

INSURANCE

Does the district provide advice, employ personnel or manage projects?

If so, the district needs insurance. Even if the district is not doing any of the activities mentioned it is still absolutely critical that the district has insurance.

It is irrelevant that the district is providing a public service or benefiting the community. Insurance is still a necessity if the district is providing any service.

It is imperative that the district consult an insurance company to determine what types and levels of coverage are appropriate for the district. The California Special Districts Association (CSDA) can also provide assistance on obtaining insurance. Many RCDs have already dealt with this issue and may be able to provide assistance. Most funding agencies will require districts to have insurance and to keep it in force throughout the term of grant contracts.

Insurance requirements may include:

- Errors and Omissions insurance for directors

- Worker's Compensation Insurance in accordance with the statutory requirement of the State of California
- Commercial general liability insurance
- Automobile and/or property liability insurance

This list is not all-inclusive. Each district must consult with an insurance company and the funding agency to determine the types and amounts of coverage that are required.

Although insurance is costly, not having insurance could be devastating.

PERSONNEL AND VOLUNTEERS

RCDs often have extensive programs that require employing full time staff. Districts can hire both employees and contractors depending on their needs. Contractors are generally used for one-time projects that require special skills. Employees, on the other hand, are more of a long-term investment and are directly supervised by the district. Employees generally work in the district office and use district equipment or property. There are advantages and disadvantages to both options.

Employees can be a great investment for the RCD. They can learn and develop skills that will be an asset to the district in the future. Hiring employees increases the requirements that the district must comply with and can be a potential risk. The RCD must develop a personnel policy if the district has employees. See the “Policies” section for more information about developing a personnel policy.

Contractors are generally hired to complete one specific job. For example, if the RCD would like to complete a stream bank restoration project, hiring a hydrologist as a contractor may be appropriate. For the most part, the

contractor will only work on the specific project they have been contracted for. The district must be careful not to treat contractors too much like an employee. Employers are required to pay payroll taxes on employees but not on contractors. If the IRS determines that a contractor was more of an employee than a contractor the district may be liable for past due taxes.

Here are some tips to remember when hiring contractors:

- Contractors are not employees and as a result should work with less oversight than an employee. For example, contractors should not be required to be at the office every day at the same time or ask the District Manager to take a lunch break.
- Contractors are hired for specific duties and should not be asked to participate in other activities unless it is part of a written contract. Contractors do not have to complete other duties as assigned; this is something that definitely needs to be reserved for employees.
- In most cases, the contractor should maintain his or her own office and equipment.
- Ideally the contractor would have other clients or be available to other clients.

Volunteers can also be a valuable asset for the district. RCDs typically use volunteers to help with specific projects. For example, if the RCD wanted to clean up a river they might recruit volunteers to participate in a stream bank “clean up day.” RCDs can also start volunteer monitoring programs, use volunteers for educational events, direct mailings, data entry, creating brochures, or mapping noxious weeds. There are many different ways RCDs can use volunteers. However, if a district chooses to use volunteers it is best to develop a volunteer policy to assist with the management of the volunteers. A volunteer policy should

contain guidelines for work and training, guidelines for safe work practices, and grounds for recruitment. As with employees, volunteers should be informed of all district policies and sign a statement once they have reviewed the policies.

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RCD SPOTLIGHT
STORM DRAIN DETECTIVES
SAN JOAQUIN RCD

Volunteers can be a valuable asset to RCDs. Volunteers are a free workforce that can help achieve project goals and help to educate the community. The San Joaquin RCD partners on a project that utilizes student volunteers to test water quality throughout the year. These students, called the ‘Storm Drain Detectives’, compile their results at the end of each year to help provide long-term water quality monitoring.

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PUBLIC RECORDS REQUESTS

The California Public Records Act is designed to give public access to information in possession of public agencies, including RCDs. The Act can be found in Government Code Sections 6250-6276.48.

As a subdivision of the State RCDs are required to comply with the Public Records Act, with few exceptions district documents are public information.

WHAT IS A PUBLIC RECORD?

All communications related to public business any writing, picture, sound, or symbol, whether paper or electronic.

*Emails related to district business
are public record.*

WHAT IS NOT PUBLIC RECORD?

Employee's private papers, unless they "relate to the conduct of the public's business and are re-prepared, owned, used, or retained by the agency."

Records not yet in existence: an agency cannot be required to create a record list, or compilation. "Rolling Requests" for future generated records are not permitted.

WHAT RECORDS ARE EXEMPT?

Exempt RCD records generally will only include employee records, medical records, and attorney-client communications. Almost everything else is subject to disclosure including wages, salaries, audits, financial information for the RCD, time cards, maps, etc. However districts may redact or remove personal information of employees such as their address, phone number, social security number, etc. Note, keeping records on a personal computer, phone, or other private location does not exempt them from disclosure.

For more information visit the First Amendment Coalition website: thefirstamendment.org/publicrecordsact.pdf

When in doubt, contact an attorney.

FULFILLING A RECORDS REQUEST QUICK FACTS

- Access is allowed at all times during normal business hours.
- The agency must provide assistance by helping identify records and information relevant to the request. Working with the requester to find out what information they are looking for will help make sure

they have the correct information and may reduce the amount of work that needs to be done by the RCD.

- The RCD must respond in writing within 10 days of the request.
- The RCD can request a 14 day extension to respond under special circumstances, such as: a voluminous request, records held off-site, or if the request requires consultation with an additional agency.
- The agency may never make records available only in electronic form.
- Access to records is always free. The RCD cannot charge for the time it takes to collect or review the information. The RCD can charge a reasonable fee for copying cost (usually 10- 25 cents/page). The RCD should specify the costs for copies in their Public Records Request Policy.
- RCDs must never produce NRCS documents without their express permission. Requests for NRCS documents must be referred to the NRCS District Conservationist.

Sometimes people will request voluminous amounts of information just because they can. It's best to build a relationship with these folks and tell them about RCDs and what the RCD does. Let them know they can come into the office during regular hours and review various materials. If they are really interested, ask them to apply to be an associate director!

NRCS RELATIONSHIP

It is important to determine if the records are protected under the federal Freedom of Information Act (FOIA) or are subject to state of CA Public Records Act. Almost all documents generated strictly by the RCD are subject to public records act. However, many NRCS documents are protected by the FOIA and are exempt from the Public Records Act.

Especially if the RCD and NRCS offices are co-located and share any projects, information requests may be protected by NRCS shared records confidentiality policies.

NRCS documents must never be produced without express permission from NRCS.

If there is a possibility the documents fall under the FOIA:

- The Request shall be sent to the District Manager or the Chair of the District AND the NRCS District Conservationist prior to preparation of any response.
- A copy of the request can be sent to the NRCS FOIA officer directly. This will determine if the request is for shared records.
- If the requested records originate from NRCS and/or are their work product **and** the RCD has worked with NRCS on the work, it is likely that the RCD does not have to and should not produce them. The RCD should send a letter to the requestor stating that the records are protected from the request due to an interagency records confidentiality exception, and suggested that the Requester should be making a FOIA request directly to

NRCS. For more information contact the NRCS FOIA Officer.

Preserving confidentiality

RCDs must produce all RCD records.

For this reason, never take NRCS conservation plans or other NRCS work product to the RCD meetings. That makes those public records under CA law and violates the Federal Privacy Act and shared records exemption.

Notes:

DISTRICT FINANCES



BUDGETING

The importance of having a budget cannot be understated. In fact, it is absolutely critical for an RCD's success because it is the financial foundation on which decisions are made. Most districts have limited resources and a budget provides a formal process of making decisions and allocating resources, so that a district's strategic plan can be implemented.

Directors play a *critical role in the budgeting process*. The budget provides the district with information and also serves as a record of decisions that have already been made. There are numerous ways in which a budget can be developed. The type of budget used by each district will depend on many variables including staffing, financial resources, individual personalities, and the risks inherent within the district.

Budgets include both revenues and expenditures. The district must identify its funds and then decide how to spend those resources to achieve its goals. It is important to anticipate unexpected costs. Therefore, a financial cushion and even a reserve should be built into the budget.

The budget should include:

- Costs associated with specific projects
- Daily operating expenses for staffing
- Overhead
- Insurance
- Utilities
- Equipment purchases

The budget provides the district with a tool that can be used to compare estimated revenues and expenditures with actual monies received and spent at year's end.

The budget is a working document. The district must determine a fiscal year start date, such as July 1st, and use that as the starting point for the year. However, the board should revisit the budget throughout the year, modifying it as necessary.

Unlike many organizations, most RCDs cannot rely on a steady stream of revenues but are funded on a sporadic and inconsistent basis. Therefore, the budget must be revised as revenues are received. It is critical that the board actively manage the district budget to ensure financial solvency. It is also a good idea to have contingency plans. If the budget does not function as developed, the district should be prepared with other alternatives and ideas.

Budgets are financial road maps. Without a map it is easy to get lost. Budgets provide a sense of direction and are a necessary tool available to assist directors in fulfilling their duties. Therefore, because of its importance, *it is recommended that the district take training about the budgeting process or hire a professional bookkeeper.*

FUNDING

No organization can operate without funding. Getting money to implement the district's annual and strategic plan is a huge challenge, but absolutely necessary. *See "Strategic Planning" for more information.*

Each district is unique and serves different constituents. It is important for the district to identify the critical issues in its area and establish a list of priorities. This list will be used to develop the strategic plan. It is a director's responsibility to participate in this process. Once the strategic plan has been developed, an annual plan must be created. In fact, this is one of the district's duties identified in Division 9 in order to receive certain types of funding. Having a plan is great but

without money, implementation of the plan is challenging. Therefore, it is imperative that funding be obtained. Fortunately, there are numerous ways that a district can get funds. This takes creativity, persistence, hard work, dedication and the recognition that it is an ongoing activity. The following list identifies common sources of funding that districts may use to fund their organization.

PROPERTY TAX ASSESSMENTS

Tax assessments are a vital source of funds for some districts; however the passage of Proposition 13 in 1978 significantly curtailed a district's ability to derive revenues from new property tax assessments. New assessments require two-thirds voter approval within the district. Districts receiving property tax revenues prior to Proposition 13 generally continue to receive county collected property taxes that are proportionate to their pre-Proposition 13 share of the property taxes in the County.

FUNDRAISING PROJECTS

Districts can engage in a broad range of fundraising activities and can be quite entrepreneurial in spirit. However, care should be taken to ensure fundraising activities remain ethical and do not create conflicts of interest among board directors or staff.

FUNDRAISING IDEAS

- Appealing for donations, gifts, and project sponsorships.
- Applying for and accepting funds from community and family foundations.
- Special events. (tree sales, bake sales, golf tournaments, walk-a-thons, etc.)
- Receiving admission fee to a dinner honoring a guest.

- Partnering with or developing a non-profit organization to apply for funding that is only available to non-profits.
- Selling conservation-related items.

The board ensures that the district holds fundraisers that can withstand ethical scrutiny.

FEES FOR SERVICES

According to section 9403.5 of Division 9, districts are authorized to charge and receive fees for services. Fees may not exceed the cost reasonably borne by a district in providing the service. Fees can include the costs of staff time, overhead, benefits, travel, postage, and materials necessary to perform the service. To maintain a positive image with the public the district should make every effort to reduce direct competition with local businesses.

Additionally, fee for service programs should be directly related to the RCD's mission and strategic plan. Some of the services that may be appropriate for charging fees include the rental of conservation equipment, erosion control planning and evaluation, assistance with permitting, conservation education, workshops, tours, and plant or tree sales. In certain situations, districts may find that the sense of value placed on a service by customers is enhanced when there is a fee associated with it. In other situations fees may discourage the demand for district services, particularly if a potential customer has the option of receiving the same service elsewhere at a lower cost. The decision to charge fees for services ultimately must be made by the district board, based upon the specific circumstances of the district. However, it is important to recognize that districts may be liable for legal claims if the services are not performed properly or if property is damaged. Legal advice and appropriate insurance are vital parts of a service program.

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RCD SPOTLIGHT
DIVERSIFYING FUNDING
RCD OF TEHAMA COUNTY

In 2009 the District was heavily dependent on grant funding from bonds. When the bond freeze happened the RCD board made a decision to diversify their funding sources to bring more security to the Districts operations. By the end of 2012 the annual income had switched to 35% fee-for-service and only 10% from state grants. This district has several fee-for-service activities, including: management services for the local Irrigated Lands Regulatory Program, creating CEQA documents, creating a mobile irrigation scheduling application, and conducting fuels management projects for PG&E and local homeowners associations.

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GRANTS

Grant funding is available from numerous sources including governmental agencies, businesses, foundations, individuals, and local organizations. It is important to recognize that each grantor has specific goals and objectives when providing funds. Before submitting any proposal, the district should research or contact the funding agency to determine if the district is eligible for a grant. Each grantor has specific requirements and unique forms. It is absolutely critical that the district meet all the requirements necessary to submit a proposal. Some grantors will only grant to 501(c)(3) non-profit organizations. In this situation a district could choose to partner with a non-profit; some districts have developed a separate 501(c)(3) to help support the RCD. Such organizations do not have the same name as the RCD and operate under federal and state non-profit rules. Forming a non-profit organization can be rewarding but does present its

own challenges. Any non-profit formation effort should start with consulting an attorney.

It is important to note that many funding opportunities are focused on projects that are integrated and take a watershed or regional approach. Working with local agencies, organizations, and RCDs that have similar goals is a good way to strengthen the RCD's projects and grant proposals.

FUNDING SOURCES

FEDERAL: The federal government offers a wide variety of grants and loans, many of which a district is eligible to receive. Numerous agencies provide funding including the Department of Agriculture, Bureau of Land Reclamation, Environmental Protection Agency, U.S. Fish and Wildlife Service, Department of Interior, and many more. A district shouldn't hesitate to ask agency representatives if they know of other federal programs for which the district may be eligible.

STATE: California agencies provide millions of dollars in grants and loans. Districts are eligible to submit proposals for grant funding to numerous departments including the Department of Conservation, CALFIRE, CalRecycle, CALTRANS, and many more. It is critical for districts to recognize that funding becomes available throughout the year. Therefore, each district must be persistent and constantly looking for opportunities. Networking with other districts, board members, and employees to share funding ideas often makes the difference between a successful district and one that is not as successful. RCDs are in a unique position to work with state agencies. RCDs are local districts of the government and can directly contract with state agencies.

LOCAL: Many districts do not maximize the use of local resources and rely on federal and state programs. However, local grants, contracts and loans should not be overlooked. It is important for the district to develop a working relationship with their community. If the community recognizes the district's importance, the potential for funding rises dramatically. Local government may be inclined to use the district for meeting a need. Furthermore, many local non-profit or community organizations want to support a locally based group. Often competition for local resources is not as fierce as the state or federal level. In many cases, it is based on developing a relationship and meeting a need. RCDs are well positioned to tap this potential source of funding. Several districts receive funding from their County Board of Supervisors. Some have fee for service agreements with local governments and school districts. No opportunity should be overlooked.

CORPORATIONS OR LOCAL BUSINESSES: Many companies provide funds for programs that benefit the community and promote their company. Districts can use this to their advantage. The possibilities are endless. Local businesses may offer a district discounts on products or services, such as seeds, tools, signage, wood, or even printing. However, it is important to remember that the district must maintain its autonomy, especially since the RCD is a governmental entity.

FOUNDATIONS: Numerous foundations provide funding to a variety of organizations including RCDs. Often their scope is limited and they focus on specific issues. Typically foundation grants require less paperwork than do government grants and there may be less competition for these funds in certain regions.

When relying on grants, it is important to remember that funding is usually for a specific purpose and normally

available only for a limited period of time. Therefore, it is critical for each district to develop a plan that replaces this source of funding to ensure that the districts programs and projects continue, uninterrupted.

There are thousands of grants available and it is impossible for a district to apply for all of them. Therefore, it is critical that an RCD develops a list based on the district's priorities. The board should discuss the potential funding opportunities and collectively decide which ones to pursue. This process ensures that all directors provide input and that the district's decision supports the strategic plan.

Normally, grants are awarded on a competitive basis. Applicants submit a proposal that is ranked and placed on a list. Grants are awarded to those organizations that have the highest scores. It is the director's responsibility to ensure that the proposal submitted by the district is professional and meets all the necessary requirements. Although the following checklist is not comprehensive, it provides guidance on some areas the district may want to review prior to submitting a proposal.

BASIC PROPOSAL CHECKLIST

- Does the proposal meet all mandatory requirements?
- Is the proposal signed by the appropriate individual? This may seem simple but grant proposals have been eliminated without being reviewed due to a missing signature.
- Are support documents attached?
- Does the budget provide sufficient detail and do the numbers add up correctly?
- Does the budget include costs associated with district overhead, if allowed?

- Is the match requirement fulfilled, if required?
- Are partners identified and their role explained?
- Is the proposal neat and legible?
- Will it be submitted on time?
- Does the proposal clearly describe a problem or need?
How does the proposal plan to solve the problem?
- Does the district have all necessary registrations and certifications? For example, RCDs must be registered on www.SAM.gov and have a DUNS # to receive federal grants.

Increasingly, funding organizations are looking for proposals that involve partners and demonstrate cooperation between local, state, and federal agencies as well as private and public entities. Districts should attempt to involve other organizations in the project when appropriate, particularly from the local community. Most grantors require matching funds. There are two types of matching funds: cash match and in-kind service match. In-kind match can be donated by the RCD or a project partner. It is important to ensure that proposals are developed with multiple funding sources in mind. The more matching funds and partners that are incorporated into a proposal the better the opportunity for funding becomes.

Finally, it is essential to remember that it is a very competitive process. There are limited grant dollars and many applicants. Not every application can be selected for funding. Each proposal a district submits is another opportunity for funding and fine-tuning its grant application skills. If a district submits well-written and complete applications that involve partners, it is only a matter of time before that district receives money. **Don't Give Up!**

It is a director's responsibility to assist the district in locating and deciding the best funding source to use to implement the district's strategic plan. Each funding source has advantages and disadvantages. The best approach uses multiple funding sources and does not rely on one exclusively. A director's job is to help establish the district's direction. It is crucial that directors participate in prioritizing their district's programs, activities and grant opportunities.

AUDITING

Government Code requires an annual audit of special districts by the county auditor or a contracted CPA. There are exceptions that can be made, for more information of audit exceptions review *Government Code Section 26909*.

Audits are required by law. Audits also provide an organization with a higher level of assurance. Special districts are not immune from fraud, theft, and mismanagement.

Remember directors have the ultimate fiscal responsibility for their district's financial management.

Audits will not deter or prevent all crime or mismanagement but they can minimize the risk. Furthermore, audits provide both the public and other government agencies with confidence in an organization. Audits establish public accountability and provide an independent review of the district that non-governmental organizations need not provide to the public. Auditors can identify weaknesses in management controls and offer advice on improving and streamlining operations. For example, an audit may suggest that an RCD adhere to the fundamental requirement that the same individual is not responsible for every facet of financial transactions. This simple control, separation of duties, may

prevent a district from being a victim of gross negligence or fraud.

SELECTING AN AUDITOR QUICK FACTS

- The auditor must be a certified public accountant or public accountant, licensed by, and in good standing with, the California Board of Accountancy.
- As of fiscal year 2013-2014 RCDs are required to change auditor and audit reviewer at least every six years. The Controller may waive this requirement if he or she finds that another eligible public accounting firm is not available to perform the audit. For more detail review *Government Code section 12410.6(b)*.

PARTNERSHIPS



Partnering with other agencies, tribal governments, individuals, and private entities is taking on an ever more important role to the success of RCDs. Budget constraints and limited staffing resources affect the ability of many agencies to fully implement their programs. Partnering is a way affected agencies can meet their program obligations given these limitations; therefore they are much more amenable to entering into partnering agreements than in the past.

In addition, many RCDs rely on state and federal grant monies to help fund their staffing and administration needs. During the selection process, grant review panels often are required to give higher scores to applicants who can demonstrate they are partnering with other agencies or groups. Government grants commonly require matching funds (cash and in-kind) to qualify. Partnering is an effective way of meeting the match requirements of many government grants. For example, one district successfully met its in-kind match requirement by partnering with a local Boy Scout troop to conduct GIS mapping of invasive plant species. Be creative and consider all types of partnerships.

RELATIONSHIP OF RCDs & NRCS

The relationship between RCDs and the US Department of Agriculture's Natural Resources Conservation Service (NRCS), formerly known as the Soil Conservation Service, has been long standing. The NRCS was originally formed in 1937 to address the crisis of the Dust Bowl. Individual state legislation establishing local conservation districts was created shortly thereafter. Since then, NRCS and RCDs have had a close working relationship, with NRCS appointing a local district conservationist to provide technical assistance to districts, as well as acting as a liaison between the district and federal programs. Local NRCS offices also frequently

employ other specialists, such as soil conservationists and engineers, to provide technical assistance to the district.

RCDs and NRCS formally ratified their relationship through a Memorandum of Understanding (MOU) signed more than fifty years ago to establish a partnership and mutual roles between districts and the USDA. The MOU is periodically reviewed by all partners. In 1999 the MOU was revised to modernize and reinvent the historic partnership, and to add state conservation agencies to the agreement. It is now called a Cooperative Working Agreement. A number of other recent agreements were made to supplement the CWA and further define the roles of the partners. RCDs and NRCS offices can enter into Local Operation Agreements, these agreements clarify the relationships between individual RCDs and local field offices. The agreements can include shared equipment, office space, staffing, etc.

Often the close proximity and association of NRCS and RCDs confuses the public. Don't forget that RCDs and NRCS should each maintain separate identities so that the public is not confused about what the districts can do and how they are funded. Districts are **not** federal agencies, nor have they ever been.

OTHER PARTNERSHIPS

CALIFORNIA ASSOCIATION OF RESOURCE CONSERVATION DISTRICTS (CARCD)

CARCD is a statewide non-profit organization that acts as an advocate for natural resources and conservation public policy issues; coordinates and supports RCD activity; and provides information, education and training programs to its members.

NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS (NACD)

NACD is a national non-profit organization that develops and advocates national conservation and natural resources policies at the federal level. It also provides technical services and information to member districts.

THE DEPARTMENT OF CONSERVATION (DOC)

The DOC has a somewhat unique relationship with RCDs. Division 9 originally set up oversight of resource conservation in the state through a state Resource Conservation Commission. This commission ceased to function during the 1970's when it was no longer funded by the state budget, and some of its oversight responsibility fell to the DOC. While DOC does not have regulatory oversight of RCDs, it serves districts through offering training on Division 9 and related government codes, assistance with district issues, and funding through its grant programs.

RCDs in California as a whole have no formal relationship with most other federal, state, and private entities, though Division 9 encourages individual districts to form partnerships with any appropriate entities. Typically, agencies such as the US Environmental Protection Agency at the federal level, or CALFIRE at the state level, willingly enter into agreements with individual districts to collaborate on projects. Districts typically enter into contracts (grant contracts or cost share agreements) to accomplish work both partners in the agreement see as mutually beneficial to resources in the district.

Many districts also form working partnerships with agencies within their districts. For example, several districts work with the US Forest Service on conservation projects. The

University of California Cooperative Extension is another common partner. In some counties, districts share office space with private organizations such as the Farm Bureau. Each district must determine how to actively cultivate partnerships that can assist the district in reaching its conservation goals.

THE CALIFORNIA SPECIAL DISTRICT ASSOCIATION (CSDA)

The CSDA is a not-for-profit association that assists in providing services for all independent special districts throughout California. This association is a wealth of information of director and staff training, legislation, policies, legislative advocacy, insurance, safety, etc.

Notes:

PLANNING



THE RCD VISION

It is the vision of California RCDs to be Relevant, Excellent, and Visible “go-to” hubs for natural resource conservation and agriculture on public and private land- at the local, regional, state, tribal, and federal levels.

RCDs play a key role in their local communities, many RCDs are well situated within local communities, yet many districts have not fully mobilized to address conservation and environmental concerns. In 2014, the CARCD and RCD District Managers from across the state collaborated to create the “RCD Vision and Standards”. These vision and standards are a road map to help guide RCDs to meet shared goals and assist RCDs to continue to provide much needed natural resource support. See the “Vision and Standards” section for more information.

Despite extreme variation among districts, as a whole, most have not capitalized on the growing public interest in environmental quality. To preserve their role, districts need to aggressively redefine, promote, and market themselves as vital units of government for locally led conservation on local issues and problems.

In integral step for every district to fulfill the vision of California RCDs is to participate in a strategic planning process. This process will address new concerns, including those that may be raised by stakeholders during the process.

BENEFITS OF STRATEGIC PLANNING

- A Mission and Vision for the district that is shared by directors and stakeholders.
- Goals and strategies that will enable the district to realize their mission and vision, thus improving natural

resources conservation in the community.

- Development and implementation of programs and activities that will enable a district to accomplish their goals and strategies.
- An organizational assessment that will enable the district to build on their strengths and deal with issues of funding, personnel, training, public relations/marketing, and relationships with other entities and individuals.
- Development of an accountability plan that will provide the means for evaluating programs and activities so program impacts can be demonstrated.
- Productive relationships with cooperating agencies, other conservation organizations and agencies, and other groups with similar interests and goals that will result in improved natural resources conservation for the entire community.

Beyond these practical reasons for planning strategically long-range planning is one of the provisions outlined in Division 9 for the administration of a resource conservation district. The authors of Division 9 have specifically stated that long- and short-range plans will be an integral part of district functioning: districts wishing to take advantage of state grant programs through the Department of Conservation are only able to do so if they create long- and short-range plans.

STRATEGIC PLANNING PROCESS

The following four-step process is one approach to planning that incorporates many of the concepts of applied strategic planning. Other planning approaches may be more

appropriate for individual RCDs, given their level of resources, staffing, sophistication, and activities. Additional information on planning can be found by referring to Volume 1, Step 3 of the RCD Guidebook.

STEP 1: DEVELOPING A LONG-RANGE PLAN

1. **The board of directors establishes a planning committee (the planners).** The committee includes a variety of persons with diverse interests.

Planners can include:

- Directors
- Associate directors
- District staff
- Representation from the NRCS
- Representation from federal agencies, state agencies city, county and tribal government
- Community members

Such input is valuable to the RCD in optimizing its use of existing and anticipated funding sources and staff support.

2. **Developing the district's mission.** When planning, each planner envisions a future for the district, given the community's needs; to do this the planners must determine the district mission. *Throughout this process planners should consider:*

- The district's basic role in the community serves as a guide for planning the district's future direction.
- Cooperating organizations can provide insights for planning.
- Planners can assess the district's skills and resources that may influence the district's ability to meet the defined community needs. This assessment includes staff resources, financial resources, time, supplies, equipment, and expertise.

3. **Each planner envisions the future of the district.**

Throughout this process planners should consider:

- Strategic planning is a living process.
- Imagine the district's future, commonly five to ten years from the present.
- A method useful in producing a vision of the future is to imagine a reporter writing an article on a very successful district.
 - What does s/he see?
 - What types of services does the district provide?
 - How does it fund its services?
 - What types of conservation programs does it sponsor?

Some examples of visions are: Adopt-a-Watershed programs put in place in the schools within the district; active Coordinated Resource Management Programs (CRMPs) in all targeted watersheds within the district; providing non-point source pollution education to local communities and municipalities; and employment of a full-time district manager and other positions.

4. **Identifying key issues and objectives.** Envisioning a future naturally leads to the recognition of issues that are key to the success of the district (e.g., increasing soil erosion services to landowners). The planners draw district *objectives* from these key issues.

Throughout this process planners should consider:

- Key issues generally are larger scale and may not be quantifiable. Objectives specify details (e.g., increase the percentage of landowners participating in soil erosion programs from 10 percent to 25 percent).
- Each objective should adequately describe whom or what the objective is directed toward, the estimated date of attainment of the objective, and a concrete measure of progress (e.g., a measurable objective might be a 15 percent increase in child participation

in an educational program by the end of the district's current fiscal year).

- Measurable objectives allow the planners to compare the results of a program or activity to its original intent.

5. **Envisioning a path to achieve objectives.** After determining district objectives, the planners formulate the optimal method of attaining them. This can be described as paving a *path* to the vision.

For instance, to meet an objective of reducing water pollution in a lagoon, the board could enact a clean-up and monitoring program funded by a specific state grant or partnership project.

Throughout this process planners should consider:

- Each objective should be evaluated and considered separately.
- Brainstorm several alternative paths that would plausibly meet the objective of concern. The goal is to merely write down whatever tactic comes to mind without evaluating it.
- Once several alternatives are available, the planners evaluate each.

6. **Determining district activities.** The selection of the best path leads to the discovery of district activities.

Throughout this process planners should consider:

- The planners should describe each activity:
 - When will the activity commence and end?
 - Who is responsible for ensuring satisfactory completion of the activity?
 - How will resources be allocating to the tasks?
 - What are realistic goals?
 - What are alternatives should situations change?
- Planners ensure each activity produces results and inspires the commitment of the workers.

- Some milestones should be attainable in the near term to encourage a sense of progress and achievement, while other mid-term and long-term milestones should also be apparent.
7. **Prioritize activity.** If possible, prioritize the activities based on available resources, once the objectives and activities have been determined.
 8. **Creating a Long-Range Plan.** Once the above steps are completed the planners record this information in a logical and organized *long-range plan*. The long-range plan provides for orderly implementation and reduces the chances for confusion. The long-range plan should provide sufficient information and instructions for the district to perform the activities that can and will meet the stated objectives.

STEP 2: DEVELOPING AN ANNUAL PLAN

1. **Divide work into annual portions.** To make the implementation of the long-range plan more manageable, the planners divide long-range objectives and activities into more workable annual portions. For example, suppose the district will take five years to reach its vision. The planners divide these five years of work into five logical divisions, usually matching the district's fiscal year, each of which will take one year to complete. The board then pursues higher priority objective first or the objectives that logically must process others.

Throughout this process planners should consider:

- To prioritize the long-range objectives, the planners consider:
 - The objective's cost-to-benefit ratio.
 - The overall resources available.

- The absolute benefit a community might receive.
- Cost- Benefit Calculation: to achieve an objective, the district must expend a certain amount of money and other operating resources (the cost). In return, it promotes conservation (the benefit). An objective with a lower ratio usually has higher priority than one with a higher ratio, but this does not preclude a district from prioritizing a project that they are firmly committed to as a public benefit. For example creating educational brochures or manuals on various topics without a specific dollar amount return. The cost/benefit ratio for such a project may be seen as an unquantifiable marketing or public relations tool, as well as a catalyst to encourage voluntary conservation practices.

STEP 3: ANNUAL PLAN IMPLEMENTATION

Once the annual plan has been prepared, the district should begin to implement it. The essential ingredient in implementing the annual plan is management. The board of directors ensures the participants are capable of performing the activities and services delineated by the annual plan. The board ensures that staff and partners understand their roles and have the necessary resources to implement short-term activities, with a view to longer-term implementation as well. It is important to devise methods of correcting shortcomings, such as holding formal progress reviews and setting intermediate work goals or milestones. The board also monitors and evaluates the district's progress toward its objectives. If district activities begin to depart from the plan, the board adjusts them. Or perhaps the plan itself needs to be reevaluated. If the board anticipates changes in the plan; it detects problems before they escalate and it provides solutions that get the district back on track.

STEP 4: ANNUAL REPORT

To evaluate the progress the district has made toward solving conservation problems, the district must generate an annual status report. The report summarizes the accomplishments of the district and the work directors, staff, and volunteers have contributed during the year. The report also recognizes activities and projects identified in the annual work plan that may not have been completed and that require further effort. As a consequence of generating measurable objectives with specific deadlines for completion, the planners can compare the annual objectives listed in the annual work plan with the actual results presented in the annual report. They pay attention to any shortcomings and attempt to understand the causes behind them, including revising the objectives with more reachable goals if necessary. This understanding forms the basis of long-range plan revisions.

Notes:

VISION AND STANDARDS



In 2014 the CARCD completed a set of Statewide RCD Vision and Standards. These documents provide a road map for RCDs towards continued success and growth. District Managers from across the state worked for over a year to complete these documents and the Vision and Standards were approved by the general membership at the 2014 CARCD annual conference.

THE RCD VISION

It is the vision of California RCDS to be **Relevant, Excellent and Visible** “go-to” hubs for natural resource conservation and agriculture on public and private land – at the local, regional, state, tribal and federal levels.

RELEVANT, EXCELLENT, AND VISIBLE
R.E.V.ED UP RCDs:

- Provide meaningful, quantifiable benefits to their districts natural resources through high quality, timely, and scientific programs on the ground.
- Uphold excellent operational management though having appropriate technical capacity and retaining quality key staff.
- Are sought after, critical partners in an active and local natural resource network.
- Are looked to as a reputable education and information source on natural resource conservation.
- Promote community and legislative awareness of and involvement in local conservation goals.

RCD STANDARDS

The Standards provide a road map of activities that successful RCDs engage in. They give concrete suggestions

and provide criteria and examples to help RCDs achieve **Relevancy, Excellence and Visibility**. The Standards are separated into three tiers:

TIER ONE

Outlines the legal requirements all RCDs must meet under current state law.

TIER TWO

Provides ways RCDs can serve the needs of their communities for conservation today.

TIER THREE

Outlines a comprehensive road RCDs may follow into becoming the go-to hubs of conservation in the future.

TIER ONE

MEETING THE LEGAL REQUIREMENTS

Basic Reporting/Training Requirements:

- Annual report to State Controller with Government Compensation Report (*Government Code 53065.5*)
- Ethics Training every 2 years (*Government Code 53235*)
- Form 700- Statement of Economic Interests (*Government Code 87200*)
 - Directors and designated staff must complete a Form 700 annually including when assuming and leaving office.
- Independent audit yearly with rare exception (*Public Resource Code 9528 and Government Code 26909 [5]*)
 - The district's audit must be filed with State Controller.
- Provide employees with sexual harassment literature (*Government Code 12950*)

- Training for District Manager is recommended as well as adopting district policy.
- Directors must take an Oath of Office (*Public Resource Code 9302, Government Code 1360*)
- File reports and/or provide information to the Local Agency Formation Commission when requested
- File Statement of Facts with the Secretary of State (within 10 days after appointment of new directors, district name change, or mailing address change) *Government Code 53051(b)*

Quarterly and/or Monthly Requirements:

- Maintain written records/minutes/agendas for meetings
- Report monthly on financial transactions (*Public Resources Code 9524*)
- Follow the Brown Act (*Government Code Section 54950 et. al.*)
 - Agendas must be properly posted 72 hours in advance and on the RCD website.
- File and pay appropriate payroll taxes
 - RCDs are not exempt from paying payroll taxes. Employers in California must submit the following payroll taxes:
Federal - Federal Withholding (Income Tax), social security, Medicare
State - State Income Tax, State Disability Insurance
- File reports with State Board of Equalization (if the RCD is required to collect sales tax)

Policies/ Plans/Requirements:

Required:

- Conflict of Interest Code- required of all special districts (*Government Code 87300*)

- Reimbursement Policy required of all special districts (*Government Code 53232.2.*)
- Personnel Policy- required for those with employees

Strongly recommended:

- Nondiscrimination Policy
- Public Records Request Policy
- Annual and Long Range Plans (Required for funding from Dept. of Conservation *Public Resources Code 9084, 9413*)
- Annual Budget
- Associate Director Policy
- Bidding Policy

Recommended for Districts with need for such policies:

- Fee for Services Policy
- Investment Policy- including Reserve Policy
- Vehicle Use Policy
- Volunteer Policy

Suggested/Required Insurance:

- Liability Insurance- including special riders for projects (required for many grants)
- Vehicle/Premises Insurance (required if district has vehicle)
- Errors and Omissions Insurance
- Workers Compensation Insurance (required if RCD has employees)

*The text for relevant state code is available at:
<http://leginfo.ca.gov/faces/codes.xhtm>*

*For assistance with government codes and state requirements contact the Department of Conservation, RCD Assistance Program
DOC RCD Assistance website:
www.conservation.ca.gov/dlrp/RCD*

TIER TWO
THE RCD OF TODAY

A RELEVANT RCD

1. Serves its mission to meaningfully meet the resource needs of the community as demonstrated by the following:

- Executed at least three projects towards the RCD's strategic goals within the last three years.
- Addresses multiple resource issues in the community.
- Remains informed and consistent with local and regional management plans as appropriate.

2. Address the resource issues in the community as demonstrated by the following:

- Identifies the major resource issues in the community.
- Proactivity chooses which issues to engage in based on: funding, importance, relevance, other groups working on the issue, and magnitude of the issue. (Example: creates a map of issues with strategic decisions included)
- Explain decisions process:
 - Identifies the proper role of the RCD to partner with other organizations working on issues.
 - Identified issues in which the RCD is the appropriate entity to take the lead on an issue.

- Identifies when it is appropriate for political, scale or problem, or other reasons for the RCD not to address a critical issue.

3. Engages the community in its programs as demonstrated by three of the following:

- Prioritizes community engagement in the strategic plan and/or in funding applications. Cite strategic plan and/or funding application:
 - RCD programs and projects build a sense of community as demonstrated by public interest. (Examples: ability to recruit volunteers, amount of public input received on projects/plans, attendance at meetings, letter of support, visits to RCD website, facebook likes, etc.)
- Includes a public education component in its programs when appropriate. (Example: If RCD is implementing a restoration project, one component is a public education workshop.)
- Has volunteer internship program that includes the regular recruitment and use of volunteer/interns. (more than three volunteers/interns per year)
- Holds public presentations about RCD programs. (Example: presents to the Board of Supervisors, legislature, civic groups, and non-profits about the RCD's efforts)

4. Has collaborative and diverse partnerships as demonstrated by the following:

- a.) Has strong relationships with partners as defined by meeting at least three of the following: (Check all that apply)
- Coordinates and collaborates on projects, strategic goals, and funding proposals.
 - Completes projects with the partner.

- Holds regular meetings (at least quarterly) in which information is exchanged.
- Holds stakeholder meetings that include the partner.
- Partners attend or consult at monthly RCD meetings.

b.) RCD has a strong relationship with at least three diverse partners: (Check all that apply)

- County Supervisors and Departments
- Local Government including Parks and Recreation, special districts, etc.
- Local Farm/ trade associations (Examples: Farm Bureau, Cattleman's Association)
- Non-profit organizations (Examples: Audubon, Center for Land-Based Learning, watershed groups, RC&Ds, Fire Safe Councils, Farm Bureau, Cattleman's)
- NRCS
- Other federal partners (Examples: US Forest Service, US Army Corps)
- State Agencies (Examples: DFW, DWR, RWQCB, Caltrans, CAL FIRE)
- Tribes

5. Represents the diversity of their district:

- The RCD recommends, solicits and/or considers a variety of candidates for associate directors and board member positions. (Examples of representation: areas of expertise, geographic and demographic diversity, landowner/land user type, agricultural, conservation, businesses, etc.)

6. Engages with CARCD at a basic level as demonstrated by meeting at least three of the following: (Check all that apply)

- Attends the CARCD annual meeting.
- Pays full CARCD dues.
- Promotes CARCD legislation and initiatives through educating local legislators on pertinent issues, and/or specific CARCD meetings with local legislators. This can be done through letters of support, emails, phone calls, etc.
- Supports the CARCD strategic plan by serving on committees or providing in-kind time to move CARCD statewide priorities forward.
- Financially contributes to a contract with CARCD's consultant group (currently Conservation Strategy Group).
- At least one board and staff member attends every CARCD Regional Meeting in the RCD's area.
- Board member service as a CARCD regional chair.

AN EXCELLENT RCD

1. Has diversified funding sources and leverages funding:

- a.) The RCD has at least two of the following funding sources. To qualify, each funding source should represent more than 15% of any year's budget during the past three budget cycles: (Check all that apply)
- Tax Increment
 - Government Grants (federal, state, local or tribal)
 - Community Donations (Examples: membership program, scholarship funds)

- Local Government Support (Examples: county, city, tribal, water district)
- Federal Agreements (Examples: NRCS contribution agreements)
- Sales/ Fee for Service Programs (Examples: plant sales, bird house sales, permit coordination programs, chipper programs)
- Demonstration Projects (Examples: gardens, green building/energy efficiency items, greenhouses, aquaculture, etc.)
- Foundation Funding
- For Profit Business Support
- Non-profit Support

2. Has appropriate technical capacity to meet the needs of their community as demonstrated by the following:

- Has technical staff, contracts, or has established relationships with other entities to provide technical assistance.
- Owns (rather than rents or leases) equipment that is regularly utilized for routine work. (Examples: computers, specialized printers, chippers, no till drills, port-o-potties, vehicles, etc.)

3. Provides timely and efficient services

(Examples: The RCD has policies or procedures in place to allow for timely action in between regularly scheduled board meetings.)

4. Has a proper balance of board/ staff operations as demonstrated by the following:

- a.) The board meets at least five of the following criteria:
- Has an awareness of and involvement in the RCD's programs by meeting at least two of the following: (Check all that apply)
 - Board can describe programs without prompting.
 - Board participates in programs. (Examples: hosts workshops at their property or helps recruit participants)
 - Board attends public events and workshops.
 - Board participates in community outreach. (Examples: conduct outreach to County Supervisors, legislators, civic groups, presents at RCD workshops, etc.)
 - Sets policy including budget rather than implements policy by meeting all three criteria:
 - Board leads the budget development every year in collaboration with the RCD district manager.
 - Board leads the creation of the strategic plan in collaboration with the RCD district manager.
 - Board regularly revisits the strategic plan in board meetings or special planning meetings.
 - Makes thoughtful decisions that are not subject to conflicts of interest.
 - Board meeting minutes are open to the public.
 - Attends regular training on topics related to board member roles and RCD operations/projects.
 - Secures private donations for RCD operations and/or programs.

- Donates resources to RCD efforts. (Example: significant donation of time towards an RCD product, like a legal review of contracts.)
 - Creates goodwill with partnering organizations and potential partners. (attend meetings, membership in other groups, etc.)
- b.) Staff (lead by the District Manager) meets all of the following criteria:
- Implements policy set by the board rather than sets policy.
 - Supervises employees and guides day-to-day implementation of policy the board does not supervise employees other than the District Manager.
 - Board communications go through the District Manager.
 - Attends regular training.

A VISIBLE RCD

1. Has an informational relationship with its local legislators as demonstrated by the following:

- Directors and staff meet on a regular basis and/or contact their local, state, and federal legislators to distribute information about the RCD, its programs, and legislative needs.
- Sends newsletters and press releases to their local legislators.
- Invites legislators to RCD events, trainings, and workshops.

2. Regularly publishes and distributes information regarding RCD activities as demonstrated by the following:

- At least 4 press releases each year.
- Quarterly newsletters and/or annual report.
- Distributes information to partners, diverse stakeholders, and funders.
- Agendas and minutes are published for each special district meeting.

3. RCD has an Internet presence as demonstrated by a website.

- RCD website is current and updated at least once monthly. Cite link and who is responsible for keeping it up-to-date.

TIER THREE
THE RCD OF TOMORROW

A RELEVANT RCD

1. Serves its mission to meet the resource needs of the community as demonstrated by the following:

- Executes at least six projects towards the RCD's strategic plan goals within the last three years.

2. The RCD has good working relationships with the RCDs in their region (within legal LAFCO regulations) as demonstrated by meeting three of the following: (Check all that apply)

- Holds regular meetings with at least one neighboring RCD to exchange ideas and information without violating Brown Act.
- Communicates at least once a month by phone, in person, or email with another RCD to exchange ideas or resources and to create programs.
- Understands other RCDs viewpoints and projects well enough to represent them at a public meeting.
- Submits funding proposals with neighboring RCDs for common programs.
- Shares staff. List staff and state defined role. (Example: 40% time/60% time. Watershed Coordinator at one RCD, Irrigation specialist at the other)
- Shares programs with other RCDs.

3. Mentors emerging RCDs or trains other RCDs as demonstrated by the following:

- Trains and/or assists other RCDs on basic district operations (budgeting, accounting, etc.)
- Trains other RCDs how to implement current RCD programs.
- Shares resources with the other RCDs. (Example: Pays for grant writer's time for a joint fundraising proposal, "loans" accountant for several hours of work)

4. Engages regional RCDs or other partners in resource issues that cross boundaries or are similar in the neighboring RCD boundaries as demonstrated by meeting three of the following:

(Check all that apply)

- Engages in watershed planning across district boundaries with other RCDs and partners.
- Engages in resource issues with other RCDs and partners other than watersheds.
- Participates in researching emerging regional issues. (Examples: ecosystem markets, bio char, no till agriculture)
- Works with non-traditional partners while staying within the RCD mission. (Examples: youth development organizations, schools, homeless shelters, nutrition advocates, county or city roads departments, universities, junior colleges, community, civic and philanthropic groups, and private companies -including foundations, tribes, etc.)

5. Serves as a leader in solving regional resource issues as demonstrated by the following:

- Proactively engages partners as new issues emerge and is able to mobilize partners.
- Recognizes areas in which the RCD excels and takes leadership in addressing appropriate issues. Recognizes areas in which other entities excel, supports other entities in meeting resource goals. (Example: Assisting Audubon CA in meeting bird conservation goals)
- Is usually contacted when new projects, issues, or other items of regional resource interest emerge.

AN EXCELLENT RCD

1. Works with a variety of partners to integrate cutting edge research and science into program development

and implementation as demonstrated by meeting one of the following: (Check all that apply)

- Is connected with academic professionals and able to assist in advancing scientific research on emerging issues.
- Aware of new research in a topic area and incorporates new research into project design.
- Is conducting research on a topic area that has not yet received academic attention.
- Has resource library, access to research, and access to scientific implementation of practices.

2. Quantifies its impact on the local resources as demonstrated by meeting all of the following:

- Maintains quantifiable data on the RCD's impact on local resource issues using standardized statewide RCD criteria.
- Maintains quantifiable cumulative impacts of RCD programs/work.
- Reports cumulative impacts to funders and other partners.

3. Has a sustainable funding base and capital reserve funds enabling the RCD to provide long term, consistent conservation programs and leadership to their community and its constituents as demonstrated by meeting three of the following:

(Check all that apply)

- At least two of the RCD's funding sources have been reliable for 10 years.
- Has at least four funding sources.

- Has a marketable skill that they utilize as a fee for service project.
- Has built a six-month operational reserve. (Example: If the RCD did not receive funding it could operate for 6 months)
- Shows a commitment to future funding by utilizing any of the following, which collectively contribute to at least 20% of an FTE over one year:
 - Professional grant writer.
 - Development director.
 - Other fundraising professional(s).

4. Has a succession plan for board members to promote new leadership as demonstrated by meeting all of the following:

- Actively recruits and trains new board members based on skills and areas of expertise.
- Has associate directors who are actively engaged in projects.
- Board members evaluate the needs of the board annual to accurately represent the diversity and changing needs of their district.
- Board members conduct annual self-assessments of their performance on the board and the board evaluates its overall effectiveness.
- The board's roles and responsibilities change and evolve as the District changes and evolves.
- Board members hold each other accountable to be active and engaged board members.
- Has a board policy manual.

5. Has a succession plan for Staff (particularly district manager) as demonstrated by meeting all of the following:

- Has appropriate staff. (Administrative, multiple project coordinators, and finance staff)
- Documents, policies, procedures, and projects are captured in written format to be readily transferred to a new staff member.
- Multiple staff members attend board meetings and other planning meetings.
- General RCD operational needs (rather than just project specific topics) are covered in staff meetings so that multiple staff members are aware of the operational needs of the RCD.
- Staff members are given the opportunity to assume leadership roles in RCD operations not just projects.
- Staff members are given the opportunity for training in new interest areas.

A VISIBLE RCD

1. Works closely with the decision makers in their community as demonstrated by meeting three of the following: (Check all that apply)

- Has a strong relationship with legislators as demonstrated by meeting all of the following:
- RCD develops projects with legislative offices or involves them in projects.
- Legislator writes letters of support or provides other types of support, for projects. (Examples: financial, staff time, and advocacy)

- Legislator calls the RCD as a source of information in decision-making.
- RCD is able to contribute to legislation being created in the legislator's office.
- Has a strong relationship with the County Supervisors as demonstrated by meeting all of the following:
 - RCD meets regularly with County Supervisor(s).
 - RCD presents at Board of Supervisor meetings at least annually.
 - RCD invites County Supervisor(s) to workshops, tours, and other relevant events.
 - County supervisor(s) are aware of RCD projects.
- Has a strong relationship with the City Council (if appropriate) as demonstrated by meeting all of the following:
 - RCD meets regularly with City Council Member(s).
 - RCD presents at City Council meetings at least annually.
 - RCD invites City Council Member(s) to workshops, tours, and other relevant events.
 - City Council Member(s) are aware of RCD projects.
- Has a strong relationship with leaders in the business community. (Examples: belongs to the Key Club or Chamber of Commerce, receives donations from business leaders for events and projects)

2. Is a leader in CARCD and district Issues statewide as demonstrated by the following:

- Participates in statewide committees or task forces.
- Engages with CSDA and other statewide partners.

- Writes statewide goals and objectives into funding proposals. (Example: Writes a section for disbursement of information gained statewide)
- Participates in setting direction for CARCD legislation and initiatives.
- Provides resources including staff support to CARCD.
- Participates and/or supports Day in the Capitol, legislative hearings, partner meetings at the statewide level, and other opportunities to represent RCDs at the statewide level.
- Engages regional RCDs within the CARCD structure on pertinent issues. Shares documents and/or templates for other RCDs.
- Is recognized by state and/or federal agencies as a leader in local conservation efforts.
- Is frequently approached by state/federal agencies to implement projects.
- Actively works with state/federal groups to address issues of statewide significance.
- State/federal agencies solicit RCD opinions on new initiatives.
- Receives awards from state or federal agencies for RCD projects.

3. RCD has a social media presence as demonstrated by a facebook page, twitter account, blog, or other social media tool.

- It is current and updated at least twice a week.

ACRONYM LIST

AC: Advisory Committee

ACOE: United States Army Corps of Engineers

ACP: Agricultural Conservation Program

AG-Census: California Agriculture Census

ARS: Agricultural Research Service

ASCS: Agricultural Stabilization and Conservation Service

BLM: United States Bureau of Land Management

BMPs: Best Management Practices or Beneficial Management Practices

CALEPA: California Environmental Protection Agency
www.calepa.ca.gov

CALFIRE: California Department of Forestry and Fire Protection

CALFlora: California plants for conservation, research, and education

CalIPC: California Invasive Plant Council

CALTrout: California Trout, Inc.

CalSIP: California Land Science Information Project

CARCD: California Association of Resource Conservation Districts

CalWEED: California Noxious Weed Control Projects Inventory

CCC: California Coastal Conservancy

CCC: California Conservation Corps

COOC: California Olive Oil Council:

CDEC: California Data Exchange Center - California
Department of Water Resources

CDF: California Department of Forestry

CDFR: California Department of Food and Agriculture

CDFW: California Department of Fish and Wildlife

CEQA: California Environmental Quality Act

CERPI: California Ecological Restoration Projects

CIWMB: California Integrated Waste Management Board

COGS: Councils of Government, California Resources
Agency

COMTF: California Oak Mortality Task Force

CRA: California Resources Agency

CRMPs: Coordinated Resource Management Plans

CSDA: California Special Districts Association

CWPI: California Watershed Project Inventory

DFG: California Department of Fish and Game former name
of California Dept. of Fish and Wildlife

DOC: California Department of Conservation

DLRP: DOC Division of Land Resource Protection

DWR: Department of Water Resources

DWR: Division of Water Rights, State Water Resources Control Board

EIR: Environmental Impact Report (CEQA)

EIS: Environmental Impact Statement (NEPA)

EPA: United States Environmental Protection Agency

EPA-WATERS: Environmental Protection Agency's Watershed Assessment, Tracking and Environmental Results

EQIP: Environmental Quality Incentives Program

F&G - WHDA: US Department of Fish and Wildlife - Wildlife and Habitat Data Analysis Branch

FFA: Future Farmers of America

FRAP: Fire and Resource Assessment Program

FSA: Farm Services Agency (USDA)

FWS: Fish and Wildlife Service - United States Department of the Interior

GIS: Geographic Information Systems

ICE: Information Center for the Environment

IPM: Integrated Pest Management

IRWM: Integrated Regional Water Management

IRWMP: Integrated Regional Water Management Plan

JPA: Joint Powers Authority

LAFCO: Local Agency Formation Commission

LAO: Legislative Analyst's Office

LUPIN: California Land Use Planning Information Network

MOU: Memorandum of Understanding

NACD: The National Association of Conservation Districts

NASDA: National Association of State Departments of Agriculture

NASS: National Agricultural Statistics Service for U.S. Agriculture Statistical Information and Graphics

NEPA: National Environmental Policy Act

NMFS: National Marine Fisheries Service

NOAA: National Oceanic and Atmosphere Administration

NPS: Non-point Source Pollution

NPS: National Park Service

NRCS: National Resources Conservation Service

NRPI: Natural Resource Project Inventory

OHWM: Ordinary High Water Mark

OPR: Office of Planning and Research (California State Clearinghouse)

PWF: Petaluma Watershed Foundation

RCD: Resource Conservation District

RC&D: Resource Conservation and Development Council

RDM: Residual Dry Matter, expressed in pounds per acre, left in a field after being grazed.

RWQCB: Regional Water Quality Control Board

SCC: California State Coastal Conservancy

SCD: Soil Conservation District (renamed to RCDs in the 1970s)

SCS: USDA - Soil Conservation Service (renamed to NRCS)

SFSCC State Forest Stewardship Coordinating Committee
(California Forest Stewardship Program)

SMRC: Stormwater Manager's Resource Center, Center for Watershed Protection, Inc.

SNC: Sierra Nevada Conservancy

SNEP: Sierra Nevada Ecosystem Project at the Information Center for the Environment - UC Davis

SOD: Sudden Oak Death - Monitoring in California

SOI: Sphere of Influence

SWRCB: State Water Resources Control Board:

TAC: Technical Advisory Committee

TMDL: Total Maximum Daily Load

TNC: The Nature Conservancy

UFEI: Urban Forest Ecosystems Institute:
www.ufe.calpoly.edu

UC: University of California

UCCE: University of California Cooperative Extension
Service

UC-Ext.: University of California Cooperative Extension
Service

UGB: Urban Growth Boundary

USBR: United States Bureau of Reclamation USDA: United
States Department of Agriculture

USFS: United States Forest Service

USGS: United States Geological Survey

USLE: Universal Soil Loss Equation

VOCs: Volatile Organic Compounds

WCB: Wildlife Conservation Board

WHDAB: Wildlife and Habitat Data Analysis Branch

WITS: Watershed Information Technical System - California
Resources Agency

WMA: Weed Management Area

WPI: Watershed Projects Inventory

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