

MINUTES

NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION

**Meeting Location:
Ground Floor Hearing Room
Archdale Building
Raleigh, NC
May 27, 2008**

MEMBERS PRESENT

**Jeff Turlington
Don Cox
Manly West
Richard Smith
Bobby Stanley
William Pickett, Jr.
Ned Y. Hudson**

OTHERS PRESENT

**Sandra Weitzel
David Williams
Natalie Jones
James Ferguson
Vernon Cox
Chester Lowder
Manly Wilder
David Cash
Kristina Fischer
Michelle Lovejoy
Susan Pait
Ed Gavin**

**Mary Combs
Dewitt Hardee
Janine Owens
Lisa Fine
Jerry Dorsett
Carlyle Ferguson
Pat Stanley
Davis Ferguson
Ralston James
Lynn Sprague
Michelle Raquet
Pat Harris**

Summary of Actions Taken by the Commission

1. The following supervisor appointments were **approved**:
 - Joseph Alexander Devine – Catawba County
 - J. Gary Hyatt – Mitchell County
 - Ed Terrell – Mitchell County
 - John Pickler – Stanly County
 - Curtis Furr – Stanly County
 - Keith Hill – Stanly County

2. The following actions were taken on supervisor re-appointments remaining from 2007:
 - JoAnne Poe – New River (Ashe)- **approved**
 - Lynn Carland – Buncombe – given one year to complete training
 - James C. Worsley – Edgecombe – **not approved** – board to make new nomination

3. The Commission **approved** supervisor contracts for the following:
 - Kent Herman – Alexander SWCD – Stock Trail, Filter Strip, Roof Guttering & Outlet Control, and Heavy Use Area - \$23,997
 - John M. Griffin – Bertie SWCD – Vegetated Field Border - \$2,228
 - Keith Sink – Davidson SWCD – Closure of Waste Storage Pond - \$9,548
 - John Lovin – Graham SWCD – Pasture Renovation - \$2,250
 - Gerald Phillips – Graham SWCD – Pasture Renovation - \$1,575
 - Kenneth W. Jones – Lenoir SWCD – Field Border - \$2,024
 - Harold R. Carver – Person SWCD – Grass Waterway - \$4,827
 - Charles J. Bryson, Sr. – Transylvania SWCD – Pasture Renovation - \$7,875
 - Herman Collier – Warren SWCD – Watering System & Heave Use Protection Area - \$6,212
 - B.T. Shinglethon – Wilson SWCD – Cover Crop - \$1,537

4. The Commission **approved** the following applicants for Technical Specialist:
 - Christopher S. Carpenter – Greenville – WUP/NM
 - Karl Shaffer – Pittsboro – WUP/NM, WA

5. The allocation of Lagoon Conversion Program Funds was **approved** for three Sampson applications.

6. The Commission **approved** the TRC recommendation to amend Cropland Conversion and Riparian Buffer practices.
7. The Commission **approved** the Drought Grant/Earmark allocation.
8. The Commission **approved** the Policy for Eligibility of Existing Uses for Drought Response Grant Project.

Preliminary Items

The May 27, 2008 meeting of the North Carolina Soil and Water Conservation Commission was held in the Ground Floor Hearing Room of the Archdale Building, 512 N. Salisbury Street, Raleigh, NC.

Chairman Jeff Turlington called the meeting to order at 5:03 p.m. He welcomed everyone to the meeting.

Chairman Turlington charged the Commission members to declare any conflict of interest or appearance of conflict of interest that may exist for agenda items to be considered by the Commission as mandated by Executive Order Number One. None were noted.

Approval of Agenda

Mr. Richard Smith offered a motion to approve the agenda, with Mr. Manly West providing a second. The motion carried. Item Number 11, *Commission Policy for Eligibility Existing Uses for Drought Response Grant Project*, was added to the agenda.

INFORMATIONAL ITEMS:

Division Report

Mr. David Williams presented the following report for Director Patricia K. Harris:

Between the Governor's Budget and the Joint Appropriations on NER Committee, the division is looking at the following items in its expansion budget:

- Lagoon Conversion Program. Governor's Budget proposed two positions, with NER's proposal of one position
- ACSP Technical Assistance. Governor's Budget and NER's proposal both have \$350,000 of nonrecurring
- ACSP Financial Assistance. Both include a reduction in financial assistance of \$268,331

Elizabeth Bizer, DENR's Legislative Liaison, prepared *This Week at the Legislature-Week of May 19th*. It included a brief discussion on the budget and some of the committees. It cautions that what is in the budget as we see it now is far from the final.

H2345 was introduced last week to appropriate \$6M to the ACSP for drought response, and this is on top of the Tobacco Trust Fund grant we now have.

Senator Charlie Albertson has been named as a Co-chair for the Appropriations Committee. Senator Atwater from Chatham County is now the Chair of the Senate Agriculture Committee.

The division will now attempt the first web cast of the Commission meeting on July 16, 2008.

The division expects this week will be the final supervisor travel payments for the fiscal year.

The Drought Response Project is up and running. The first allocations will come before the Commission today. In the first two weeks, the division received 3250 applications for over \$28.5M.

The division will be celebrating the CREP Expansion on 5-28-08 at 10 a.m. at the NC Museum of Natural Sciences. Speakers will be DENR Secretary Bill Ross, State FSA Executive Director Keith Weatherly, and National FSA Deputy Administrator for Farm Programs John Johnson.

The division will be hosting the Conservation Awareness Day on 5-28-08 following the CREP Expansion press conference from 11:30 a.m. until 1:30 p.m. on the Halifax Mall.

The division has been operating the Swine Buyout Program since right after hurricane Floyd hit North Carolina. We received 34 applications for Phase 4 of the program totaling \$20,009,062 in requests. This helps farmers that are in the 100 year flood plain to give them another option to be bought out. A conservation easement will be placed on these farms. We have \$3M to accomplish the buyouts.

CCAP held statewide training earlier this month, with 102 participants.

Last week Director Harris, Commissioner Bobby Stanley, Franklin Williams, Marvin Cavanaugh, Chester Lowder, Cecil Settle, Bryan Evans, Lynn Sprague and several of the Area Coordinators attended a meeting to discuss the roles and responsibilities of the district operations staff. The meeting was successful. Lynn Sprague stated the end result should be a MOU (Memorandum of Understanding) between the division and the association.

Progress on division vacancies:

- Sarah McVay started last week in our Raleigh Regional Office. She comes from Michigan. She has a background in hydrogeology and has experience working with dairies. She will be one of our Operation Review staff members.
- Michael Annas started today as our CREP Survey Technician. He comes from Wildlife Resources Commission in Edenton.
- The PIO position is in personnel to be approved.
- The Winston-Salem Soils Interpretative position has been reposted for the third time. We are having difficulty in getting qualified persons.

Jill Slankas, 319 Coordinator, will be leaving next week. She has done a fine job. We will miss her a lot.

NRCS

Ms. Mary Combs provided a handout, *2008 Farm Bill Conservation Title: Investing in Conservation Programs That Preserve Natural Resources*, along with her report. The 2008 Farm Bill for conservation programs would increase the total spending on programs by \$7.9 billion.

Ms. Combs stated NRCS is moving forward as quickly as they can to reinstate job approval authority to district employees. NRCS have a lot of requests in some areas and not as many as thought in others. NRCS has refocused on this to make sure it is properly implemented according to the policy and as agreed upon.

Association Report

Mr. Bobby Stanley stated he attended the Farm Family of the Year award celebration at the Sidden farm in Wilkes County. He stated he was impressed with the 151 acre farm and the use of their rotational grazing.

Mr. Stanley stated the association was looking at the possibility of having an Executive Director. He advised he and three other individuals were going to sit down and try to develop a plan to take before the next Executive Committee meeting.

Mr. Stanley stated he was thrilled the CREP Expansion would finally be announced tomorrow, as the work to get the expansion had started in 2002.

ACTION ITEMS

Consent Agenda

Three items were taken out of the agenda and handled separately. One item was added to the agenda, *Commission Policy for Eligibility of Existing Uses for Drought Response Grant Project*.

Mr. Ned Hudson made a motion to approve the agenda with these items out and handled separately. Mr. William Pickett provided a second. The motion carried.

Nomination of Supervisors

The following supervisors were approved for appointment:

- Mr. Joseph Alexander Devine filling the un-expired term of William Ray Henderson of Catawba SWCD
- Mr. J. Gary Hyatt filling the un-expired term of Howard Buchanan of Mitchell SWCD
- Mr. Ed Terrell filling the un-expired term of James Williams of Mitchell SWCD
- Mr. John Pickler filling the un-expired term of W. Chester Lowder of Stanly SWCD
- Mr. Curtis Furr filling the un-expired term of John Pickler of Stanly SWCD
- Mr. Keith Hill filling the un-expired term of Richard Clayton of Stanly SWCD

The Commission approved the following actions on supervisor re-appointments remaining from 2007:

- Ms. JoAnne Poe from the New River (Ashe) SWCD was re-appointed. Mr. Manly West made a motion to approve, with Mr. Richard Smith providing a second. The motion carried.
- Ms. Lynn Carland from the Buncombe SWCD was extended one year as a supervisor to attend supervisor training. Mr. Manly West made a motion to approve, with Mr. Ned Hudson providing a second. The motion carried.
- Mr. James C. Worsley from Edgecombe SWCD was not approved. Mr. Manly West made a motion for Edgecombe SWCD Board to make another nomination. Mr. Richard Smith provided a second. The motion carried.

Approval of Supervisor Contracts

- Kent Herman-Alexander SWCD-Stock Trail, Filter Strip, Roof Guttering & Outlet Control, and Heavy Use Area-\$23,997-Contract #: 02-08-04-03
- John M. Griffin-Bertie SWCD-Vegetated Field Border-\$2,228-Contract #: 08-08-14-12
- Keith Sink-Davidson SWCD-Closure of Waste Storage Pond-\$9,548-Contract #: CS 29-08-18-16
- John Lovin-Graham SWCD-Pasture Renovation-\$2,250-Contract #: CS 38-08-05-07
- Gerald Phillips-Graham SWCD-Pasture Renovation-\$1,575-Contract #: CS 38-08-08-07
- Kenneth W. Jones-Lenoir SWCD-Field Border-\$2,024-Contract #: 52-08-11-09
- Harold R. Carver-Person SWCD-Grass Waterway-\$4,827-Contract #: 73-08-28-12
- Charles J. Bryson, Sr.-Transylvania SWCD-Pasture Renovation-\$7,875-Contract #: 08-08-08-05
- Herman Collier-Warren SWCD-Watering System and Heavy Use Protection Area-\$6,212-Contract #: CS-93-08-24-13
- B. T. Shinglethon-Wilson SWCD-Cover Crop-\$1,537-Contract #: CS 98-08-27-09

The Commission approved the following action on a supervisor contract from Transylvania SWCD separate from the Consent Agenda:

- Mike Whitmire-Transylvania SWCD-Pasture Renovation Under Reg. ACSP/Drought Response-\$4,500-Contract #: 88-08-10-05
Mr. Bobby Stanley made a motion to approve upon the condition when the original signature contract is received, it is sent to the Chairman for his signature. Mr. Ned Hudson provided a second. The motion carried.

Approval of Technical Specialist

- Karl Shaffer-WUP/NM, WA

The Commission approved the following action for a Technical Specialist designation separate from the Consent Agenda:

- Christopher S. Carpenter-WUP/NM. Until training is completed at NCSU for Wettable Acres, designation will not be made. Mr. Ned Hudson made a motion to accept on the WUP/NM, but not on the Wettable Acres. Mr. Don Cox provided a second. The motion carried.

ACSP Approval

Mr. Vernon Cox recommended approval of the following three Lagoon Conversion Program allocations:

- Jason Lee Tyndall-Tyndall Hog & Chicken Farm, Inc.-\$500,000
- Super Soil Systems USA, Inc.-Super Soil Centralized Solids Processing Facility-\$500,000
- Pope & Son-Pope & Son-\$500,000

Mr. William Pickett made a motion to approve the allocations. Mr. Richard Smith provided a second. The motion carried.

Mr. David Williams called attention to the NCACSP-Drought Grant/Earmark sheets for the recommended allocation of the first \$2 million of the grant funds and the first \$400,000 of the drought earmark.

Mr. Ned Hudson made a motion to approve the drought grant and earmark recommendations as presented. Mr. Manly West provided a second. The motion was approved.

Mr. David Williams presented a recommended policy change, *Commission Policy for Eligibility of Existing Uses for Drought Response Grant Project*, to the Commission for approval. It would allow Division ACSP staff and delegated districts authorization to approve Cost Share Program contracts for operations that were in operation as of August 1, 2007 based on the conditions and water use that existed on or before that time.

Mr. Bobby Stanley made a motion to approve the policy change. Mr. Don Cox provided a second. The motion carried.

TRC Recommendations

The TRC recommended harmonizing the Cost Share Program with the CREP Program by adding a statement to the Cropland Conversion and Riparian Buffer practices to state the *Cropland Conversion shall not be used in conjunction with a CREP CP22 Riparian Buffer when the cropland conversion eliminates the pollutant source. Agricultural pollutant sources can include unbuffered crop, hay, pasture, or other non-forest area that could contribute to sediment, nutrients, or chemicals to receiving waters.* The TRC recommended the statement be entered into both the Cropland Conversion practice and the Riparian Buffer practice. The TRC also recommended adding a statement to the Cropland Conversion practice to state the *CREP enrollments for CP3 Tree Planting, CP3A Hardwood Tree Planting and CP31 Bottomland Timber Establishment specifies*

planting species other than Loblolly Pine. Therefore CREP contracts do not require the Tree Planting Statement (NC-ACSP-2) to receive the higher cost share rate for the planned species.

Mr. Don Cox made a motion to approve the Cropland Conversion and Riparian Buffer items as presented. Mr. Bobby Stanley provided a second. The motion carried.

Additional Comments

Mr. Manly West wanted it noted in the minutes the TRC did not have a report for the Commission concerning Land Smoothing as noted in prior minutes. Mr. David Williams stated the TRC does realize there are issues with eliminating hoe drains from the practice and are currently studying those issues. A site visit has been planned for July 23 with the expectation of a report for the August TRC meeting and a report back to the Commission at the September meeting.

Mr. Manly West stated he would like for the TRC to look at two practices dealing with no till. He stated they are the only two practices in Cost Share that have a double limit. They have a life time limit of money, but also have a time limit for three and five years. Mr. West suggested taking the time limit off. Mr. Williams indicated the chairman of that committee was present and would make that assignment.

Chairman Jeff Turlington adjourned the meeting at 5:20 p.m.

Patricia K. Harris, Director

Susan D. Pait, Hearing Clerk