

Vermont Statutes [Title 10: Conservation And Development](#)

[Chapter 31: Soil Conservation Act](#) Subchapter 1: Conservation, Development and Use Of Natural Resources

§ 701. Policy

It is hereby declared to be the policy of the legislature to provide for the conservation, development and use of the natural resources of this state and that the lands, water, forests and wildlife of the state of Vermont are among the basic assets of the state, and that the preservation of these lands, water, forests and wildlife by conservation, development and use is necessary to protect and promote the health, safety, and general welfare of its people. (Amended 1967, No. 303 (Adj. Sess.), § 1, eff. March 22, 1968.

§ 722. Duties of supervisors; bonds; records; removal

(a) The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds. They shall keep a full record of all proceedings and of all resolutions, regulations and orders issued, and shall provide for an annual audit of the receipts and disbursements.

(b) The supervisors shall conduct an annual meeting of the district after first publicizing such meeting in a manner approved by the council.

(c) Any supervisor may be removed by the state natural resources conservation council, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason. (Amended 1959, No. 329 (Adj. Sess.), § 11(c), eff. March 1, 1961; 1967, No. 303 (Adj. Sess.), §§ 12, 13, 16(b), eff. March 22, 1968.)

§ 723. Powers of supervisors

The supervisors shall have the following powers:

(1) To conduct surveys, investigations and research relating to the character of soil erosion and its prevention and control measures and natural resources conservation;

(2) To conduct demonstration projects within the district on lands owned or controlled by this state or any of its agencies, with the cooperation of the agency administering and having jurisdiction, and on any other lands within the district upon obtaining the consent of the owners of the lands or the necessary rights or interests in the lands in order to demonstrate by example the means, methods and measures by which soil erosion, in all its forms can be prevented and controlled and the conservation of natural resources;

(3) To carry out measures for the prevention and control of soil and stream bank erosion and the protection and conservation of natural resources, within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, and the changes in use of land, on lands owned or controlled by this state or any of its agencies, with the cooperation of the agency administering and having jurisdiction, and on any other lands within the district upon obtaining the consent of the owner of the lands;

(4) To cooperate, or enter into agreements with, and, within the limits of appropriations duly made available, to furnish financial or other aid to any agency, governmental or otherwise, or any owner of lands within the district, in the carrying on of erosion-control and prevention operations and conservation of natural resources within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this chapter;

(5) To obtain options upon and to acquire by purchase, exchange, lease, gift, grant or bequest, any property, real or personal; to maintain, administer and improve any properties acquired; to receive income from the properties and to expend the income in carrying out the purposes and provisions of this chapter; and to borrow money, mortgage, sell, lease or otherwise dispose of any of its property or interests in

property in furtherance of the purposes and the provisions of this chapter, provided however, that real estate shall not be mortgaged, and provided however, that the sale, lease or other disposition of real property of the district is approved by the written consent of the governor;

(6) To make available, on such terms as it shall prescribe, to landowners within the district, agricultural and engineering machinery and equipment, fertilizer, seeds and seedlings, and such other material or equipment as will assist the land owners to carry on operations upon their lands for the conservation of soil resources, control of soil and stream bank erosion and protection and conservation of natural resources;

(7) To construct, improve and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this chapter;

(8) To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion and the protection and conservation of natural resources within the district, which plans shall specify in such detail as may be possible, the acts, procedures, performances and avoidances which are necessary or desirable, and to publish such plans and information and bring them to the attention of occupiers of lands within the district;

(9) To administer by purchase, grant or lease any soil conservation, erosion-control or natural resources conservation project located within its boundaries which are undertaken by the United States or any of its agencies; to manage as agent of the United States or any of its agencies, any soil-conservation, erosion-control or natural resources conservation project within its boundaries; to act as agent for the United States, or any of its agencies, in connection with the acquisition, construction, operation or administration of any soil-conservation, erosion-control or natural resources conservation project within its boundaries; to accept donations, gifts and contributions in money, services, materials or otherwise, from the United States or any of its agencies, or from this state or any of its agencies or any private institution or source, and to use or expend such moneys, services, materials or other contributions in carrying on its operations;

(10) To sue and be sued in the name of the district; to have a seal which shall be judicially noticed; to have perpetual succession unless terminated as hereinafter provided; to make and to execute contracts necessary or convenient to the exercise of its powers; to make, and from time to time amend and repeal, rules not inconsistent with the provisions of this chapter, to carry into effect its purposes and powers;

(11) As a condition to the extending of any benefits under this chapter, the supervisors may require contributions to any operations conferring such benefits. (Amended 1964, No. 12 (Sp. Sess.), eff. March 5, 1964; 1995, No. 163 (Adj. Sess.), § 8, eff. May 15, 1996.)

§ 724. Land-use, erosion control and natural resources conservation regulations; approval

The supervisors of any district shall have authority to formulate regulations, as hereinafter provided, governing the use of lands within the district in the interest of conserving soil, controlling soil and stream bank erosion and promoting conservation of natural resources and drainage. The supervisors may conduct such public meetings and public hearings upon regulations proposed to be enacted as may be necessary to assist them in this work. The supervisors shall not have authority to enact such land-use regulations into ordinances unless a majority of the owners of land lying within the boundaries of the district cast their votes for the approval of the proposed ordinance. The approval of the proposed ordinance by a majority of the votes cast in the referendum shall not be deemed to require the supervisors to enact the proposed ordinance. The regulations to be adopted by the supervisors under the provisions of this chapter may include provisions for conserving soil resources, soil and stream bank erosion, water quality improvement and conservation of natural resources and drainage. (Amended 1995, No. 163 (Adj. Sess.), § 9, eff. May 15, 1996.)