

**NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION  
RALEIGH, NORTH CAROLINA  
WORK SESSION AGENDA  
DRAFT**

**WORK SESSION**

NC State Fairgrounds  
Martin Building – Gate 9  
1025 Blue Ridge Road  
Raleigh, NC 27607  
September 19, 2017  
**6:00 p.m.**

**BUSINESS SESSION**

NC State Fairgrounds  
Martin Building – Gate 9  
1025 Blue Ridge Road  
Raleigh, NC 27607  
September 20, 2017  
**9:00 a.m.**

**I. CALL TO ORDER**

The State Government Ethics Act mandates that at the beginning of any meeting the Chair reminds all the members of their duty to avoid conflicts of interest and inquire as to whether any member knows of any conflict of interest or potential conflict with respect to matters to come before the Commission. If any member knows of a conflict of interest or potential conflict, please state so at this time.

**II. PRELIMINARY – Business Meeting**

Welcome

Chairman John Langdon

**III. BUSINESS**

1. Approval of Agenda

Chairman John Langdon

2. Approval of Meeting Minutes

Chairman John Langdon

A. July 18, 2017 Work Session Meeting Minutes

B. July 19, 2017 Business Session Meeting Minutes

C. August 30, 2017 Business Session Teleconference Minutes

3. Division Report

Director Vernon Cox

4. Association Report

Mr. Chris Hogan

5. NRCS Report

Mr. Tim Beard

6. Consent Agenda

A. Supervisor Appointments

Mr. Eric Pare

B. Supervisor Contracts

Ms. Kelly Hedgepeth

C. Technical Specialist Designation

Mr. Jeff Young

- 7. Disaster Recovery Act of 2016/2017
  - A. August 2017 Status Report Mr. David Williams
  - B. Supplemental Allocation of Non-Field Farm Road Repair Funds Mr. David Williams
  - C. Revision to Emergency Pond Repair/Retrofit Practice Mr. Jeff Young
  - D. Emergency Auxiliary Spillway Retrofit Mr. Jeff Young
  
- 8. Supervisor Training Committee Report Director Vernon Cox
  
- 9. Supervisor Travel Per Diem Payments Update Mr. David Smith

**IV. PUBLIC COMMENTS**

**V. ADJOURNMENT**

DRAFT

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**II. PRELIMINARY – Business Meeting**

Welcome Chairman John Langdon

**III. BUSINESS**

- |    |                                                            |                       |
|----|------------------------------------------------------------|-----------------------|
| 1. | Approval of Agenda                                         | Chairman John Langdon |
| 2. | Approval of Meeting Minutes                                | Chairman John Langdon |
|    | A. July 18, 2017 Work Session Meeting Minutes              |                       |
|    | B. July 19, 2017 Business Session Meeting Minutes          |                       |
|    | C. August 30, 2017 Business Session Teleconference Minutes |                       |
| 3. | Division Report                                            | Director Vernon Cox   |
| 4. | Association Report                                         | Mr. Chris Hogan       |
| 5. | NRCS Report                                                | Mr. Tim Beard         |
| 6. | Consent Agenda                                             |                       |
|    | A. Supervisor Appointments                                 | Mr. Eric Pare         |
|    | B. Supervisor Contracts                                    | Ms. Kelly Hedgepeth   |
|    | C. Technical Specialist Designation                        | Mr. Jeff Young        |

- 7. Disaster Recovery Act of 2016/2017
  - A. August 2017 Status Report Mr. David Williams
  - B. Supplemental Allocation of Non-Field Farm Road Repair Funds Mr. David Williams
  - C. Revision to Emergency Pond Repair/Retrofit Practice Mr. Jeff Young
  - D. Emergency Auxiliary Spillway Retrofit Mr. Jeff Young
  - E. Technical Assistance for Disaster Response Program Contracts Mr. David Williams
  
- 8. Supervisor Training Committee Report Director Vernon Cox
  
- 9. Supervisor Travel Per Diem Payments Update Mr. David Smith

**IV. PUBLIC COMMENTS**

**V. ADJOURNMENT**

DRAFT



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
WORK SESSION MEETING MINUTES  
September 19, 2017**

NC State Fairgrounds  
Gov. James G. Martin Building  
1025 Blue Ridge Road  
Raleigh, NC 27607

Commission Members	Guests	
John Langdon	Vernon Cox	Eric Pare
Wayne Collier	David Williams	Bryan Evans
Charles Hughes	Julie Henshaw	Ralston James
Chris Hogan	Kelly Hedgepeth	Kristina Fischer
Ben Knox	Helen Wiklund	Sandra Weitzel
Dietrich Kilpatrick	Myles Payne	Michelle Lovejoy
Mike Willis	Lisa Fine	Sandra Weitzel
Commission Counsel	Ken Parks	Tom Ellis
Phillip Reynolds	Jeff Young	

Chairman John Langdon called the meeting to order at 6:16 p.m. Chairman Langdon inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act.

Chairman Langdon welcomed everyone to the meeting.

1. **Approval of Agenda:** Chairman Langdon asked for comments on the agenda. None were declared.
2. **Approval of Meeting Minutes:** Chairman Langdon asked for comments on the minutes. Commissioner Collier stated a change in the August 30, 2017 Business Session Teleconference Minutes on page 2 of 4 in the last paragraph, the word "*be*" needs to be added before the word reinstated.
  - 2A. July 18, 2017 Work Session Meeting Minutes
  - 2B. July 19, 2017 Business Meeting Minutes
  - 2C. August 30, 2017 Business Session Teleconference Minutes
3. **Division Report:** Chairman Langdon recognized Director Vernon Cox to present. The report will be presented tomorrow.

4. **Association Report:** Chairman Langdon recognized Commissioner Hogan to present. The report will be presented tomorrow.
5. **NRCS Report:** Mr. Tim Beard, State Conservationist, will be in attendance to present tomorrow.
6. **Consent Agenda:** Chairman Langdon recognized Mr. Eric Pare, Ms. Lisa Fine presented for Ms. Kelly Hedgepeth, and Mr. Jeff Young to present

**6A. Supervisor Appointments:**

- Dean Askew, Granville SWCD, filling the unexpired appointed term of H. B. Hagwood (deceased) for 2016-2020
- Matthew C. Reynolds, Macon SWCD, filling the unexpired elected term of James B. Roper (deceased) for 2014-2018
- William Davis, Polk SWCD, filling the unexpired elected term of Charles Dean Edwards (deceased) for 2014-2018

**6B. Supervisor Contracts:** Six contracts; totaling \$26,361, and six additional contracts on pink paper; totaling \$35,069

**6C. Technical Specialist Designation:** Mr. Jeff Young presented three recommendations.

- Mr. Mitchell Miller, a district technician from Sampson SWCD, is requesting to be designated technical specialist for Waste Utilization Planning/Nutrient Management and Wettable Acres categories. Mr. Miller has completed the required training.
- Mr. Sam Edwards, an environmental specialist with the Division, is requesting to be designated technical specialist for the Wettable Acres category. Mr. Edwards has completed the required training.
- Mr. Michael Shepherd, an environmental senior specialist with the Division, is requesting to be designated technical specialist for the Wettable Acres category. Mr. Shepherd has completed the required training.

7. **Disaster Recovery Act of 2016/2017:** Chairman Langdon recognized Deputy Director David Williams to present.

**7A. August 2017 Status Report:** This is the August 2017 Disaster Response Status Report. This report includes the applications received through September 1 with an additional \$10M in allocations for stream debris.

**7B. Supplemental Allocation of Non-Field Farm Road Repair Funds:** As of September 2017, twenty counties have submitted road repair applications totaling \$535,758, and the Division can fund all of them. With additional road repair project applications expected to come in that were not submitted by September 1, the Division would like the authority to allocate the remaining funds for emergency disaster response. Chairman Langdon does not speak solely for the Commission but supports anyone that has damage from the storms, and if there is money available, to use the funds. Mr. Williams added the need for providing technical assistance and

the need to implement these contracts due to the disaster response. The Division would like to add \$500 per contract for a technical assistance allocation, whenever the district completes a contract. The Division would like the Commission to endorse this idea on a contract basis. There are 300-400 additional contracts for road repairs, pond repairs, and pasture renovations. The cost would be \$200,000 out of \$32M. Mr. Reynolds asked for this endorsement in writing. Mr. Reynolds stated the delegation for extra funding for an emergency response situation for this type of authority, requested by the Division, requires the Commission to approve. Mr. Williams will prepare a request for the technical assistance allocation of \$500 per contract, and the authority to allocate the remaining road repair funds as applications come in for approval by the Commission.

**7C. Revision to Emergency Pond Repair/Retrofit Practice:** Mr. Jeff Young presented the revised policy. In an effort, by the Division, to develop an emergency BMP practice, for the ponds that have been repaired before June 9, 2017. The proposed changes are mainly wording and verbiage in terms of the content. The date at the bottom of Item 7C needs to be corrected to September 20, 2017 from June 2017. A marked-up copy of the policy was presented. The Division is asking for approval of the proposed changes on the clean copy of the policy.

**7D. Emergency Auxiliary Spillway Retrofit:** Mr. Jeff Young presented the policy. The proposal is for a new practice for an emergency auxiliary spillway retrofit. By putting in a spillway, breaches can be averted so the water does not overtop the dam. The Division wants to offer cost share funding to those farmers to put in an adequate auxiliary spillway. The cost would be a few thousand dollars for most operations. The Division is asking for approval of this new BMP for an auxiliary spillway retrofit. While the existing practice falls short of the current NRCS standard, the farmer would build a spillway that meets current standard. Director Cox stated the original emergency repair offer was at 40% cost share for the ponds to be put back in as good a condition as before, and the Division will offer 75% cost share to upgrade an auxiliary spillway meeting current NRCS standards.

- 8. Supervisor Training Committee Report:** Chairman Langdon recognized Director Vernon Cox to present. In 2016, District law was modified to require 6 Supervisor Training Credits (STC) per year for district supervisors. In addition to the PowerPoint, Appendix A describes the Delegation of Approval Authority for District Supervisors Training Credits to meet the training requirements and the Supervisor Training Committee's recommendations for District Supervisor Training Program and Education Approval Guidelines. The Division is asking the Commission for approval of the rollout of 8 pilot counties in January 2018 and identify and resolve any issues before rolling out the program to all 96 counties. The Commission will be provided an opportunity to review the documents, and in November can approve with any modifications. Commissioner Collier asked for an explanation of the Tracking of Supervisor Training Credits on page 3 of the Guidelines. Director Cox stated the supervisor, district staff or regional coordinator is required to document the credits and notify the Division with a simple on-line form depending upon the type of training. The Division will track it in a database, and the supervisor should check that the hours are accurate. The Division will allow 5 Supervisor Training Credits (STC) to be carried over to next calendar year. Commissioner Willis suggested a provision should be included about medical hardship. Commissioner Willis suggested Director Cox present this PowerPoint at the upcoming Fall Meetings to inform district supervisors.

- 9. Supervisor Travel Per Diem Payments Update:** Chairman Langdon recognized Director Vernon Cox. Director Cox stated the update will discuss the requirements for tax withholding of supervisor travel and per diem. Director Cox participated on a conference call with Chief Deputy Commissioner Smith, Ms. Sue Kearney and two officers from the State Controller's Office this morning to discuss how this issue originated and how the State is complying with the IRS requirements. Chief Deputy Commissioner David Smith will provide an update to the Commission tomorrow. Ms. Jennifer Pacheco from the Office of the State Controller will also be in attendance tomorrow.

**Comments:**

Chairman Langdon asked Commissioner Knox, Commissioner Hogan and Mr. Bryan Evans, Executive Director of the NC Association of Soil and Water Conservation Districts to discuss the outcome of the meeting with Mr. Ray Starling, Special Assistant to the President for Agriculture, Trade and Food Assistance last Friday. Commissioner Hogan stated Mr. Starling cares about North Carolina and the issues. Commissioner Hogan provided a list of issues for discussion with Mr. Starling including: supervisor per diem, technical assistance funding, concerns with SAM.GOV, and the Emergency Watershed Program (EWP). Mr. Evans stated Mr. Starling was very receptive and agreed it was time to address the issues North Carolina faces and to get some issues changed.

Mr. Bryan Evans stated the National Association of Conservation Districts (NACD) helps to facilitate a National Executive Director's Conference. There are 35 executive directors across the nation and 15 executives met on August 29 – September 1, 2017 in Salt Lake City, Utah. The executives were introduced to the Welfare Center which focuses on the way the Church of Latter Day Saints helps foster food production by growing and processing their own crops and implementing conservation projects. Mr. Evans stated that North Carolina would host the NACD Executive Director's Conference in 2019 possibly in Wilmington, North Carolina, and encourages the Commissioners to get involved. In 2018, the National Executive Director's conference will be in Florida.

Commissioner Knox stated Bryan Lamm, a supervisor in Wilson, North Carolina, lost his son to a tobacco harvesting accident; he was 29 years old. The visitation is tonight and funeral tomorrow.

Commissioners Hogan stated he talked to Mark Wilson in Cabarrus County, who is a landscape engineer and works for HensonFoley Inc., a landscape architecture, civil engineering and surveying firm in Concord, North Carolina. Mr. Wilson stated there are four farmers in Cabarrus that want some stream protection done, and they contacted the district office and his engineering firm. Mr. Wilson talked to the district office and has some questions. Chairman Langdon suggested talking to Vicky Porter, the Chairwoman in Cabarrus County. Director Cox stated he can talk to Mr. Wilson.

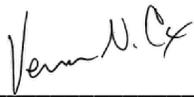
Mr. Ralston James stated Chairman Langdon asked him to look for other locations in the state to host the November Commission meeting and to include a couple of tours. Mr. James made some contacts and found a few dairy farms willing to participate on a tour. The Commissioner of Agriculture has been asked to attend and speak, but Director Cox stated the Commissioner is unavailable. The Agricultural Center in Iredell County has been reserved, and the farmers shared their interest in attending the meeting. Mr. James stated the importance of having a speaker from the dairy industry to present.

Mr. Reynolds stated the State Fairgrounds calendar indicates the November 14 and 15 Commission meetings are at the Fairgrounds. The schedule must be updated.

Chairman Langdon stated the Commission needs to learn about the dairy industry, the importance of the industry, how the industry is managed, and the relationship to our programs. Chairman Langdon stated the Division staff and Commissioners needs to understand the dairy industry and how we can better serve them. Mr. James will line up the keynote speakers and coordinate the luncheon, which will include approximately 100 people (20 Division staff and 80 invited guests).

**Public Comments:**

**Adjournment:** Meeting adjourned at 7:34 p.m.



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Vernon N. Cox, Director  
Division of Soil & Water Conservation, Raleigh, N.C.



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Helen Wiklund, Recording Secretary

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on November 15, 2017.***



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
BUSINESS MEETING MINUTES  
September 20, 2017**

NC State Fairgrounds  
Gov. James G. Martin Building  
1025 Blue Ridge Road  
Raleigh, NC 27607

Commission Members	Guests	
John Langdon	David Williams	Richard Reich
Wayne Collier	Julie Henshaw	Bryan Evans
Charles Hughes	Kelly Hedgepeth	Chester Lowder
Chris Hogan	Helen Wiklund	Ralston James Jr.
Ben Knox	Tom Ellis	Kristina Fischer
Dietrich Kilpatrick	Keith Larick	Eric Pare
Mike Willis	Myles Payne	Tim Beard
Commission Counsel	Joe Hudyncia	Tom Hill
Phillip Reynolds	Ken Parks	David Smith
Guests	Louise Hart	
Vernon Cox	Sandra Weitzel	

Chairman John Langdon called the meeting to order at 9:05 a.m. Chairman Langdon inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act.

Chairman Langdon welcomed everyone to the meeting.

1. **Approval of Agenda:** Chairman Langdon noted that Chief Deputy Commissioner David Smith had not yet arrived, and the Commission will accommodate Mr. Smith upon his arrival and allow him to present Item 9. Chairman Langdon stated Item 7E has been added to the agenda. Chairman Langdon asked for a motion to approve the amended agenda. Commissioner Knox motioned to approve the amended agenda and Commissioner Willis seconded. Motion carried.
2. **Approval of Meeting Minutes:** Chairman Langdon asked for a motion on the minutes, which includes the amended August 30, 2017 Business Session Teleconference Minutes (Item 2C).

**2A. July 18, 2017 Work Session Meeting Minutes**

**2B. July 19, 2017 Business Meeting Minutes**

**2C. August 30, 2017 Business Session Teleconference Minutes**

Commissioner Collier motioned to approve the minutes including the noted correction of the August 30, 2017 Business Session Teleconference Minutes (Item 2C) and Commissioner Hughes seconded. Motion carried.

**3. Division Report:** Chairman Langdon recognized Director Vernon Cox to present information on the following topic:

- Personnel updates
- Supervisor per diem update
  - i. Letters mailed to the supervisors and staff in August. Two separate conference calls were held on September 6, 2017
- Provided a follow-up to the meeting with Mr. Ray Starling, Special Assistant to the President of the United States for Agriculture, Trade and Food Assistance, and the request by the Association for assistance in addressing the federal tax policy that requires the taxation of District Supervisor travel reimbursement
- Division is planning to move to 216 West Jones Street on October 3, 2017 unless the roof leak is not repaired by that date

Chairman Langdon thanked Director Cox for his leadership and supporting staff.

**4. Association Report:** Chairman Langdon recognized Commissioner Hogan to present. A copy of the report is included as an official part of the minutes.

- Applications for the Conservation Education license plates are available
- Association is raffling off three guns at the 2018 Annual Meeting
- Received \$50,000 in pledges towards the 2019 North American Envirothon
- Conservation Farm Family celebration is in Catawba County on September 22, 2017
- Mr. Hogan presented Mr. Bryan Evans the Certified Conservation Planner Award

**5. NRCS Report:** Chairman Langdon recognized Mr. Tim Beard, State Conservationist, to present. A copy of the report is included as an official part of the minutes.

- On a National level, the USDA is under a reorganization and the NRCS Farm Service Agency has been brought together under one mission area now called Farm Production and Conservation (FPAC)
- President Trump appointed Mr. Bill Northey, former Iowa Secretary of Agriculture, as the Under Secretary of Farm Production and Conservation (FPAC)
- Mr. Leonard Jordan is still the Acting Chief for NRCS
- Mr. Mark Ferguson is the new Assistant for Field Operations in Area 1
- EQIP application deadline - November 17, 2017; ACEP application deadline - January 31, 2018; RCPP announcement - December 2017

Mr. Beard stated the agency's mission will not change, but at the National level, the three agencies are being consolidated, which includes the Farm Service Agency (FSA), the Risk Management Agency, and the Natural Resources Conservation Service. The intent is to make changes to some programs to better coordinate service to USDA customers.

## 6. Consent Agenda:

### 6A. Supervisor Appointments:

- Dean Askew, Granville SWCD, filling the unexpired appointed term of H. B. Hagwood (deceased) for 2016-2020
- Matthew C. Reynolds, Macon SWCD, filling the unexpired elected term of James B. Roper (deceased) for 2014-2018
- William Davis, Polk SWCD, filling the unexpired elected term of Charles Dean Edwards (deceased) for 2014-2018

**6B. Supervisor Contracts:** Six contracts; totaling \$26,361, and six additional contracts on pink paper; totaling \$35,069

**6C. Technical Specialist Designation:** Mr. Jeff Young presented three recommendations.

- Mr. Mitchell Miller, a district technician from Sampson SWCD, is requesting to be designated technical specialist for Waste Utilization Planning/Nutrient Management and Wettable Acres categories. Mr. Miller has completed the required training.
- Mr. Sam Edwards, an environmental specialist with the Division, is requesting to be designated technical specialist for the Wettable Acres category. Mr. Edwards has completed the required training.
- Mr. Michael Shepherd, an environmental senior specialist with the Division, is requesting to be designated technical specialist for the Wettable Acres category. Mr. Shepherd has completed the required training.

Chairman Langdon asked for a motion. Commissioner Hogan motioned to approve the consent agenda and Commissioner Willis seconded. Motion carried.

**7. Disaster Recovery Act of 2016/2017:** Chairman Langdon recognized Deputy Director David Williams to present. A copy of the report is included as an official part of the minutes.

**7A. August 2017 Status Report:** The application process that was put in place and discussed on page 2 provides an updated application summary which included the applications submitted by the deadline on September 1. The Division continues to receive applications past the deadline. Today, we are considering the applications received by September 1. The Division has received \$43M in requests, which does not include the pasture renovation, which is more than \$1M for a total over \$44M in requests. In July, the Commission approved the disaster recovery funds which fall into three categories for allocation purposes. The Legislature appropriated an additional \$20 million to the Division in the Disaster Recovery Act of 2017 with a cap of \$1M for pasture renovation.

**7B. Supplemental Allocation of Non-Field Farm Road Repair Funds:** In July, the Commission approved \$2M for this program, and the Division has received \$1.4M in requests. As of September 2017, there are 20 counties that have submitted applications totaling \$535,758 in requests. The Division is asking for approval of the September 2017 allocations, and approval to

supplement the additional allocations coming in, since the Division continues to receive applications on a just-in-time basis.

Chairman Langdon asked for a motion. Commissioner Hughes motioned to approve the September 2017 allocations and to authorize the supplemental allocation of funds by the Division and Commissioner Collier seconded. Motion carried.

**7C. Revision to Emergency Pond Repair/Retrofit Practice:** Mr. Jeff Young presented the revised policy. A copy of the report is included as an official part of the minutes. These changes in the practice are intended to provide financial assistance to landowners where field staff have indicated that the existing Emergency Pond Repair/Retrofit has fallen short of the target. The proposed changes are mainly wording and verbiage in terms of the content. A clean copy and marked-up copy of the policy were presented. The Division is seeking approval of the proposed changes on the revised practice.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve the revision to the emergency pond repair/retrofit practice and Commissioner Hogan seconded. Motion carried.

**7D. Emergency Auxiliary Spillway Retrofit:** Mr. Jeff Young presented the policy. A copy of the report is included as an official part of the minutes. There is a proposed new emergency Best Management Practice (BMP), a by-product of the damaged ponds from Hurricane Matthew due to breaches. The Division is proposing the adoption of an emergency BMP called Emergency Auxiliary Spillway Retrofit. For any farm/pond owner willing to install an auxiliary spillway that conforms to current standards, the Division proposes offering the practice at 75% cost share rate.

Chairman Langdon asked for a motion. Commissioner Knox motioned to approve the emergency auxiliary spillway retrofit and Commissioner Hughes seconded. Motion carried.

**7E. Technical Assistance for Disaster Response Program Contracts:** Our technical assistance is based on normal state operations. The Division received \$32M in disaster response funding to allocate to the districts, which is eight times higher than the regular Agriculture Cost Share allocation of \$4M. The Division is recommending the Commission approve compensating the districts for technical assistance at the rate of \$500 per completed Cost Share contract entered into CS2 for all contracts funded through the Disaster Recovery Act of 2016 and 2017.

Chairman Langdon asked for a motion. Commissioner Kilpatrick motioned to approve \$500 in technical assistance for disaster response by the districts for each completed cost share contract and Commissioner Knox seconded. Motion carried.

- 8. Supervisor Training Committee Report:** Chairman Langdon recognized Director Vernon Cox to present. A copy of the report is included as an official part of the minutes. Director Cox thanked Deputy Commissioner Smith and Ms. Pacheco for being in attendance to present a Supervisor Travel Per Diem update.

- Recognized and thanked the workgroup members

- In July of 2016, the North Carolina Farm Act was passed and part of that Bill made changes to G.S. 139, which authorized the Commission to establish a training program for district supervisors and provided criteria for the training
- In 2016, the Commission provided approval for the initial direction for the Supervisor Training Program
- Asked the Commission to review the drafts and approve the initial framework at the November Commission Meeting
- Discussed the guidelines for which the Commission provides oversight to the program and asking the Commission to delegate approval authority for approval of specific training to the Division
- Commission would retain authority to consider appeals for hardship cases and will add in the specific language to the guidelines
- All supervisors are required to accrue 6 credit hours per calendar year and may carry forward up to 5 credit hours per year to the next year (based on one-hour block of training)
- Division's responsibility is to provide enough training along with the Association for all supervisors
- Training must be in line with G.S. 139
- UNC School of Government Basic Training will be mandatory; a one-day regional event is planned to be offered in 2019
- Supervisor Training Credits (STC) will be tracked in a database managed by the Division
- Highlighted Appendix A - Delegation of Approval Authority for STCs
- Eight districts have volunteered to participate in a pilot program beginning in January 2018, with anticipated statewide rollout of the program in January 2019. The supervisors of the pilot counties can carry forward those training credit hours accrued in 2018. A training webinar will be held in December 2017 to help pilot counties get started with the program.
- Division is asking the Commission to implement the pilot program and approve the eight districts participating.
- A request for approval of the Training Program Guidelines and delegation of approval authority to the Division will be presented at the November meeting of the Commission

Chairman Langdon asked for a motion. Commissioner Knox motioned to approve the eight counties for participation in the Pilot Supervisor Training Program to begin in January 2018 and Commissioner Hogan seconded. Motion approved.

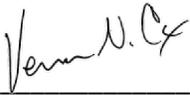
- 9. Supervisor Travel Per Diem Payments Update:** Chairman Langdon recognized Chief Deputy Commissioner David Smith to present. Mr. Smith introduced Ms. Jennifer Pacheco from the Office of the State Controller. Mr. Smith provided the following background of why the IRS is instituting this regulation. Last year, the IRS audited another state agency and discovered that the sister agency's board should be considered employees of the state under the FICA Act (Federal Insurance Contributions Act). The Agency and the State took that ruling to court to find out if the IRS interpretation was correct. In the 1950's, the State of North Carolina was operating under a 218 Agreement, which stated Board and Commission members were exempt from FICA. In 1991, the IRS changed the law but North Carolina had not been audited since that time. With the recent audits, this has now become an issue. Under the IRS ruling, all board and commission members of a state agency are to be treated as an employee. The Department needs all Soil and Water, Pesticides, Veterinary Board Members (500+ people) to submit the required paperwork, including filling out the I-9 Form. The failure to fill out the I-9 exposes the

Department to a \$3,000 penalty per I-9. The Department will not process an expense reimbursements without an I-9. The State has agreed to comply with the IRS directive. The Attorney General has advised its attorneys that staff boards and commissions must comply. There are no changes possible; it is a Federal law. Ms. Pacheco stated the goal of the State Controller's Office is to provide assistance, as an oversight agency and help save the state money. The State Controller's Office tries to communicate any issues by working with the State Auditor's Office. Mr. Smith stated this is about collecting FICA taxes. Chairman Langdon's challenge is to get the information to the district supervisors. Chairman Langdon asked Mr. Smith to communicate this policy via e-mail to the districts so it will reach all staff and board members.

**Public Comments:** Commissioner Knox thanked the Supervisor Training Committee and stated that many district supervisors still need training, and that all district supervisors should be doing the best job they can as a supervisor.

Chairman Langdon recognized that Dr. Reich had left the meeting but stated that he appreciates everything Dr. Reich does for Soil and Water. Chairman Langdon recognized Director Cox and the staff and all the supervisors for their hard work.

**Adjournment:** Meeting adjourned at 10:27 a.m.



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Vernon N. Cox, Director  
Division of Soil & Water Conservation, Raleigh, N.C.



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Helen Wiklund, Recording Secretary

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on November 15, 2017.***



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
WORK SESSION MEETING MINUTES  
July 18, 2017**

NC State Fairgrounds  
Gov. James G. Martin Building  
1025 Blue Ridge Road  
Raleigh, NC 27607

<b>Commission Members</b>		
John Langdon	Kelly Hedgepeth	Melanie Harris
Wayne Collier	Richard Reich	Louise Hart
Ben Knox	Bryan Evans	Kristina Fischer
Dietrich Kilpatrick	Helen Wiklund	Joe Hudyncia
Mike Willis	Sandra Weitzel	Rob Baldwin
<b>Commission Counsel</b>	Lisa Fine	Michelle Lovejoy
Phillip Reynolds	Jeff Young	Keith Larick
<b>Guests</b>	Ralston James	Mitch Miller
Vernon Cox	Eric Pare	Henry Faison
David Williams	Tom Hill	Gavin Thompson
Julie Henshaw	Ken Parks	

Chairman John Langdon called the meeting to order at 6:09 p.m. Chairman Langdon inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act.

Commissioner Collier declared a conflict of interest for Agenda Item #16A and will recuse himself from that item at tomorrow's meeting. Commissioner Willis declared a conflict of interest for Agenda Items #16C and #17 and will recuse himself from those items at tomorrow's meeting. Chairman Langdon welcomed everyone to the meeting.

1. **Approval of Agenda:** Chairman Langdon asked for comments on the agenda. None were declared.
2. **Reading of Statements of Economic Interests Evaluations:** Chairman Langdon recognized Mr. Phillip Reynolds. Mr. Reynolds stated the Statements of Economic Interests have been received for Mr. Kilpatrick and Mr. Willis. The letters will be read into the minutes at tomorrow's meeting.

3. **Approval of Meeting Minutes:** Chairman Langdon asked for comments on the minutes. None were declared.

**3A. May 17, 2017 Business Session Meeting Minutes**

**3B. May 16, 2017 Work Session Meeting Minutes**

**3C. June 9, 2017 Business Session Teleconference Minutes**

4. **Division Report:** Chairman Langdon recognized Director Vernon Cox to present. The report will be presented tomorrow. Since the last meeting, there have been some personnel changes and Director Cox introduced Mr. Jeff Young, who is the new Technical Services Section Chief.
5. **Association Report:** Chairman Langdon stated that Commissioner Hogan is absent and asked Commissioner Kilpatrick to present. Commissioner Kilpatrick stated the report will be presented tomorrow.
6. **NRCS Report:** Mr. Tim Beard, State Conservationist, will be in attendance to present tomorrow.
7. **Conservation Action Team Report:** Chairman Langdon recognized Mr. Bryan Evans, Executive Director of the NC Association of Soil and Water Conservation Districts, to present. A copy of the report is included as an official part of the minutes. The report will be presented tomorrow.
8. **Consent Agenda:** Chairman Langdon recognized Mr. Eric Pare, Ms. Kelly Hedgepeth, and Mr. Jeff Young to present

**8A. Supervisor Appointments:**

- Barbara Bleiweis, Mecklenburg SWCD, filling the unexpired elected term of Robert Shawn Greeson for 2014-2018 with an attached resignation letter from Mr. Greeson

**8B. Supervisor Contracts:** Fourteen contracts; totaling \$60,233

**8C. Technical Specialist Designation:** Mr. Randy Freeman, a professional engineer from Randolph SWCD, is requesting designation as a technical specialist for Waste Utilization Planning/Nutrient Management, Runoff Controls, Water Management and Structural Animal Waste and has successfully completed the requirements.

9. **Disaster Recovery Act of 2016:** Chairman Langdon recognized Deputy Director David Williams to present. A copy of the report is included as an official part of the minutes.

**9A. Progress Report:** This is the June 2017 monthly report. The report was submitted to the Office of State Budget Management (OSBM). The chart shows the progress and status of the stream debris removal contracts and pond and road repair contracts. Since the last report, the Division awarded 36 contracts and 34 contracts were delivered to the cooperator. The Division began to receive funding in December 2016.

**9B. Proposed Procedure for 2017 Funding:** This is a suggested approach for how the Division will allocate the funds the Division received, and the budget that was approved at the end of

June 2017. With \$100M earmarked for disaster recovery, the Disaster Recovery Act of 2016 allocated \$20M of those funds to the Division for additional work in the disaster response. Of the \$20M that was allocated, \$1M was earmarked to go to the 20 western counties declared a drought disaster for pasture renovations. The Division recommends a distribution of the remaining \$19M in funds to be allocated as follows:

- \$11.5M for stream debris removal
- \$6M for pond repair
- \$1M for non-field farm road repair
- \$500,000 to pay staff for implementation of these programs

In January 2017, the Commission delegated authority to the Division to approve contracts up to \$50,000 for pond repair. The Division would like to increase this cap from \$50,000 to \$100,000. The Division received 14 engineering reports, and the average cost of those 14 is \$146,000 per repair. The range is from \$22,000 to \$319,000 per project. The Commission could retain the authority to approve contracts that cost more than \$100,000. The Division is asking the Commission to delegate to the Division authority to approve contracts up to \$100,000. The Division is working with the Farm Service Agency (FSA) with regards to the 14 ponds. The engineering assessments qualify as a needs assessment and we are waiting for FSA to determine how much if anything will be allocated for ponds. The Division is accepting applications for pond and road repair applications until August 31.

Mr. Henry Faison from Sampson SWCD stated the county had damage from Hurricane Matthew. The farmers applied for pond repair, and the county told the farmers not to do anything until the county figured out what the standards would be and how it will be adopted. Several farmers did not do anything. Mr. Faison is asking for the Commission to approve an extension of at least 6 months to a year to participate in this program. The county has been allocated money for pond repair. Sampson SWCD fell into the 40% grouping with the number of ponds needing repair by June 9, but the ponds have not been repaired by that date. Sampson SWCD submitted a request for the Commission to reconsider that cutoff date for the 40% cost share since the Commission approved their practices at the June 9 teleconference. Director Cox stated the limit should be raised to \$100,000. Deputy Director Williams stated there are 34 ponds for repair and Sampson's numbers are included in the total 79 pond applications received. Sampson SWCD is asking to waive the date or move it to a year from June 9, 2017. Chairman Langdon stated it may not be a good idea to change policy but to make an exception to the policy with limits. Deputy Director Williams stated an exception is to a specific request and that date was established in policy during the June teleconference. If the Commission moves the date for everyone, the policy changes. Director Cox wants to maintain the current policy but will work to find a way to address the concerns of the Sampson SWCD.

Deputy Director Williams added the Division is asking for one more request with regards to pond repair allocations. The Division is requesting the Commission to give the Division authority for Just-In-Time allocations as the designs come in to approve the allocations and not wait for the next Commission Meeting.

**9C. Pasture Renovation Allocation:** There are 17 out of 20 counties eligible for pasture renovation. There is \$1M to allocate, but the requests total \$5.6M. The Division has

recommended an allocation to fund most of the districts for the amount they are requesting. Those requested under \$100,000 will receive their full request. Those over \$100,000 will receive \$107,000. The Division needs to get these funds allocated so the contracts will be in place for fall planting.

**9D. Drought Pasture Renovation BMP:** In 2009, the Pasture Renovation Practice was approved for the Drought Response Program. This practice was established as part of that program. The Division has included pasture renovation in the Agriculture Cost Share Program. There are additional requirements for this BMP the Division does not require for in the Drought Response Program because it is an emergency response. It does specify if it is because of the drought that caused the pasture to be killed or damaged. This practice will be temporary just for the Disaster Program.

Chairman Langdon recognized Dr. Reich and asked everyone to introduce themselves. Dr. Reich stated the Department is busy with many issues as well as working on the disaster recovery effort. Dr. Reich thanked everyone for their help. Chairman Langdon stated he met with the Commissioner and Director Cox with regards to management, and how the agencies can learn to deploy when these disasters affect our state. Chairman Langdon wants the Division in a better position to handle these disasters with open communication with the other agencies, districts, Farm Service Agency (FSA), and Department of Agriculture. Dr. Reich shares the same concerns, and the Department will continue to work through it.

**10. Agriculture Cost Share Program:** Chairman Langdon recognized Ms. Kelly Hedgepeth to present. A copy of the report is included as an official part of the minutes.

**10A. Detailed Implementation Plan:** The Detailed Implementation Plan for 2018 did not change from last year. The plan briefly describes every BMP in the program. The Division is asking for approval of the plan.

**10B. Average Cost List:** The Average Cost List has not changed from last year. The Division is working with our federal partners to try to define the average costs through a subcommittee. The Division will continue to ask the districts to send in receipts for projects and make adjustments to costs, as requested. The Division is requiring the districts to upload receipts into CS2 for the actual costs components and BMPs. Commissioner Collier stated a short training should be offered during the Fall Area Meetings for supervisors on uploading receipts. Michelle Lovejoy stated the districts submit a wide-variety of receipts and, the Division should provide guidance.

**10C. District Financial Assistance Allocation:** This allocation is for the BMP funding and allocations are made to districts, based on their rankings of parameters in the current rule. The total allocation is lower this year, as there are fewer available funds.

**11. Technical Assistance Allocation:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes. A draft of the FY2018 Technical Assistance Allocation was developed to be consistent with the Commission's allocations used previously. Salary and benefits for each Full-Time Equivalent (FTE) position is capped at 50% of salary or \$25,500 per employee, whichever is lower, and no increases in salary

or benefits from FY2016. In Dare and New Hanover counties, the funding is split 50% from the Agriculture Cost Share Program (ACSP) and 50% from the Community Conservation Assistance Program (CCAP). Each FTE position will receive \$1,050 in operating support for the year which is a decrease of \$180 from last year. Where districts receive support for more than one FTE, a second employee in each district will be placed on non-recurring funding status. There are seven districts impacted affecting 5.35 employees in Ashe, Duplin, Henderson, Johnston, Orange, Sampson and Wayne districts.

- 12. Agricultural Water Resources Assistance Program:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes. These documents provide guidance on how to administer the program.

**12A. Detailed Implementation Plan:** This year there is over \$1M to allocate for BMPs for AgWRAP. BMPs will include new ponds, pond repair/retrofits, water collection and reuse systems, conservation irrigation conversions, and micro-irrigation systems. The regional application web site will open tomorrow after the Commission meeting. The applications will be presented for approval at the November and March Commission Meetings.

**12B. Average Cost List:** No revisions for the list this year.

**12C. District Financial Assistance Allocation:** There are three allocation Options for the amount of available BMP funding for district allocations: A, B and C. Option A is 60%, Option B is 55%, and Option C is 50%. The Division is asking to conduct a voluntary recall for districts with unencumbered AgWRAP funds after February 1, 2018 and offer a Just-in-Time reallocation for projects as has been done the last two years. The Commission chose Option A last year; it allocated the most funds for locally selected projects and allowed districts the opportunity to return or request additional funds.

Chairman Langdon called a recess at 7:39 p.m. The meeting reconvened at 8 p.m.

- 13. Community Conservation Assistance Program:** Chairman Langdon recognized Mr. Tom Hill to present. A copy of the report is included as an official part of the minutes.

**13A. Detailed Implementation Plan:** In FY2017, the Rule Review Committee put in place three different allocation categories at the district, regional and statewide level. For FY2018, the CCAP Advisory Committee recommends an equal regional allocation of \$45,333 for BMP implementation and recommends to give the Division delegation authority for any returned funds from canceled contracts to be allocated equally across the three regions. A change from last year, the plan includes a cap of \$15,000 for the total project per district including a cost share allocation up to \$5,000 for engineering assistance. With regards to technical and administrative assistance, the district allocation is \$25,320 for a ¼ position for FTEs in Dare and New Hanover counties. The recommendation for education and outreach purposes category is \$0 due to the limited program funds.

**13B. Average Cost List:** The list is consistent with last years with the exception of the Structural Stormwater Conveyance BMP. The Advisory Committee suggests reducing the engineering cost to \$1,667 for this year.

**14. Cost Share Programs Spot Check Report:** Chairman Langdon recognized Mr. Ken Parks to present. A copy of the report is included as an official part of the minutes. Mr. Parks stated the FY2017 summary reports for the Agriculture Cost Share Program, the Community Conservation Assistance Program, and the Agricultural Water Resources Assistance Program will be presented tomorrow.

**15. Cost Share Program Rules:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes. Ms. Henshaw stated the Cost Share Committee asked for the Commission's guidance during the special April 5 Commission Meeting. The staff prepared the revisions and incorporated them, which are presented in two formats, a clean copy version and track changes version. These rules are the last set of Commission rules going through the re-adoption and revision process. It affects district allocations for both best management practices (BMPs) and financial support for district positions. Rule 02 NCAC 59D .0108 has some changes for Technical Assistance Funds. The Committee is asking for the Commission's adoption. The formal filing and public comment period will start after publishing in the register and will be brought back to the Commission for final approval.

Mr. Henry Faison stated Sampson SWCD will be losing some technical assistance funds that will affect their county budget. Mr. Gavin Thompson stated, as a Cost Share Committee member, it was a hard task to come up with program rules because counties operate differently. The Committee has made the best recommendations and asks the Commission to consider what is in the Detailed Implementation Plan (DIP) and to consider the districts in their best interests. Commissioner Collier stated these changes should help some of the districts that are underfunded and need technical assistance money for work not being paid for. Ms. Henshaw stated the current cap is \$25,500 per position. There are 56.6 employees receiving less than that amount but should be receiving at least that amount, and only 8 employees in the entire system are getting 50% match for those positions. Even the ones that are capped are not receiving 50% and the current rule states that the Commission is supposed to pay 50%. There is not enough funding in our technical assistance appropriations to meet the rule as currently written. The recommended rule is the best option given the current funding. There is a minimum allocation being proposed in the rule of \$20,000 per district that has a local match of 50%.

**16. District Issues:** Chairman Langdon recognized Ms. Kelly Hedgepeth and Ms. Julie Henshaw

**16A. Cumberland SWCD Contract Post Approval:** This post approval request is for Contract No. 26-2017-801 for an AgWRAP Irrigation Well. A letter has been provided and Ms. Hedgepeth has worked with the employee and everything is order. The staff and a supervisor will be in attendance tomorrow. Commissioner Collier will recuse himself from this item tomorrow.

**16B. AgWRAP Pond and Pond Repair/Retrofit Contract Extension Requests:** At the May Commission meeting, supervisors were given an exception to the policy for appearing before the Commission to request an extension. As a result, no supervisor will be present at tomorrow's meeting to request these extensions. All the contracts have been reviewed and extensions are requested for all 14 contracts.

**16C. Contract Extension Requests:** Six districts submitted requests for extensions on numerous different practices. See the revised yellow sheet of those districts requesting extensions. All six districts will appear, and the Division requests approval of all extensions. Commissioner Willis will recuse himself from this item tomorrow.

**17. Commission Member Contracts:** Chairman Langdon recognized Ms. Kelly Hedgepeth. Ms. Hedgepeth stated Supervisor Contracts are approved on the Consent Agenda, however, Commission Member Contracts must be pulled from the Consent Agenda and discussed separately. Commissioner Willis and Commissioner Hogan will recuse themselves tomorrow during the discussion regarding their respective contracts.

**Public Comments:**

**Adjournment:** Meeting adjourned at 8:39 p.m.



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Vernon N. Cox, Director  
Division of Soil & Water Conservation, Raleigh, N.C.



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Helen Wiklund, Recording Secretary

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on September 20, 2017.***



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
BUSINESS MEETING MINUTES  
July 19, 2017**

NC State Fairgrounds  
Gov. James G. Martin Building  
1025 Blue Ridge Road  
Raleigh, NC 27607

Commission Members	Guests	
John Langdon	Larry Simpson	Michelle Raquet
Wayne Collier	Ronnie Morgan	Louise Hart
Ben Knox	Clifton McNeill, Jr.	Chester Lowder
Dietrich Kilpatrick	Lucas Baxley	Henry Faison
Mike Willis	Lycurous Lowry	Eric Pare
Commission Counsel	Tim Beard	Ken Parks
Phillip Reynolds	Sandra Weitzel	Tom Hill
Guests	Rob Baldwin	Lisa Fine
Vernon Cox	Jeff Young	Jake Barbee
David Williams	Don Barker	Linda Hash
Julie Henshaw	Ronald Parks	Earl Miller
Kelly Hedgepeth	Joe Hudyncia	Paula Day
Helen Wiklund	Rafael Vega	Keith Larick
Bryan Evans	Will Hendrick	Mitchell Miller
Kristina Fischer	Rodney Wright	Chris Huysman
Ralston James	Jason Byrd	

Chairman John Langdon called the meeting to order at 9:01 a.m. Chairman Langdon inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act.

Commissioner Collier declared a conflict of interest for Agenda Item #16A and will recuse himself from that item. Commissioner Willis declared a conflict of interest for Agenda Items #16C and #17 and will recuse himself from those items. Chairman Langdon welcomed everyone to the meeting and asked everyone to introduce themselves. Chairman Langdon recognized and welcomed Commissioner Kilpatrick and Commissioner Willis to the Commission.

- 1. Approval of Agenda:** Chairman Langdon asked for a motion on the agenda. Commissioner Collier motioned to approve the agenda and Commissioner Knox seconded. Motion carried.

- 2. Reading of Statements of Economic Interests Evaluations:** Chairman Langdon recognized Mr. Phillip Reynolds. Mr. Reynolds stated the Statements of Economic Interests have been received for Mr. Kilpatrick and Mr. Willis. The Governor's Office sent the paperwork to the Division where it will be kept on file. By statute, portions of the letter must be read into the minutes and be available upon request.

From the State Ethics Commission to Governor Cooper for the Evaluation of Statement of Economic Interest filed by Mr. Dietrich I. Kilpatrick for the Soil and Water Conservation Commission, the State Ethics Commission determined the following:

*Our office is in receipt of Mr. Dietrich I. Kilpatrick's 2017 Statement of Economic Interest as a prospective appointee to the Soil and Water Conservation Commission ("the Commission"). We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act.*

*We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.*

*Mr. Kilpatrick will fill the role of First Vice President of the North Carolina Association of Soil and Water Conservation Districts on the Commission. He is Chairman of the Craven County Soil and Water Conservation District. As such, he has the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should issues involving his district come before the Commission for official action.*

*Pursuant to N.C.G.S. 138A-15(c), when an actual or potential conflict of interest is cited by the Commission under N.C.G.S. 138A-24(e) with regard to a public servant sitting on a board, the conflict shall be recorded in the minutes of the applicable board and duly brought to the attention of the membership by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the State Government Ethics Act.*

From the State Ethics Commission to Governor Cooper for the Evaluation of Statement of Economic Interest filed by Mr. Michael D. Willis for the Soil and Water Conservation Commission, the State Ethics Commission determined the following:

*Our office is in receipt of Mr. Michael D. Willis's 2017 Statement of Economic Interest as a prospective appointee to the Soil and Water Conservation Commission ("the Commission"). We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act.*

*We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.*

*Mr. Willis will fill the role of a representative from the Mountain Region on the Commission. He is Chairman of the Caldwell County Soil and Water Conservation District. As such, he has the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should issues involving his district come before the Commission for official action.*

*Pursuant to N.C.G.S. 138A-15(c), when an actual or potential conflict of interest is cited by the Commission under N.C.G.S. 138A-24(e) with regard to a public servant sitting on a board, the conflict shall be recorded in the minutes of the applicable board and duly brought to the attention of the membership by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the State Government Ethics Act.*

Chairman Langdon thanked Mr. Reynolds for his service and dedication with the Commission.

**3. Approval of Meeting Minutes:** Chairman Langdon asked for comments on the minutes

**3A. May 17, 2017 Business Session Meeting Minutes**

**3B. May 16, 2017 Work Session Meeting Minutes**

**3C. June 9, 2017 Business Session Teleconference Minutes**

Chairman Langdon asked for a motion. Commissioner Knox motioned to approve the minutes and Commissioner Collier seconded. Motion carried.

**4. Division Report:** Chairman Langdon recognized Director Vernon Cox to present. A copy of the report is included as an official part of the minutes.

- Legislature passed the FY2018 Budget which included \$20M for Disaster Response
  - \$1M for pasture renovation
  - Remaining funds for stream debris removal, non-field farm road repairs and pond repairs
  - A directive for unexpended NC Forest Service disaster funds will be used for the Swine Buyout Program
- SB 615 (referred to as the Farm Bill) was adopted on July 12, 2017 which provides an exemption for Technical Specialists to write and implement closure plans for waste impoundments. This statutory change will impact the Commission's draft Rules that currently require a licensed Professional Engineer to oversee the closure of a lagoon or waste storage pond
- Rules 59E and 59G are available for public comment and close July 31, 2017
  - Commission needs to approve the final Rules by the end of August so that they can be submitted to the Rules Review Commission in a timely manner; a conference call will need to be scheduled
- Personnel Updates
  - Jeff Young is the new Technical Services Section Chief working out of Fletcher
  - Scott Melvin hired as a Division Engineer, he worked for the Division for 10 years as an Engineering Technician and is now a Professional Engineer
  - Robert Dennis hired as an Engineering Technician in Fletcher starting on July 28, 2017
  - Continue to have on-going vacancies across the state
  - Sandra Weitzel received an honorary State Farmer's Degree from NC FFA
- Supervisor Per Diem Update
  - 351 district supervisors waived the per diem
  - 66 district supervisors want to keep the per diem
  - 75 district supervisors have not replied; some are state employees and ineligible to receive per diem
- Supervisor Training Initiative Law was passed in 2016 that requires district supervisors to obtain 6 hours of training per year
  - Division's goal is to submit a framework to the Commission in September 2017 with a pilot program rolled out in January 2018 and full program in 2019
  - Offer regional School of Government trainings as one-day training versus overnight training
- Division is moving to 216 West Jones Street in September 2017

- Pamlico issue is closed, and Mr. Peele received his check

Chairman Langdon recognized the area coordinators in the room and commended, thanked, and supports all they do and asked them to call on Commission at any time.

- 5. Association Report:** Chairman Langdon recognized Commissioner Kilpatrick, First Vice President of the NC Association of Soil and Water Conservation Districts, to present. A copy of the report is included as an official part of the minutes. There are no changes since the last meeting.
- 6. NRCS Report:** Mr. Tim Beard, State Conservationist, presented the following. A copy of the report is included as an official part of the minutes.
  - From a National standpoint, a hiring freeze is still in effect
    - Department allowed NRCS to hire 284 employees; 199 are entry staff positions; 3 of those staff will work in North Carolina
  - In July, the National leadership decided that supervisory soil conservationists and technicians are not required to attend District Board Meetings after hours
    - Grievance was filed because an employee was not being compensated for attending those after-hour meetings
    - Performance plans and position descriptions may need to be rewritten
    - In North Carolina, the supervisory soil conservationists, soil conservationists and resource soil conservationists will continue to attend those after-hour meetings
    - NRCS does compensate for overtime or comp time and will continue to encourage their employees to attend those after-hour meetings
  - NRCS submitted 10 proposals to the National Regional Conservation Partnership Program (RCP) with six pre-proposals submitted for funding consideration and four were asked to submit full proposals with the proposals totaling approximately \$23.5M
  - On the State Level, three proposals were submitted and those projects totaled \$2.75M
  - The Conservation Innovation Grants (CIG) project is being funded at almost \$1M
  - North Carolina received approximately \$1.3M to assist with the Emergency Watershed Protection Program (EWP) from Hurricane Matthew
  - National Conservation Planning Partnership proposing a monthly conference call/webinar starting on July 25 to discuss conservation planning efforts
  - An undersecretary for the USDA has not been confirmed; Leonard Jordan is Acting Chief

Mr. Rafael Vega, State Resource Conservationist, presented the following:

- Highlighted the progress report for the Certified Conservation Planner (CCP)
- Listening Sessions were held and informed the field staff of the National policy changes
  - Adjusted the implemented processes for the CCP and Job Approval Authority (JAA)
  - Experience in lieu of training is acceptable (an accelerated pathway) and reduce trainings to 6 or 7
- Based on National policy for CCP and JAA, the 50 states were instructed on a transition plan
- An interactive map is available on a public web site by clicking on a county to view a list of CCPs

- A state-wide survey was conducted to get a baseline of training needs for the CCP
  - Training will be provided during the CET and future trainings will be established
- In October 2017, NRCS will provide the Basics of Conservation Planning Training at NC State
- On July 7, 2017, NRCS submitted instructions to the field staff regarding the processes for training for CCP and JAA
- Bryan Evans, David Williams and Rick McSwain are on various committees representing the Partnership from North Carolina that should have a positive influence for the CCP

Chairman Langdon announced a break at 9:58 a.m. The meeting reconvened at 10:16 a.m.

**7. Conservation Action Team Report:** Chairman Langdon recognized Mr. Bryan Evans, Executive Director of the NC Association of Soil and Water Conservation Districts, to present. A copy of the Conservation Action Team (CAT) report is included as an official part of the minutes.

- CAT is addressing Certified Conservation Planning and Job Approval Authority processes
- Individual Development Plans (IDPs) will be required for the Master Agreements with the Division
- CAT hosted the Resource Conservation Workshop (RCW) at NC State; 96 students participated last month
  - Commissioner Knox stated a young lady from his church attended the RCW and plans to be a future volunteer plus many students applied for a Foundation scholarship
  - Commissioner Knox commended everyone for all their hard work and for supporting our conservation efforts
- Deputy Director David Williams commended Ralston James for his efforts with the RCW and the help from Eric Pare and Sandra Weitzel

**8. Consent Agenda:** Chairman Langdon recognized Mr. Eric Pare, Ms. Kelly Hedgepeth, and Mr. Jeff Young to present

**8A. Supervisor Appointments:**

- Barbara Bleiweis, Mecklenburg SWCD, filling the unexpired elected term of Robert Shawn Greeson for 2014-2018 with an attached resignation letter from Mr. Greeson

**8B. Supervisor Contracts:** Fourteen contracts; totaling \$60,233

**8C. Technical Specialist Designation:** Mr. Randy Freeman, a professional engineer from Randolph SWCD, is requesting to be designated technical specialist for Waste Utilization Planning/Nutrient Management, Runoff Controls, Water Management and Structural Animal Waste and has successfully completed the requirements. His technical competency as a Professional Engineer has been verified by the Division.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve the Consent Agenda and Commissioner Kilpatrick seconded. Motion carried.

- 9. Disaster Recovery Act of 2016:** Chairman Langdon recognized Deputy Director David Williams to present. A copy of the report is included as an official part of the minutes.

**9A. Progress Report:** The June 2017 progress report was submitted to the Office of the State Budget Management (OSBM). The report focused on the Division's progress regarding the Disaster Recovery Program of which \$12.2M has been allocated in state appropriations. There are 35 stream debris contracts awarded to date and 27 signed agreements.

**9B. Proposed Procedure for 2017 Funding:** The Disaster Recovery Act of 2017 has passed the General Assembly and was signed by the Governor on July 18, 2017. This Act appropriates \$20M to the Division for disaster response. The Bill specifies \$1M will be used for pasture renovation in the 20 western counties declared a disaster area by the U.S. Secretary of Agriculture in February 2017. The other \$19M is proposed to be used for stream debris removal, agricultural pond repair, and non-field farm road repair with \$11.5M for stream debris, \$6M for agricultural pond repair, \$1M for non-field farm road repair, \$1M for pasture renovation and \$500,000 for temporary staff.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve the breakdowns of the allocations and Commissioner Willis seconded. Motion carried.

In January 2017, the Commission delegated authority to the Division to approve pond repair contracts up to \$50,000. The average cost per project is \$146,000, and the Division requests the Commission increase the cap to authorize the Division to approve contracts up to \$100,000. The Commission will retain authority to approve contracts that are more than \$100,000. In addition, the Division is requesting Just-in-Time allocations for ponds.

Chairman Langdon asked for a motion. Commissioner Knox motioned to approve the increase in the cap on contracts and Just-in-Time allocations for ponds and Commissioner Kilpatrick seconded. Motion carried.

The Division proposes to re-open the application period through August 31, 2017 to receive additional applications for stream debris removal, pond repair, and non-field farm road repairs. At the September Commission meeting, the Division will recommend a road repair allocation of these funds.

**9C. Pasture Renovation Allocation:** To address pasture renovation needs due to drought, 17 out of 20 counties eligible for pasture renovation requested funding which totals \$1,568,600, with most requests falling under \$100,000. Those requests that fall under \$100,000 will receive the requested amount, and those requests over \$100,000 will receive \$107,000. The Division proposes the districts be given until December 1, 2017 to encumber the contracts with any unencumbered funds reverting to the Division for Just-in-Time allocations.

Chairman Langdon asked for a motion. Commissioner Willis motioned to approve the proposed pasture renovation allocation and Commissioner Collier seconded. Motion carried.

**9D. Drought Pasture Renovation BMP:** This is to approve the temporary Drought Response Renovation Practice. The Commission approved this same emergency practice in 2008, 2009,

and 2010. The Division has Pasture Renovation as part of the Agriculture Cost Share Program with some different restrictions specific for pastures killed by drought.

Chairman Langdon asked for a motion. Commissioner Kilpatrick motioned to approve the Pasture Renovation Practice and Commissioner Knox seconded. Motion carried.

**10. Agriculture Cost Share Program:** Chairman Langdon recognized Ms. Kelly Hedgepeth to present. A copy of the report is included as an official part of the minutes.

**10A. Detailed Implementation Plan:** The Detailed Implementation Plan (DIP) has every practice in the program and definition of the practice.

**10B. Average Cost List:** The list has no changes for FY2018 and will request receipts and changes for next program year.

Chairman Langdon asked for a motion on 10A and 10B. Commissioner Collier motioned to approve the plan and the list and Commissioner Willis seconded. Motion carried.

**10C. District Financial Assistance Allocation:** This allocation is for the 2018 BMPs with \$200,000 allocated for CREP projects and \$500,000 for to impaired and impacted stream initiative projects.

Chairman Langdon asked for a motion. Commissioner Kilpatrick motioned to approve the allocations and Commissioner Collier seconded. Motion carried.

**11. Technical Assistance Allocation:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes.

Technical Assistance allocations were prepared as in previous years with no increases in salary and benefits from FY2016; and maintaining a cap of \$25,500 per position. Dare and New Hanover Counties are split funded between ACSP and CCAP. All Full-Time Equivalent positions will receive \$1,050 in operating expenses for the year, which is \$180 less than last year. For districts with support for more than one FTE, the second employee in each district is proposed to be on non-recurring funding status in anticipation of changes in the allocation methodology due to rule revisions. The division will work with these districts to provide support during this time of transition. This action affects 7 districts and 5.35 employees.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve the technical assistance allocation and Commissioner Knox seconded. Motion carried.

**12. Agricultural Water Resources Assistance Program:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes.

**12A. Detailed Implementation Plan:** The DIP has just over \$1M to allocate for BMP funds and the recommendation is to continue to provide funding for both district allocations and provide a competitive regional allocation process for AgWRAP practices that will bring recommendations for Commission approval in November and March. It is recommended the Commission allocate

60% of available BMP funding for district allocations and 40% for the competitive regional application process.

**12B. Average Cost List:** There are no revisions since last fiscal year.

Chairman Langdon asked for a motion on 12A & 12B. Commissioner Knox motioned to approve and Commissioner Collier seconded. Motion carried.

**12C. District Financial Assistance Allocation:** This allocation uses the same parameters and weights as last year. The staff recommends Option A at 60% for district allocations with a minimum allocation of \$7,500 per participating district, as described in Attachment 12C.

Chairman Langdon asked for a motion. Commissioner Kilpatrick motioned to approve Option A and Commissioner Collier seconded. Motion carried.

**13. Community Conservation Assistance Program:** Chairman Langdon recognized Mr. Tom Hill to present. A copy of the report is included as an official part of the minutes.

**13A. Detailed Implementation Plan:** For the FY2018, the DIP will allocate resources using the program rules updated in November 2017. The Commission can allocate funds through the DIP in three categories: BMP Implementation, Technical and Administrative Assistance and Education and Outreach Purposes. The recommendation for BMPs is to allocate all funds through a regional application process splitting available funding equally among the three division regions. In addition, the Division requests the Commission to delegate the authority for a Just-in-Time allocation for contracts that were next in line to be funded should project cancellations or completion occur. The recommended maximum allocation per district is \$15,000 so at least three applications can be approved in each region. This cap would also include the \$5,000 for engineering costs. The recommendation for Technical and Administrative Assistance allocation is a district allocation of \$25,320 to support a quarter of a FTE position in Dare and New Hanover Counties. The recommendation for Education and Outreach allocation is \$0 due to the limited amount of funding available.

Commissioner Knox stated the cap should increase to \$20,000 for the impact to be seen by the Legislature and get more money for CCAP but this amount would still include the maximum amount for engineering costs of \$5,000.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve and increase the cap to \$20,000 for projects while approving the Detailed Implementation Plan as revised to reflect this increase and Commissioner Knox seconded. Motion carried.

**13B. Average Cost List:** The list only contains one proposed change for the Structural Stormwater Conveyance BMP decreasing the engineering cost to \$1,667, which is 30% of the total estimated cost of these projects.

Chairman Langdon asked for a motion. Commissioner Knox motioned to approve the Average Cost List and Commissioner Kilpatrick seconded. Motion carried.

Chairman Langdon announced a break at 11:05 a.m. The meeting reconvened at 11:14 a.m.

**14. Cost Share Programs Spot Check Report:** Chairman Langdon recognized Mr. Ken Parks to present. A copy of the report is included as an official part of the minutes.

Mr. Parks presented the FY2017 reports for the Agriculture Cost Share Program, the Community Conservation Assistance Program, and the Agricultural Water Resources Assistance Program, in accordance with the Commission's policy. The districts administer spot checks annually for all the programs. A spot check report is prepared by compiling all the spot check data from the districts and analyzing the data to see if the BMPs are in compliance (meeting standards and BMPs are functioning properly for their intended purposes) or out of compliance (BMPs are not functioning and needing maintenance or where a BMP is functioning properly but needs to be maintained).

- Agriculture Cost Share Program (ASCP)
  - 97.1% in compliance, 2.9% out of compliance, 3.5% needed maintenance
- Community Conservation Assistance Program (CCAP)
  - 100% in compliance, 0% out of compliance, 7.4% needed maintenance
- Agricultural Water Resources Assistance Program (AgWRAP)
  - 100% in compliance, 0% out of compliance, 5.7% needed maintenance

Districts with BMPs with compliance and maintenance issues have been contacted by Division staff. Districts are following the Commission's non-compliance policy for BMPs that are out of compliance, and they are being re-implemented or seeking cost recovery for these funds.

Commissioner Willis commended those districts that have 4-5 supervisors participating in these spot checks.

**15. Cost Share Program Rules:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes.

The Rules have been reviewed by the Commission Cost Share Committee that met with the Commission on April 5, 2017, and Ms. Henshaw acknowledged the Committee and their efforts. Since the May meeting, only minor technical changes have been made to clarify the formatting and wording. A clean copy and marked up copy have been provided for the Commission to review. All Cost Share Programs are being moved together into one Rule 59D. Rule 59H will be repealed. The formal comment period is 60 days and will begin once the rules are published in the NC Register. These Rules are the last set going through the re-adoption and revision process by the Commission. All rules must be re-adopted once every ten years.

Chairman Langdon asked for a motion. Commissioner Willis motioned to approve the proposed changes to the Cost Share Program Rules and Commissioner Kilpatrick seconded. Motion carried.

**16. District Issues:** Chairman Langdon recognized Ms. Kelly Hedgepeth and Ms. Julie Henshaw

**16A. Cumberland SWCD Contract Post Approval:** Ms. Hedgepeth stated this post approval request is for Contract No. 26-2017-801 for an AgWRAP Irrigation Well. Mr. Clifton McNeill, Supervisor, stated Mr. Canady is a strawberry farmer and strawberries require a lot water. Mr. Larry Simpson, district staff, spoke to the applicant a couple of times to keep him informed on the status of the contract. The applicant moved ahead and installed a well because he needed water available for frost protection to not lose the crop in the Spring. Mr. Simpson spent a considerable amount of time working on different issues and essentially Mr. Canady's well contract was overlooked. The Division has all required paperwork.

Mr. Reynolds stated Commissioner Collier has recused himself from this item. Chairman Langdon asked for a motion. Commissioner Willis motioned to approve the post approval for Contract 26-2017-801 and Commissioner Knox seconded. Motion carried.

**16B. AgWRAP Pond and Pond Repair/Retrofit Contract Extension Requests:** Ms. Julie Henshaw stated that at the May Commission meeting, the Commission granted an exception to the policy requiring districts to appear in person to request an extension for any ponds or pond repair retrofits contracts funded through AgWRAP that are set to expire at the end of this fiscal year. There are 14 projects from 9 districts requesting an extension.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve the Pond and Pond Repair/Retrofit Contract Extension Requests and Commissioner Kilpatrick seconded. Motion carried.

**16C. Contract Extension Requests:** Six districts submitted extension requests

Alleghany SWCD, Ms. Linda Hash and Mr. Chris Huysman, presented Contract #03-2014-004 and supplement Contract #03-2015-004 for the practice of a waste treatment storage pond and heavy use area for a dairy farm. The District, Division, NRCS and Division of Water Resources have been working with the farmer.

Chairman Langdon asked for a motion. Commissioner Knox motioned to approve the extension and Commissioner Willis seconded. Motion carried.

Brown Creek SWCD, Mr. Ronnie Morgan and Mr. Jake Barbee, presented Contract #04-2015-201 for the practice of a well for a poultry farm. The farmer received an incorrect quote for a well and had financial issues. Also, the deadline was approaching and Mr. Barbee recommended an extension. The well will help supplement the water supply for the poultry farm and also irrigation for produce.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve the extension and Commissioner Willis seconded. Motion carried.

Mr. Reynolds stated Commissioner Willis is recusing himself from the next two contract extension requests.

Caldwell SWCD, Mr. Jack Adams and Mr. Carter Edgerton, presented Contract #14-2015-004 for the practice of a streambank and shoreline protection and fencing due to storm events which

damaged the streambank and require further repair work with estimated completion on August 1, 2017.

Caldwell SWCD, Mr. Jack Adams and Mr. Carter Edgerton, presented Contract #14-2015-007 for the practice of a critical area planting, grade stabilization structure, rock-lined outlet, stream restoration, stream crossing, well, and tanks and approved by the Division and asked for technical assistance for a stream restoration design from the Division.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve both of Caldwell's extension requests and Commissioner Kilpatrick seconded. Motion carried.

Robeson SWCD, Mr. Lycurous Lowry and Mr. Lucas Baxley, presented Contract #78-2015-021 for the practices of livestock exclusion and water tanks. The need for the extension is due to Hurricane Matthew and the transition of a new technician. The estimated completion is June 30, 2018.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve the extension request and Commissioner Kilpatrick seconded. Motion carried.

Wayne SWCD, Mr. Ronald Parks and Mr. Don Barker, presented Contract #96-2015-803 for the practice of a water supply well for a hog operation. The extension is needed because of farmer health issues and health care expenses. The farmer is back at work and has set up a payment plan for the well.

Chairman Langdon asked for a motion. Commissioner Knox motioned to approve the extension request and Commissioner Collier seconded. Motion carried.

**17. Commission Member Contracts:** Chairman Langdon recognized Ms. Kelly Hedgepeth

Mr. Reynolds stated Commissioner Willis has recused himself from this item that will be presented for the Caldwell SWCD. Mr. Reynolds stated Commissioner Hogan is not present but would normally recuse himself from this item that will be presented for Orange SWCD.

Ms. Hedgepeth presented two contracts, one for Caldwell SWCD Contract #14-2017-005 for the installation of the cover crop BMP in the amount of \$6,172, and one for Orange SWCD Contract #68-2017-013 for the installation of a 41-month Sod-Base Rotation BMP in the amount of \$11,748.

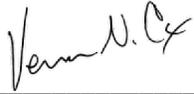
Chairman Langdon asked for a motion. Commissioner Collier motioned to approve the installations of both contracts and Commissioner Knox seconded. Motion carried.

**Public Comments:**

Chairman Langdon recognized former Director, Pat Harris, who was awarded the Long Leaf Pine Award and the service she provided to the Division.

Chairman Langdon stated the last Commission Meeting was spent off-site in the eastern part of the state looking at a swine practice. Chairman Langdon would like to travel off-site once or twice a year and see the different operations in practice.

**Adjournment:** Meeting adjourned at 12:11 p.m.



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Vernon N. Cox, Director  
Division of Soil & Water Conservation, Raleigh, N.C.



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Helen Wiklund, Recording Secretary

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on September 20, 2017.***



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
TELECONFERENCE MEETING MINUTES  
August 30, 2017**

512 N. Salisbury Street  
Archdale Building – 4<sup>th</sup> Floor Conference Room 425G  
Raleigh, NC 27604  
Call-in #: 919-733-2511  
<https://ncag.adobeconnect.com/swcommission>

Commission Members	Guests	
John Langdon	Julie Henshaw	Richard Reich
Wayne Collier	Kelly Hedgepeth	Anne Coan
Chris Hogan	Helen Wiklund	Nancy McCormick
Charles Hughes	Tom Hill	Eddie Humphrey
Dietrich Kilpatrick	Lisa Fine	Joe Hudyncia
Ben Knox	Ken Parks	James Massey
Mike Willis	Keith Larick	Mary Parker
Commission Counsel	Jeff Young	Rodney Smith Jr.
Phillip Reynolds	Kristina Fischer	Jeff Parker
Guests	Eric Pare	Eric Galamb
Vernon Cox	Brad Moore	Martin McLawhorn
David Williams	Gary Cox	

Chairman John Langdon called the meeting to order at 10:33 a.m. Chairman Langdon inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act. None were declared. Chairman Langdon welcomed everyone and asked for the Commission members, the division staff, and the public to introduce themselves.

- 1. Approval of Agenda:** Chairman Langdon asked for a motion on the agenda. Commissioner Collier motioned to approve the agenda and Commissioner Hogan seconded. Motion carried.

Chairman Langdon asked Mr. Reynolds to comment on the voting process for approving the rules. Mr. Reynolds stated the Commissioners can discuss each rule separately and vote on each one independently. It is not necessary to do a roll call, if all Commissioners vote in favor of the motion on the floor. Any Commissioner that objects to not doing a roll call or is against any of the motions on the floor, it will be necessary to do a roll call.

- 2. Final Approval of Rules:** Chairman Langdon recognized Deputy Director David Williams to present Rules 59C and 59F. Chairman Langdon stated these rules were given initial approval by NC Soil & Water Conservation Commission Meeting Minutes, August 30, 2017

the Commission in May and the rules are being presented for final approval after going through a public comment process.

### **2A. Rule 02 NCAC 59C.0303 Approvals to Exercise the Power of Eminent Domain**

This rule was approved for final adoption in May but did not get submitted to the Rules Review Commission (RRC) within the 30-day period and must be readopted. The rule has remained unchanged and has been approved twice. The Division remains in authority to approve local watershed work. It is an important tool that applicants need to have in their toolbox to be able to implement these small watershed projects referred to as PL566.

Chairman Langdon asked for a motion. Commissioner Hughes motioned to approve Rule 02 NCAC 59C.0303 Approvals to Exercise the Power of Eminent Domain and Commissioner Hogan seconded. Motion carried.

### **2B. Rule 02 NCAC 59F.0106 Noncompliance with CREP Agreement**

This rule was approved and went through the public comment period and posted on June 1, 2017, and the comment period closed on July 31, 2017. The Division is submitting this rule for readoption with no changes. No public comments were received and the Division is recommending the Commission approve this rule as presented so that these rules can be sent to the Rules Review Commission (RRC) for final approval.

Chairman Langdon asked for a motion. Commissioner Knox motioned to approve Rule 02 NCAC 59F.0106 Noncompliance with CREP Agreement and Commissioner Kilpatrick seconded. Motion carried.

Chairman Langdon recognized Mr. Jeff Young to present Rules 59E and 59G.

### **2C. Rule 02 NCAC 59E Procedures and Guidelines to Implement the Nondischarge Rule for Animal Waste Management Systems**

This rule deals with Animal Waste Management Systems. On Page 1 of Attachment 2C, there is a summary of changes. The last item on the page, refers to Rule 02 NCAC 59E.0105 which has been omitted and reads "*UNCHANGED from published version (Deleted in their entirety and incorporated.)*" The text that should follow it is Rule 02 NCAC 59G.0104. In summary, this rule has made changes to current agency names, rule references, General Statute references, and language that is better defined and now referred to in other rules as Rule 2T and the Division of Water Resources (DWR). In addition, some requirements were removed that are no longer applicable as part of the permitting process for Animal Operations that were not in place when the rules were originally adopted.

Chairman Langdon asked Mr. Reynolds if each item should be discussed individually or as one. Mr. Reynolds suggested to discuss the 59E rules as one item.

Mr. Young added Rule 02 NCAC 59E.0104(e) see line 27, it went out for public comment but the item was struck through and received comments anyway. After discussion with the Division of Water Resources, it is recommended that this language terminology be reinstated. After

consultation with the Rules Review Commission, we were advised that reestablishment of this provision is not a major change and does not require that the rule go back out for public comments.

Chairman Langdon asked for a motion. Commissioner Collier motioned to approve all items for Rule 02 NCAC 59E Procedures and Guidelines to Implement the Nondischarge Rule for Animal Waste Management Systems and Commissioner Hughes seconded. Motion carried.

## **2D. Rule 02 NCAC 59G Approval of Technical Specialist and BMPs for Water Quality Protection**

This rule deals with the Technical Specialist and BMPs for Water Quality Protection. On Page 1 of Attachment 2D, there is one change within the rules that is not noted on the summary sheet for Rule 02 NCAC 59G.0104(i). There is one additional change within Rule 59G.0105 and the note that was omitted is that it is unchanged from the published version. Rule 02 NCAC 59G.0105 refers to technical specialists and their role with the Neuse and Tar-Pam rules and any subsequent rules.

Chairman Langdon asked for a motion. Commissioner Knox motioned to approve all items for Rule 02 NCAC 59G Technical Specialist and BMPs for Water Quality Protection and Commissioner Hogan seconded. Motion carried.

### **3. Supervisor Travel Compensation Update:** Chairman Langdon recognized Director Vernon Cox to present.

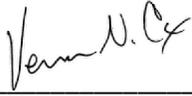
Director Cox stated the Rules Review Commission (RRC) indicated the deadline is tomorrow, August 31, 2017 for the Commission to approve all these rules. Mr. Cox expressed his appreciation to the Commission for participating in this conference call so that this business could be taken care of in a timely manner.

Director Cox highlighted a memorandum that was sent to all district supervisors on August 25, 2017, which notified all district supervisors of the new withholding requirements based for supervisor compensation. The Department has been notified that all meals and mileage reimbursement to district supervisors for day travel is subject to withholding for social security and Medicare. In addition, an I-9 Form must be filled out by each district supervisor. Also, the documents required for the I-9 form must be viewed by a department employee or a district employee on our behalf. The Division is asking district staff and regional coordinators for their assistance. This is a change from our previous correspondence to district supervisors. Mr. Cox has asked Deputy Commissioner David Smith to attend the September Commission Meeting and discuss how this issue arose and discuss the implementation.

Chairman Langdon added all district supervisors and staff should attend the September Commission Meeting.

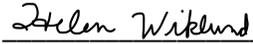
There were no further comments by the Commissioners, the division staff, or the public.

**Adjournment:** Meeting adjourned at 10:56 a.m.



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Vernon N. Cox, Director  
Division of Soil & Water Conservation, Raleigh, N.C.



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Helen Wiklund, Recording Secretary

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on September 20, 2017.***

# Personnel

- Vacancies:
  - Engineers (2): Fletcher – Interviews this week; Washington - Readvertise (Raleigh???)
  - Engineer Tech. (3) – Raleigh(2), Mocksville(1)
  - AgWRAP Coordinator – Hire Recommendation
  - Area Coordinator – (Baldwin) Awaiting Applications
  - Admin Asst. II (Reclass)– Paula Day
- New Hire:
  - CREP Specialist – Sean Gough (Southeast NC Area)



# Supervisor Per Diem

- Letter sent to Supervisors and Staff on 8/25
- Two conference call sessions on 9/6.
- Asking for response by 10/1.
- Deputy Commissioner David Smith on agenda
- White House Special Assistant for Agric., Trade and Food Assistance (Ray Starling).



# 216 West Jones Street - 10/3/17



NCDA&CS Division of Soil and Water Conservation  
Vernon Cox, Director  
September 20, 2017



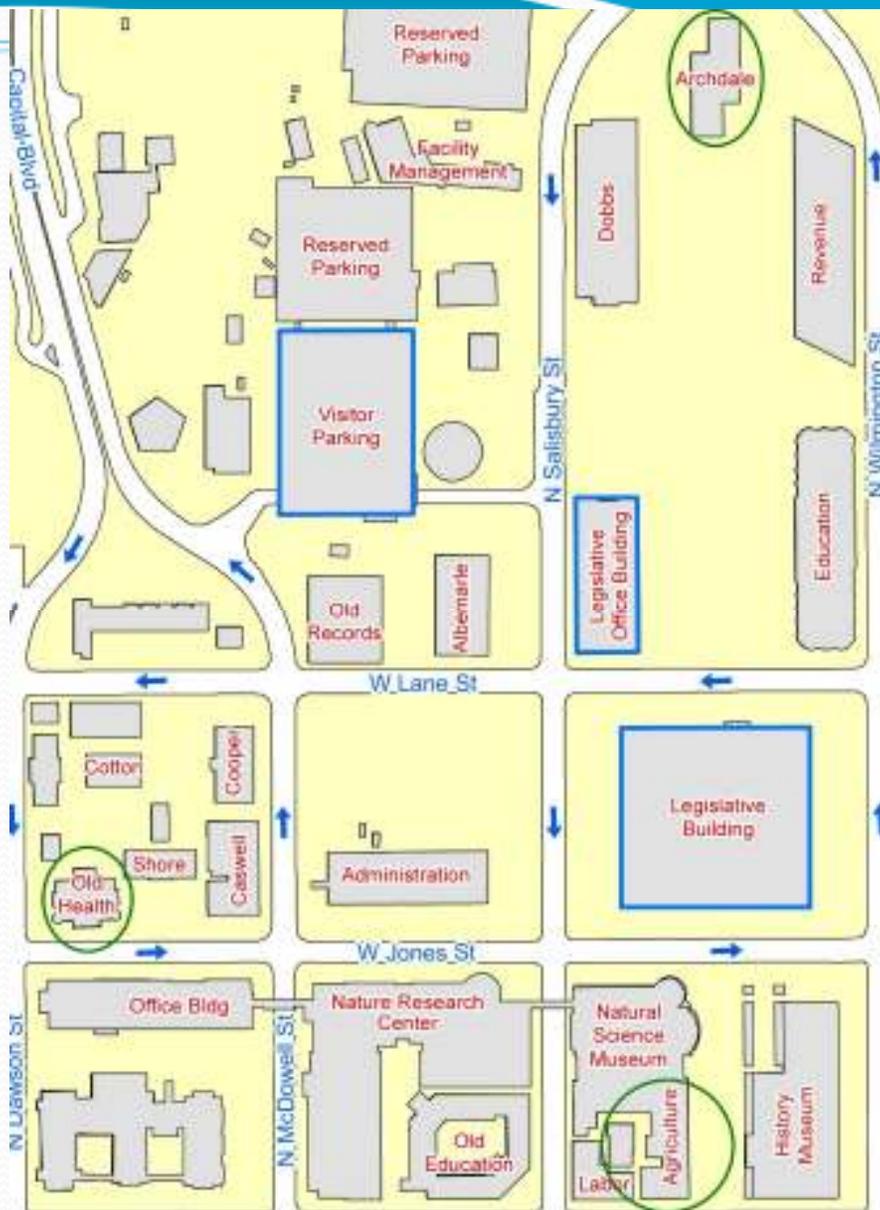
# 216 West Jones Street

## 3<sup>rd</sup> Floor



NCDA&CS Division of Soil and Water Conservation  
Vernon Cox, Director  
September 20, 2017





NCDA&CS Division of Soil and Water Conservation  
Vernon Cox, Director  
September 20, 2017





## Association Report to the Commission

September 20, 2017

### Conservation Education License Plate

The Association is collecting applications for a new specialty license plate for North Carolina. The proceeds from the specialty plate fee will benefit Association conservation education programs. Additional information on the plate can be found on the Association website at:

[www.ncaswcd.org/index.php/conservation-education/specialty-conservation-license-plate/](http://www.ncaswcd.org/index.php/conservation-education/specialty-conservation-license-plate/)



### 2018 Association Raffle

The Association will be changing its raffle for this year. The Gator Raffle has served the Association and NCCDEA well, but a change is needed. This year we will hold a gun raffle. Three guns will be offered and only 1200 tickets will be sold. This will mean that only 12 tickets need to be sold per District. Tickets will be \$20 each or 6 for \$100. Ticket sales run through the 2018 Annual meeting.

### 2019 North American Envirothon

North Carolina will host the 2019 NA Envirothon mid-summer of 2019. We have a budget set at nearly \$150,000 to provide a great event for participants. The Association is requesting each Conservation District secure a \$1000 donation over the next 2 years to support this event. To date, we have close to \$50,000 in collections and pledges. If you know of a potential sponsor, please make a contact or pass their contact information along to the Association.

### Conservation Farm Family

Association thanks those Districts and producers that competed. We also thank our judges for both the regional and state judging. The results were Michael Moss of Windy Hill Farms in Randolph County was the Piedmont winner and Dan Hunsucker of Hunsucker Farms in Catawba County was the Mountain winner. Hunsucker Farms is also this year's state winner and the celebration is September 22, 2017 at Mr. Hunsucker's farm.

# Natural Resources Conservation Service

## North Carolina - The Update



### National News

#### Working Lands for Wildlife

The U.S. Department of Agriculture (USDA) released a new five-year conservation strategy to support private landowners managing for healthier forests in the Appalachian Mountains, part of an ongoing effort to help the golden-winged warbler rebound, and avoid the need for regulation of the species. This strategy serves as a game plan for how USDA's Natural Resources Conservation Service (NRCS) and its conservation partners can best meet their goal of helping landowners adopt bird-friendly practices on more than 15,000 acres of young forests and shrublands over the next five years. NRCS selected the golden-winged warbler in 2012 as a priority species of Working Lands for Wildlife (WLFW), the agency's premier, science-based partnership for wildlife conservation. To learn more about assistance opportunities, landowners should contact their local USDA service center or visit the Conservation Choices for Wildlife – Golden-winged Warbler webpage at [www.nrcs.usda.gov](http://www.nrcs.usda.gov) for more information on available practices.



*Golden-winged warbler five year strategy is now available.*

### News from the State

#### Apprentice Conservation Planner

Becoming an Apprentice Conservation Planner is a very important first step on the road to becoming an independent certified or master certified conservation planner. The Apprentice Conservation Planner role is for a new planner or for a position that does not require independently carrying out all phases of the "Nine-Step Conservation Planning Process".

What can an apprentice do? The Apprentice Conservation Planner can determine client objectives, conduct natural resource inventories, run assessment tools and develop alternative solutions to address resource concerns for planning areas. The apprentice's work will be reviewed and approved by a Certified Conservation Planner or a Master Certified Conservation Planner prior to the final discussion of alternatives with the client. The apprentice role is not a Certified Conservation Planner and is not authorized to sign conservation plans.



The first steps in becoming an Apprentice Conservation Planner is to contact the local Technical Supervisor (NRCS Supervisory Soil Conservationist).

Next, you'll follow guidance to gain access to AgLearn and self-assign curricula and training to your AgLearn profile and begin the path to becoming an Apprentice Conservation Planner. For more information on Apprentice Conservation Planner policy and the process to become an apprentice, please contact Jeremy Roston at [Jeremy.Roston@nc.usda.gov](mailto:Jeremy.Roston@nc.usda.gov).

#### Non-Federal Partner Process for Gaining Access to AgLearn

Non-Federal Partners (NFE) seeking to gain access to the AgLearn training system must follow the steps below.

1. The NFE will submit request for access to the AgLearn training system via email to their respective Area Office or State Office.
2. After the request is submitted, the NFE will receive a NEIS Person Model PII Sheet Form to complete.
3. Upon completion, the NFE will return the NEIS Person Model PII Sheet Form to the identified State Point of Contact (POC) via encrypted email.
4. Once the NEIS sheet has been processed, the NFE will receive, within 24-48 hours, an email invitation to complete the Level 2 eAuthentication.

**North Carolina  
Natural  
Resources  
Conservation  
Service**

[WWW.NC.NRCS.USDA.GOV](http://WWW.NC.NRCS.USDA.GOV)



USDA is an equal opportunity provider, employer, and lender.

5. Once the Level 2 eAuthentication process has been completed, the State POC will verify that the NFE is in AgLearn.
6. The State POC will email the NFE that AgLearn Access has been granted.
7. The NFE sends an email confirmation access to their respective Area Office or the State Office.

#### Programs - Fiscal Year (FY) 17 Overview

##### Environmental Quality Incentives Program (EQIP) ( *Includes General EQIP & Initiatives* )

1. Number of Applications Received: 2187
2. Number of Contracts Funded: 704
3. Obligated: \$19,785,948.75
4. Acres Benefitted: 62,326

##### Conservation Stewardship Program (CSP)

1. Number of Applications Received: 198
2. Number of Contracts: 16
3. Obligation: \$128,294
4. Acres Benefitted: 12,904

##### Regional Conservation Partnership Program (RCPP) (Financial Assistance only)

1. FY15 Agreements
  - Resource Institute – Funding: \$1,200,000 (EQIP)  
Contracts: 4 (\$1,199,995 obligated)
2. FY16 Agreements
  - US Endowment - Funding: \$375,000 (EQIP)  
Contracts: 12 (\$96,834 obligated)
  - US Endowment - Funding: \$2,183,680 (Multi-Program): ACEP-WRE \$632,320, ACEP-ALE \$1,167,360, EQIP \$384,000  
Contracts: 12 (\$356,244 obligated)
  - Environmental Defense Fund  
Funding: \$400,000 (EQIP)  
Contracts: 3 (\$59,488 obligated)
  - Resource Institute - Funding: \$700,000 (EQIP)  
Contracts: 2 (\$448,686 obligated)
3. FY17 Agreements
  - Blue Ridge Forever - \$6,820,000 (ACEP-ALE)
  - Resource Institute - \$5,600,000 (EQIP)
  - Resource Institute - \$800,000 (EQIP)

##### Agricultural Conservation Easement Program (ACEP)

###### ACEP-Agricultural Land Easements (ALE)

1. Number of Acres Enrolled: 1127
2. Number of Applications: 10
3. Total Award: \$2.8M (*upon signature of agreements*)

###### RCPP ACEP-ALE

1. Number of Acres Enrolled: 2037
2. Number of Applications: 3
3. Total Award: \$1.16M (*upon signature of agreement*)

**Note: The information provided in the Program FY 17 Overview are as of September 1, 2017. Official and Final numbers will be available in November from the NRCS Resource Economic and Analysis Division. The data in this section should not be referenced as final.**

#### Programs - Fiscal Year (FY) 18 Dates

##### Regional Conservation Partnership Program (RCPP)

1. September 7, 2017: Full proposal applications are due.
2. December 2017: Announcement of full proposals selected for FY 18.

##### Environmental Quality Incentives Program (EQIP)

1. November 17, 2017: Application Reception Deadline.
2. January 5, 2018: Eligibility Determination Deadline.
3. January 19, 2018: Application Screening Deadline.
4. February 23, 2018: Application Ranking Deadline.
5. May 18, 2018: Obligation Deadline.

##### Agricultural Conservation Easement Program (ACEP) — Agricultural Land Easements (ALE)

1. January 31, 2018: Application Deadline.

**Contacts:**  
**State Conservationist—Timothy Beard**  
 (Tel) 919.873.2100  
**State Public Affairs—Stuart Lee**  
 (Tel) 919.873.2107  
 (Email) [Stuart.Lee@nc.usda.gov](mailto:Stuart.Lee@nc.usda.gov)



DIVISION OF SOIL AND WATER CONSERVATION  
 North Carolina Department of Agriculture & Consumer Services  
 1614 Mail Service Center • Raleigh, NC 27699-1614  
 919.733.2302 • www.ncagr.gov/swc/

INTERNAL USE ONLY  
 Appointed / Elected Seat  
 Current Term: 16-20

**RECOMMENDATION FOR APPOINTMENT OF SUPERVISOR**

Complete and submit online on your district's SharePoint page; keep original for your file

The supervisors of the Granville Soil and Water Conservation District of Granville County, North Carolina have recommended the individual listed below for APPOINTMENT as a district supervisor in accordance with N.C.G.S. 139-7 for a term of office commencing ~~December 2016~~ Sept. 07 and ending December 2020 to fill the expired or un-expired term of H. B. Hagwood (Deceased)

Name of nominee: Dean Askew  
 Address of nominee, City, State, Zip: 2022 Thad Carey Road, Oxford, N.C. 27565  
 Email address of nominee: askewd150@gmail.com  
 Home phone: \_\_\_\_\_  
 Mobile phone: 919-691-4150  
 Business phone: \_\_\_\_\_  
 Occupation: Retired as Superintendent of Butner Cattle Field Laboratory  
 Age: 51  
 Education: NC State Associate Degree in Livestock Management  
 Positions of leadership NOW held by nominee: Deacon at Providence Baptist Church  
 Former occupations or positions of leadership contributing to nominee's qualifications: \_\_\_\_\_  
Consultant for private beef producers  
 Other pertinent information: \_\_\_\_\_

Dates of previous attendance at UNC School of Government training, if applicable: \_\_\_\_\_  
 Is nominee willing to attend a training session at the UNC School of Government within the first year after appointment? Check for "Yes"   
 Has the nominee been contacted to determine their willingness to serve? Check for "Yes"   
 Has the program and purpose of the soil and water conservation district been explained to the nominee? Check for "Yes"   
 Is the nominee willing to attend and participate in local district meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in Area meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in State meetings? Check for "Yes"

**Signatures**

I hereby certify that the board of supervisors considered the Guiding Principles for Supervisor Nomination for Appointment shown on the reverse of this nomination form when selecting the above supervisor candidate for nomination. I also certify that this recommendation has been considered and approved by a majority of the members of the board of supervisors and entered in the official minutes of the board.

X Ronnie D. Burnette 7-18-17  
 SWCD Chair (or Vice Chair if Chair is being nominated) Date  
 Printed name: Ronnie D. Burnette

I hereby certify that the above information is true and accurate.

X T. Dean Askew 7-18-17  
 Individual recommended for appointment Date  
 Printed name: T. Dean Askew



DIVISION OF SOIL AND WATER CONSERVATION  
 North Carolina Department of Agriculture & Consumer Services  
 1614 Mail Service Center • Raleigh, NC 27699-1614  
 919.733.2302 • www.ncagr.gov/swc/

INTERNAL USE ONLY:  
 Appointed / Elected Seat  
 Current Term: 14-18

**RECOMMENDATION FOR APPOINTMENT OF SUPERVISOR**

Complete and submit online on your district's SharePoint page; keep original for your file

The supervisors of the MACON Soil and Water Conservation District of MACON County, North Carolina have recommended the individual listed below for APPOINTMENT as a district supervisor in accordance with N.C.G.S. 139-7 for a term of office commencing Sept 2017 and ending Dec 2018 to fill the expired or un-expired term of JAMES B. ROPER.

Name of nominee: Matthew C. Reynolds  
 Address of nominee, City, State, Zip: 68 W. Beatwood Lane, Franklin, NC 28734  
 Email address of nominee: mreynolds5728@gmail.com  
 Home phone: \_\_\_\_\_  
 Mobile phone: 828-421-6454  
 Business phone: \_\_\_\_\_  
 Occupation: Emergency Medical Services  
 Age: 39  
 Education: Master's degree  
 Positions of leadership NOW held by nominee: \_\_\_\_\_  
 Former occupations or positions of leadership contributing to nominee's qualifications: Law Enforcement Training Coordinator  
 Other pertinent information: \_\_\_\_\_

Dates of previous attendance at UNC School of Government training, if applicable: \_\_\_\_\_  
 Is nominee willing to attend a training-session at the UNC School of Government within the first year after appointment? Check for "Yes"   
 Has the nominee been contacted to determine their willingness to serve? Check for "Yes"   
 Has the program and purpose of the soil and water conservation district been explained to the nominee? Check for "Yes"   
 Is the nominee willing to attend and participate in local district meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in Area meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in State meetings? Check for "Yes"

**Signatures**

I hereby certify that the board of supervisors considered the Guiding Principles for Supervisor Nomination for Appointment shown on the reverse of this nomination form when selecting the above supervisor candidate for nomination. I also certify that this recommendation has been considered and approved by a majority of the members of the board of supervisors and entered in the official minutes of the board.

x Melinda James 9/6/2017  
 SWCD Chair (or Vice Chair if Chair is being nominated) Date  
 Printed name: Melinda James

I hereby certify that the above information is true and accurate.  
 x Matthew C. Reynolds 9/6/2017  
 Individual recommended for appointment Date  
 Printed name: Matthew C. Reynolds



DIVISION OF SOIL AND WATER CONSERVATION  
 North Carolina Department of Agriculture & Consumer Services  
 1614 Mail Service Center • Raleigh, NC 27699-1614  
 919.733.2302 • www.ncagr.gov/swc/

INTERNAL USE ONLY:  
 Appointed ~~Elected Seat~~  
 Current Term: 14-18

**RECOMMENDATION FOR APPOINTMENT OF SUPERVISOR**

Complete and submit online on your district's SharePoint page; keep original for your file

The supervisors of the Polk Soil and Water Conservation District of Polk County, North Carolina have recommended the individual listed below for APPOINTMENT as a district supervisor in accordance with N.C.G.S. 139-7 for a term of office commencing September 21, 2017 and ending December 2, 2018 to fill the expired or un-expired term of Charles Dean Edwards (Deceased).

Name of nominee: William Davis  
 Address of nominee, City, State, Zip: 315 Timberbrook Lane Tryon, NC 28782  
 Email address of nominee: \_\_\_\_\_  
 Home phone: 828-863-2528  
 Mobile phone: 828-899-1681  
 Business phone: \_\_\_\_\_  
 Occupation: Self Employed Farmer  
 Age: 68  
 Education: 2 Years Technical School  
 Positions of leadership NOW held by nominee: Farm Bureau Director, Cattleman's Board, Farmland Preservation Board, Church Deacon  
 Former occupations or positions of leadership contributing to nominee's qualifications: Polk SWCD Supervisor, President, Corel Milk Producer's Association  
 Other pertinent information: \_\_\_\_\_

Dates of previous attendance at UNC School of Government training, if applicable: \_\_\_\_\_  
 Is nominee willing to attend a training session at the UNC School of Government within the first year after appointment? Check for "Yes"   
 Has the nominee been contacted to determine their willingness to serve? Check for "Yes"   
 Has the program and purpose of the soil and water conservation district been explained to the nominee? Check for "Yes"   
 Is the nominee willing to attend and participate in local district meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in Area meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in State meetings? Check for "Yes"

**Signatures**

I hereby certify that the board of supervisors considered the Guiding Principles for Supervisor Nomination for Appointment shown on the reverse of this nomination form when selecting the above supervisor candidate for nomination. I also certify that this recommendation has been considered and approved by a majority of the members of the board of supervisors and entered in the official minutes of the board.

X James Richard Smith August 30, 2017  
 SWCD Chair (or Vice Chair if Chair is being nominated) Date  
 Printed name: James Richard Smith

I hereby certify that the above information is true and accurate.

X William Davis August 29, 2017  
 Individual recommended for appointment Date  
 Printed name: William Davis

**NC Cost Share Programs Supervisor Contracts  
Soil and Water Conservation Commission**

<b>County</b>	<b>Contract Number</b>	<b>Supervisor Name</b>	<b>BMP</b>	<b>Contract Amount</b>	<b>Comments</b>
Iredell	49-2016-801	Jimmy Howard	water supply well	\$9,000	
Lee	53-2018-001	Michael Gaster	forced air composter	\$10,243	
Orange	68-2017-011	Morris Shambley	field border	\$909	
Surry	86-2018-002	Earl Sheppard	repair to stream crossing	\$1,117	
Transylvania	88-2018-002	Dick Bragg	stream protection system supplement	\$786	
Wake	92-2018-001	Joseph Kent Revels	field border, land smoothing, grassed waterway	\$4,306	

Total Number of Supervisor Contracts: **6**

Total            **\$26,361**

9/11/2017

NCDA&CS  
DSWCNC -CSPs-1B  
(11/2012)

## ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Iredell Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: AgWRAP

Best management practice: Well

Contract number: 49-2016-801      Contract amount: \$ 9,000

Score on priority ranking sheet: 100

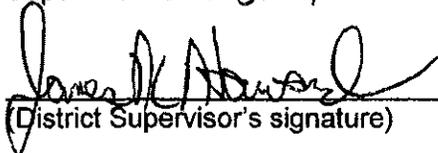
Cost Share Rate : 75 %    If different than 75%, please list % percent:  
Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): 1 of 1

Were any higher or equally ranked contracts denied? No

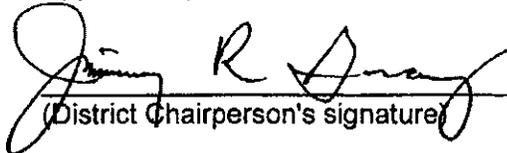
If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name: JIMMY HOWARD

  
(District Supervisor's signature)

5/31/16  
Date

Approved by:

  
(District Chairperson's signature)

6-14-16  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

NCDA&CS  
DSWC

NC -CSPs-1B  
(11/2012)

## ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Lee Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: NCACSP

Best management practice: Forced Air Composter

Contract number: 53-2018-001      Contract amount: \$ 10,243

Score on priority ranking sheet: 185

Cost Share Rate : 75%    If different than 75%, please list % percent:  
Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): 2 of 2

Were any higher or equally ranked contracts denied? No

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name: Michael L. Gaster

Michael L. Gaster  
(District Supervisor's signature)

8-16-17  
Date

Approved by:

Tony Ragan  
(District Chairperson's signature)

8/18/17  
Date

The Soil & Water Commission has approved the subject application for a contract.

[Signature]  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

### ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Orange Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: North Carolina Agriculture Cost Share Program

Best management practice: Field Border

Contract number: 68-2017-011 Contract amount: \$ 909

Score on priority ranking sheet: 410

Cost Share Rate: 75% If different than 75%, please list % percent:  
Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): 5<sup>th</sup> out of 5 projects

Were any higher or equally ranked contracts denied? NO

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name:

by Mari Shoberg  
S. Shoberg, D.A. Jones  
(District Supervisor's signature)

5/24/17  
Date

Approved by:

Kerry McAdams  
(District Chairperson's signature)

5/24/17  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

### ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Surry Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: NCACSP

Best management practice: Repair Stream Crossing

Contract number: 86-2018-002-16

Contract amount: \$1117.00

Score on priority ranking sheet: 108

Cost Share Rate : 75 % If different than 75%, please list % percent:  
Reason:

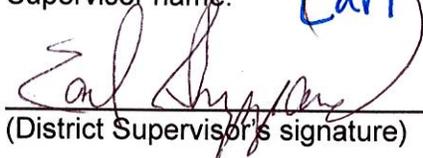
Relative rank (e.g., ranked 8th out of 12 projects considered): 2<sup>nd</sup> out of 26 (ranked high due to being a repair BMP on a contract that spent 100% of funding)

Were any higher or equally ranked contracts denied? no

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

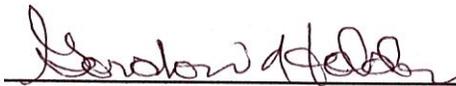
Supervisor name:

Earl Sheppard

  
(District Supervisor's signature)

8-3-17  
Date

Approved by:

  
(District Chairperson's signature)

8-7-17  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

### ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Transylvania Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: ACSP

Best management practice: Stream Protection System

Contract number: 88-2018-002S Contract amount: \$786

Score on priority ranking sheet: supplement contract (original contract 88-2015-007 scored 7<sup>th</sup> out of 7 contracts)

Cost Share Rate : 75% If different than 75%, please list % percent:  
Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): supplement contract (original contract 88-2015-007 scored 7<sup>th</sup> out of 7 contracts)

Were any higher or equally ranked contracts denied? No

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name: Dick Bragg

Richard W. Bragg  
(District Supervisor's signature)

8/17/17  
Date

Approved by:

Scott Ballou  
(District Chairperson's signature)

8/17/17  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

## ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the **Wake** Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: **NCACSP**

Best management practice: **Grass-waterway, Field Border, Land Smoothing**

Contract number: **92-2018-001-09**

Contract amount: **\$4,306**

Score on priority ranking sheet: **70 points**

Cost Share Rate: **75%** If different than 75%, please list % percent:

Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): **ranked 3rd out of 4 projects**

Were any higher or equally ranked contracts denied? **No**

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

---

Supervisor name: **Joseph Kent Revels**

  
(District Supervisor's signature)

8-7-17  
Date

Approved by:

  
(District Chairperson's signature)

8-8-17  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

**NC Cost Share Programs Supervisor Contracts  
Soil and Water Conservation Commission**

<b>County</b>	<b>Contract Number</b>	<b>Supervisor Name</b>	<b>BMP</b>	<b>Contract Amount</b>	<b>Comments</b>
Clay	22-2018-007	Ronnie Smith	drought pasture renovation	\$2,025	
Clay	22-2018-010	Aaron Martin	drought pasture renovation	\$3,375	
Clay	22-2018-015	Glen Cheeks	drought pasture renovation	\$3,375	
Martin	58-2018-001	Corris Jenkins	roof-top runoff management	\$12,725	
Swain	87-2018-206	Thurman Walls, Jr	ag road repair/stabilization	\$3,466	
Warren	93-2018-004	David Hight	grassed waterways, field borders, diversions	\$10,103	

Total Number of Supervisor Contracts: **6**

Total **\$35,069**

### ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Clay County \_\_\_\_\_ Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: DRP

Best management practice: *Drought* Pasture Renovation

Contract number: 22-2018-007

Contract amount: \$2,025

Score on priority ranking sheet: 47

Cost Share Rate : 75 % If different than 75%, please list % percent:

Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): 30 out of 35

Were any higher or equally ranked contracts denied? no

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name: Ronnie Smith

*Ronnie Smith*  
\_\_\_\_\_  
(District Supervisor's signature)

*8-1-17*  
\_\_\_\_\_  
Date

Approved by:

*[Signature]*  
\_\_\_\_\_  
(District Chairperson's signature)

*9-1-17*  
\_\_\_\_\_  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

### ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Clay Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: DRP

Best management practice: Drought Pasture renovation

Contract number: 22-2018-010

Contract amount: \$3,375

Score on priority ranking sheet: 38

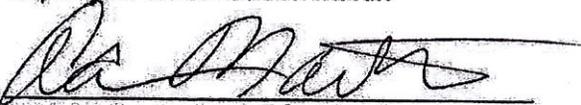
Cost Share Rate : 75 % If different than 75%, please list % percent:  
Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): 27 out of 35

Were any higher or equally ranked contracts denied? no

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name: Aaron Martin

  
(District Supervisor's signature)

9/14/2017  
Date

Approved by:

  
(District Chairperson's signature)

9/14/2017  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

### ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Clay County Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: DRP

Best management practice: <sup>drought</sup> Pasture renovation

Contract number: 22-2018-015

Contract amount: \$3,375

Score on priority ranking sheet: 45

Cost Share Rate : 75 % If different than 75%, please list % percent:  
Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): 29 out of 35

Were any higher or equally ranked contracts denied? no

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name: Glen Cheeks

*Glen Cheeks*  
(District Supervisor's signature)

9/1/17  
Date

Approved by:

\_\_\_\_\_  
(District Chairperson's signature)

\_\_\_\_\_  
Date

The Soil & Water Commission has approved the subject application for a contract.

*Pa. Martz*  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

9-1-17  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.



## ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Swain Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: NC ACSP

Best management practice: Ag Road Stabilization/Repair

Contract number: 87-2018-206

Contract amount: \$ 3,466

Score on priority ranking sheet: 114/125

Cost Share Rate : 75 % If different than 75%, please list % percent:  
Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): 1 of 2

Were any higher or equally ranked contracts denied? No

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

---

Supervisor name: Thurman Walls, Jr.

*T. Walls*  
(District Supervisor's signature)

9-13-17  
Date

Approved by:

*Clint Carson Jr.*  
(District Chairperson's signature)

9/13/17  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

## ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Warren Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: ACSP

Best management practice: Grassed waterways, field borders, and diversions

Contract number: 93-2018-004

Contract amount: \$ 10,103

Score on priority ranking sheet: 145

Cost Share Rate : 75 % If different than 75%, please list % percent:

Reason:

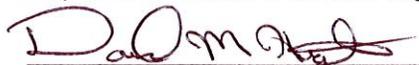
Relative rank (e.g., ranked 8th out of 12 projects considered): 3 of 5

Were any higher or equally ranked contracts denied? No

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

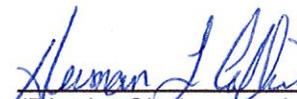
---

Supervisor name: David M. Hight

  
\_\_\_\_\_  
(District Supervisor's signature)

9-12-17  
\_\_\_\_\_  
Date

Approved by:

  
\_\_\_\_\_  
(District Chairperson's signature)

9-12-17  
\_\_\_\_\_  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.



## Technical Specialist Designation Recommendations

September 20, 2017

1. The Soil and Water Conservation Commission has authority to designate water quality technical specialists based upon specific criteria and procedures (02 NCAC 59G). This authority extends to individuals who have been assigned approval authority by USDA NRCS, NC Cooperative Extension, Department of Agriculture & Consumer Services and the Division. District staff is assigned the approval authority by the USDA NRCS. This process allows for each agency personnel to ensure an employee not only has completed the training requirements, but has also demonstrated proficiency prior to obtaining a technical specialist designation.

Mr. Mitchell Miller, Sampson Soil and Water Conservation District Technician, has requested to be designated technical specialist for the Waste Utilization Planning/Nutrient Management and Wettable Acres categories. He has successfully completed the required training and his technical competency has been verified by NRCS through assigning appropriate job approval authority. Therefore, I recommend this designation for approval.

Mr. Ashley (Sam) Edwards, Division of Soil and Water Conservation, has requested to be a designated technical specialist for the Wettable Acres category. He has successfully completed the required training and technical proficiency has been verified by DSWC Engineering staff. Therefore, I recommend this designation for approval.

Mr. Michael Shepherd, Division of Soil and Water Conservation, has requested to be a designated technical specialist for the Wettable Acres category. He has successfully completed the required training and technical proficiency has been verified by DSWC Engineering staff. Therefore, I recommend this designation for approval.

**NCDA&CS Division of Soil & Water Conservation  
Disaster Recovery Program of 2016 and 2017  
August, 2017 Progress Report**

This progress report will focus on the NCDA&CS Division of Soil & Water Conservation (Division) Disaster Recovery Program and the \$32.2M that has been allocated in state appropriations for stream debris removal, non-field farm road repairs, supplemental funding for the Agricultural Water Resources Assistance Program (AgWRAP) to support disaster-related farm pond and dam repairs, and pasture renovation.

Approved Practices:

1. The Stream Debris Removal practice addresses blocked streams with applications prioritized in the following order: woody vegetation removal, instream sediment removal, streambank stabilization (vegetative cover) with or without sediment removal, and streambank stabilization (vegetative cover) with culvert replacement. The application for this practice requires a local sponsor that may or may not be a local Soil and Water Conservation District such as a municipality or local drainage district.
2. The Non-Field Farm Road practice addresses damaged farm roads that limits access to areas like farm fields and/or livestock facilities. This practice utilizes the Division's existing Agriculture Cost Share Program (ACSP) eligibility requirements, match requirements and contracting infrastructure. This practice requires the applicant to also apply for the federal ECP funds to ensure the applicant retains his or her eligibility to secure federal funding as required by SL 2016-124, and helps to prevent state recovery program funding for field farm roads already covered under the ECP. Applicants must apply through the local Soil and Water Conservation District as required by the ACSP.
3. The Emergency Access Restoration practice addresses non-field farm roads that were repaired prior to June 2017 due to the necessity to restore access immediately following the disaster. This practice is intended to address road repairs that were completed, but may not meet all NRCS requirements to qualify for full cost share. The Soil and Water Conservation Commission approved the Emergency Access Restoration practice on June 9, 2017, capping cost share for the emergency practice at 40%.
4. The Pond Repair practice addresses damaged farm ponds, and utilizes the Division's existing AgWRAP farm pond eligibility requirements, match requirements and contracting infrastructure. This practice requires the applicant to also apply for federal USDA Farm Services Agency Emergency Conservation Program (ECP) financial assistance. This second application requirement is to ensure the applicant retains his or her eligibility to secure federal funding as required by SL 2016-124 as potential match for the state recovery program. Applicants must apply through the local Soil and Water Conservation District as required by the AgWRAP.
5. The Emergency Agricultural Pond Repair/Retrofit practice addresses agricultural ponds that were repaired prior to June 2017 due to the necessity to restore water supply immediately following the disaster. This practice is intended to address pond repairs that were completed, but may not meet all NRCS requirements to qualify for full cost share. The Soil and Water

Conservation Commission approved the Emergency Agricultural Pond Repair/Retrofit practice on June 9, 2017, capping cost share for the emergency practice at 40%.

6. The Drought Pasture Renovation practice is to restore pastures where drought has caused damage to pasture vegetation. The Soil and Water Conservation Commission approved the Drought Pasture Renovation practice on July 19, 2017.

Note: Coordination of the Division's State Disaster Program with the federal ECP is a very complex process due to the needed coordination and communication between the Division, the local Soil and Water Conservation Districts, local and state Farm Services Agency offices, applicants and approved third-party technical service providers. All practices receiving USDA assistance must meet the USDA Natural Resources Conservation Services (NRCS) technical standards as required by the federal ECP. In addition, local sponsors must ensure the practice meets all regulatory requirements including permits and scheduling (e.g. stream work and migratory fish seasons).

Application Progress Summary:

Using an online application process, the Division began receiving applications for assistance on February 3, 2017, and it continues to receive applications. The Division has announced a third batching period for disaster response applications to close on September 1, 2017.

*Table 1 – Applications information to date*

<b>Activity</b>	<b>Totals</b>	<b># applications</b>	<b># Counties</b>
Stream Debris	\$36,410,712	138	38 (51 sponsors)
Pond Repair	\$ 6,125,708	86	16
Road Repair	\$ 1,415,761	186	18
<b>Totals</b>	<b>\$43,952,181</b>		

**DRA 2016:**

**Stream Debris Removal** contract update: \$9 million of DRP16 funds has been allocated to 38 local sponsors in 30 counties with 33 contracts fully executed. Two contracts have been sent to sponsors for signature, and 1 project has been contracted to a private engineering firm. See Table 2 for the stream debris contract status report. The Division has approved payments totaling \$367,269 to seven project sponsors, to date.

**Non-field Farm Road Repairs:** As required by the ACSP program guidelines, the NC Soil and Water Conservation Commission allocated \$880,000 to 17 local Soil and Water Conservation Districts for road repair projects on March 15, 2017. The local Conservation Districts with assistance from the Division and NRCS, will conduct site visits, develop cost share contracts with the applicants, and provide technical assistance. To date 70 cost share contracts for road repair have been submitted, totaling \$281,172. Several contracts have been combined such that the number of contracts appears to be

fewer than for the July report (82 reported in July). The value of the 70 contracts is higher than reported in July.

The Division has approved payments totaling \$38,171 to nineteen contracts, to date. The Division is coordinating with the Farm Service Agency on these contracts. Several other contracts are under development.

**Pond Repairs:** Twenty one projects have been referred to Resource Institute for initial evaluations and potential outsourcing of engineering and repair work, with 18 evaluations being completed, to date. These 18 pond projects have been referred to the USDA Farm Service Agency to determine the amount of Federal funding the available for the project. The Department has finalized a contract with Resource Institute to complete the engineering evaluations for the next batch of priority ponds. The Division has assigned two ponds for Resource Institute to prepare detailed engineering designs.

**DRA 2017:**

**Pasture Renovation:** The Division solicited pasture renovation funding requests from the 20 western counties that were eligible for pasture renovation funding, receiving requests back from 17 counties. The Soil and Water Conservation Commission allocated \$1,000,000 to these 17 counties at its July 19, 2017 meeting. Local Soil & Water Conservation Districts are receiving applications and preparing contracts for the fall planting season. To date 85 cost share contracts for drought pasture renovation have been submitted, totaling \$327,254.

**Stream Debris Removal** contract update: The third application batching period closed on September 1 with the Division receiving requests for more than \$14 million from stream work. The Division is currently evaluating the requests in preparation for allocating the stream debris funds.

**Non-field Farm Road Repairs:** The NC Soil and Water Conservation Commission is scheduled to allocate \$535,758 to 20 local Soil and Water Conservation Districts for road repair projects at its September 20, 2017 meeting. The Division received 10 additional road repair requests in the application period that closed on September 1.

**Pond Repairs:** The Division received 9 additional pond repair requests in the application period that closed on September 1.

Table 2 – Stream Debris Contract Awards to date

Stream Debris Removal Recommended Contract Awards								
Applicant	Phase 1 Allocation	Phase 2 Allocation	Total Allocation	Contract No.	Contract Packet to NCDA	Packet emailed to App.	Signed Packet to NCDA	Fully executed contract to Applicant
Beaufort Soil & Water Conservation District		\$ 224,997	\$ 224,997	17-175-4042	4/28/2017	5/3/2017	7/14/2017	7/26/2017
Bertie, Hertford, Northampton Drainage District #1	\$ 55,000		\$ 55,000	17-175-4014	3/17/2017	3/22/2017	5/24/2017	5/31/2017
Bladen Soil & Water Conservation District	\$ 53,000	\$ 189,935	\$ 242,935	17-175-4003	3/13/2017	3/15/2017	7/17/2017	7/26/2017
Camden Soil & Water Conservation District	\$ 30,500	\$ 7,056	\$ 37,556	17-175-4004	3/10/2017	3/15/2017	4/19/2017	4/24/2017
Carteret Soil & Water Conservation District		\$ 242,295	\$ 242,295	17-175-4045	5/31/2017	6/1/2017	7/24/2017	7/17/2017
Chicod Creek Drainage District (#9)		\$ 120,429	\$ 120,429	17-175-4046	6/1/2017	6/6/2017	7/17/2017	7/26/2017
Chowan Soil & Water Conservation District	\$ 57,614		\$ 57,614	17-175-4002	3/10/2017	3/10/2017	3/15/2017	3/16/2017
City of Goldsboro		\$ 105,355	\$ 105,355	17-175-4041	4/27/2017	5/3/2017	6/12/2017	6/14/2017
Coharie Intra-Tribal Council	\$ 256,198		\$ 256,198	17-175-4032	3/30/2017	3/31/2017	5/24/2017	6/12/2017
Columbus Soil & Water Conservation District	\$ 734,226	\$ 353,877	\$ 1,088,103	17-175-4008	3/15/2017	3/17/2017	4/2/2017	4/8/2017
Craven Soil and Water Conservation District	\$ 674,245		\$ 674,245	17-175-4009	3/15/2017	3/17/2017	4/6/2017	4/10/2017
Cumberland Soil & Water Conservation District		\$ 5,000	\$ 5,000					
Currituck Soil & Water Conservation District	\$ 114,200	\$ 28,100	\$ 142,300	17-175-4005	3/10/2017	3/15/2017	3/23/2017	3/30/2017
Dare Soil and Water Conservation District	\$ 117,500	\$ 83,696	\$ 201,196	17-175-4010	3/15/2017	3/17/2017	5/8/2017	5/22/2017
Duplin Soil & Water Conservation District	\$ 649,348	\$ 600,078	\$ 1,249,426	17-175-4019	3/20/2017	3/22/2017	4/27/2017	5/3/2017
Friends of Sampson County Waterways	\$ 362,378		\$ 362,378	17-175-4036	4/10/2017	4/11/2017	9/1/2017	9/6/2017
Gates County	\$ 33,320	\$ 21,400	\$ 54,720	17-175-4011	3/16/2017	3/17/2017	5/31/2017	6/7/2017
Grindle Creek Drainage District (#2)		\$ 27,400	\$ 27,400	17-175-4047	6/1/2017	6/6/2017	6/23/2017	6/29/2017
Greene Soil & Water Conservation District		\$ 432,480	\$ 432,480	17-175-4039	4/25/2017	4/27/2017		
Hyde Soil & Water Conservation	\$ 84,579	\$ 23,185	\$ 107,764	17-175-4015	3/17/2017	3/20/2017	8/15/2017	8/22/2017
Johnson Mill Tale Drainage District		\$ 6,672	\$ 6,672	17-175-4051	7/18/2017	7/19/2017	7/31/2017	8/7/2017
Jones County	\$ 331,568		\$ 331,568	17-175-4018	3/17/2017	3/20/2017	5/4/2017	5/10/2017
Joyce Creek Watershed District	\$ 20,000		\$ 20,000	17-175-4034	4/7/2017	4/10/2017	5/1/2017	5/4/2017
Lee Soil & Water Conservation District	\$ 69,010		\$ 69,010		Turnkey Through Resource Institute			
Lenoir Soil and Water Conservation District	\$ 382,680	\$ 63,105	\$ 445,785	17-175-4013	3/17/2017	3/20/2017	5/15/2017	6/12/2017
Lyon Swamp Drainage District		\$ 184,959	\$ 184,959	17-175-4053	8/18/2017	8/22/2017		
Martin Soil & Water Conservation District	\$ 124,500	\$ 139,680	\$ 264,180	17-175-4017	3/17/2017	3/20/2017	4/10/2017	4/12/2017
Moccasin Creek Service District Board	\$ 200,000		\$ 200,000	17-175-4020	3/23/2017	3/28/2017	4/26/2017	5/3/2017
New Hanover Soil & Water Conservation District	\$ 152,000		\$ 152,000	17-175-4023	3/23/2017	3/28/2017		
Pamlico Soil & Water Conservation District	\$ 381,618		\$ 381,618	17-175-4027	3/27/2017	3/28/2017	4/17/2017	5/8/2017
Pasquotank Soil and Water Conservation District	\$ 181,202	\$ 33,260	\$ 214,462	17-175-4007	3/13/2017	3/17/2017	3/23/2017	3/30/2017
Perquimans Soil & Water Conservation District	\$ 56,761		\$ 56,761	17-175-4006	3/13/2017	3/17/2017	3/27/2017	3/31/2017
Robeson County Drainage District	\$ 202,400		\$ 202,400	17-175-4031	3/29/2017	3/30/2017	4/27/2017	5/3/2017
Swift Creek Drainage District (#3 & #7)		\$ 8,650	\$ 8,650	17-175-4049	6/1/2017	6/6/2017	6/23/2017	6/29/2017
Town of Kitty Hawk	\$ 190,050		\$ 190,050	17-175-4029	3/29/2017	3/31/2017	4/17/2017	4/21/2017
Tyrrell Soil & Water Conservation District		\$ 179,040	\$ 179,040	17-175-4040	4/26/2017	5/3/2017	5/18/2017	5/22/2017
Wayne County Water District - Bear Creek Watershed		\$ 184,622	\$ 184,622	17-175-4044	5/25/2017	5/30/2017	7/26/2017	8/1/2017
Wayne Soil & Water Conservation District		\$ 223,961	\$ 223,961	17-175-4038	4/25/2016	4/27/2017	5/24/2017	5/31/2017
	\$ 5,513,897	\$ 3,489,232	\$ 9,003,129		36	36	33	33

9/17 SUPPLEMENTAL DISTRICT ALLOCATION OF DISASTER RECOVERY PROGRAM FUNDS  
NON-FIELD FARM ROADS

County	Request	Total Allocation	Less 3/17 Allocation	<b>9/17 Allocation</b>	# Apps
Beaufort	\$ 12,500	\$ 12,500		\$ 12,500	1
Bertie	\$ 49,700	\$ 49,700	\$ 34,028	\$ 15,672	19
Bladen	\$ 165,217	\$ 165,217	\$ 110,721	\$ 54,496	16
Columbus	\$ 6,039	\$ 6,039	\$ 4,135	\$ 1,904	1
Cumberland	\$ 104,709	\$ 104,709	\$ 71,690	\$ 33,019	19
Currituck	\$ 8,000	\$ 8,000		\$ 8,000	1
Duplin	\$ 58,657	\$ 58,657	\$ 40,160	\$ 18,497	8
Edgecombe	\$ 51,000	\$ 51,000	\$ 34,918	\$ 16,082	3
Franklin	\$ 100,000	\$ 100,000	\$ 68,466	\$ 31,534	5
Harnett	\$ 7,000	\$ 7,000	\$ 4,793	\$ 2,207	1
Johnston	\$ 176,820	\$ 176,820	\$ 121,062	\$ 55,758	15
Jones	\$ 15,000	\$ 15,000	\$ 6,847	\$ 8,153	3
Lee	\$ 10,000	\$ 10,000	\$ 6,847	\$ 3,153	2
Lenoir	\$ 198,216	\$ 198,216	\$ 130,195	\$ 68,021	22
Nash	\$ 9,020	\$ 9,020		\$ 9,020	4
Robeson	\$ 20,000	\$ 20,000	\$ 13,693	\$ 6,307	2
Sampson	\$ 382,088	\$ 382,088	\$ 207,255	\$ 174,833	55
Washington	\$ 9,000	\$ 9,000	\$ 2,739	\$ 6,261	4
Wayne	\$ 18,000	\$ 18,000	\$ 12,324	\$ 5,676	3
Wilson	\$ 14,795	\$ 14,795	\$ 10,130	\$ 4,665	2
	<b>\$ 1,415,761</b>	<b>\$ 1,415,761</b>	<b>\$ 880,003</b>	<b>\$ 535,758</b>	<b>\$ 186</b>

**The Division also requests that the Commission authorize the Division to allocate remaining Non-Field Farm Road funds to districts on a just-in-time basis for new applications and supplements.**

## Emergency Agricultural Pond Repair/Retrofit

### Definition/Purpose

Repair of existing low-hazard agricultural pond systems. Benefits may include water supply, erosion control, flood control, and sediment and nutrient reductions from farm fields. This practice only applies to ponds repaired due to emergency prior to June 9, 2017.

### Policies

1. The pond shall be for agricultural use.
2. For projects involving dam or spillway repairs:
  - a. The Design and final repair/retrofit/expansion must be approved by a NC professional engineer or by an individual with job experience on design/construction of Ponds, and approved by the Division to do comparable design/construction.
  - b. Each component that was damaged requiring repair must be repaired to NRCS 378 standard as follows:
    1. Dam- Fill must be replaced to suitable grade and be properly compacted and vegetated to remain stable. Side slopes must be at a 2:1 maximum with a front-rear side slope combination of 5:1.
    2. Principal Spillway- Must be sized to handle design storm capacity per standard with stable outlet grade, including rip-rap basin if needed. Suitable materials must be used including adequate trash protection.
    3. Auxiliary Spillway- Must be sized and shaped according to appropriate design storm and sloped for allowable velocities. The spillway cross-section must be stabilized with suitable vegetation or approved material that does not impede flow through the spillway. This restriction includes but is not limited to culvert pipes or trees of any size within the designed channel (must be maintained by mowing).
  - c. Fill material must be a suitable soil and adequately compacted for dam sealing and structural stability.
  - d. A modified Emergency Action Plan shall be completed for all repairs.
3. Trees can remain in the embankment if they are not dead or unhealthy, and if they are located such that they could not pose structural damage to dam, pipes, or spillway structures etc. Trees, shrubs and woody vegetation shall be mowed or removed as noted in the Operation and Maintenance Plan.
4. Livestock shall be excluded from the dam and spillway. Consider the need to protect the auxiliary spillway from traffic if used more than 3 times/week or need access immediately following a rainfall event to prevent rutting.
5. Cooperators are responsible for obtaining and complying with all required permits.
6. Minimum life of BMP is 5 years.

7. It is the producer's responsibility to ensure the entire structure is maintained for the life of the contract (5 yrs.). All woody vegetation must be kept off the repaired portion(s) of the dam, structures, and emergency spillway. In the event the landowner chooses not to act on deficiencies noted by the engineer and the structure fails, the landowner is not eligible for additional cost share and will be responsible for repairing the structure at their expense or repayment of cost share funds based on a prorated amount. However, the cooperator will be eligible to apply for cost share to replace the emergency restoration with a repair that meets the relevant NRCS standard.
8. Cost share shall not exceed 40% of average cost (or actual cost with receipts for components with no established average cost).
9. If the pond is no longer used for agriculture during the maintenance period, the cost share contract shall be considered out of compliance.
10. The District shall inspect the site annually during the maintenance period.

## Emergency Agricultural Pond Repair/Retrofit

### Definition/Purpose

Repair of existing low-hazard agricultural pond systems. Benefits may include water supply, erosion control, flood control, and sediment and nutrient reductions from farm fields. This practice only applies to ponds repaired due to emergency prior to ~~adoption of this policy~~ June 9, 2017.

### Policies

1. The pond shall be for agricultural use.
2. For projects involving dam or spillway repairs:
  - a. The Design and final repair/retrofit/expansion must be approved by a NC professional engineer or by an individual with job experience on design/construction of Ponds, and approved by the Division to do comparable design/construction.
  - b. ~~Side slopes and principle/auxiliary spillway sizing and installation shall meet specifications in the~~ Each component that was damaged requiring repair must be repaired to NRCS 378 Pond standard. Slopes must be stable as follows:
    1. Dam- Fill must be replaced to suitable grade and be properly compacted and vegetated. Principle spillway must be installed such that to remain stable. Side slopes must be at a 2:1 maximum with a front-rear side slope combination of 5:1.
    - ~~2. Principal Spillway- Must be sized to handle design storm capacity per standard with stable outlet grade is stable (, including rip-rap or stilling basin, if needed),. Suitable materials must be used including adequate trash protection.~~
    3. Auxiliary Spillway- Must be sized and shaped according to appropriate design storm and sloped for allowable velocities. The spillway cross-section must be stabilized with suitable vegetation or approved material that does not impede flow through the spillway. This restriction includes but is not limited to culvert pipes or trees of any size within the designed channel (must be maintained by mowing).
  - c. Fill material must be a suitable soil and adequately compacted for dam sealing and structural stability.
  - d. A modified Emergency Action Plan shall be completed for all repairs.
3. ~~Trees six inches in diameter or greater~~ can remain in the embankment if they are not dead or unhealthy, and if they are located such that they could not pose structural damage to dam, pipes, or spillway structures etc. ~~All other trees~~ Trees, shrubs and woody vegetation shall be mowed or removed as noted in the Operation and Maintenance Plan.
4. Livestock shall be excluded from the dam and spillway. Consider the need to protect the auxiliary spillway from traffic if used more than 3 times/week or need access immediately following a rainfall event to prevent rutting.
5. Cooperators are responsible for obtaining and complying with all required permits.

Adopted June ~~9,~~ 2017

6. Minimum life of BMP is 5 years.
7. It is the producer's responsibility to ensure the entire structure is maintained for the life of the contract (5 yrs.). All woody vegetation must be kept off the repaired portion(s) of the dam, structures, and emergency spillway. In the event the landowner chooses not to act on deficiencies noted by the engineer and the structure fails, the landowner is not eligible for additional cost share and will be responsible for repairing the structure at their expense or repayment of cost share funds based on a prorated amount. However, the cooperator will be eligible to apply for cost share to replace the emergency restoration with a repair that meets the relevant NRCS standard.
8. Cost share shall not exceed 40% of average cost (or actual cost with receipts for components with no established average cost).
9. If the pond is no longer used for agriculture during the maintenance period, the cost share contract shall be considered out of compliance.

3.10. The District shall inspect the site annually during the maintenance period.

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## Emergency Auxiliary Spillway Repair/Retrofit

### Definition/Purpose

Repair or retrofit of auxiliary spillways on existing low-hazard agricultural pond systems that were damaged during the disaster events of 2016. The benefit of repairs reduces the likelihood of pond functions being jeopardized during a storm event. These functions include water supply, erosion control, flood control, and sediment and nutrient reductions from farm fields.

Auxiliary spillways are excavated channels designed to pass excess storm runoff around the dam so that water does not rise high enough to damage the dam by overtopping. The spillway must also convey the water safely to the outlet channel below without damaging the downstream slope of the dam.

### Policies

1. The pond shall be for agricultural use.
2. For emergency spillway repairs and retrofits:
  - a. The design must be approved by a NC professional engineer, staff working under the responsible charge of a division PE or by staff with NRCS job approval for ponds.
  - b. Emergency spillway sizing and installation shall meet specifications in the NRCS Conservation Practice Standard Code 378. Side slopes and spillway bottom must be stable and vegetated or lined with an approved material.
  - c. Spillways must be excavated on natural ground. Fill may not be present in any portion of the spillway unless approved by the engineer or person with proper job approval authority.
  - d. A modified Emergency Action Plan shall be completed for all pond spillway repairs and retrofits.
3. Trees must be removed from any portion of an existing emergency spillway. Trees outside the spillway that are not dead or unhealthy, and if they are located such that they could not pose structural damage to dam, pipes, or spillway may remain. The spillway shall remain free of trees, shrubs and woody vegetation.
4. Livestock shall be excluded from the dam and spillway. Consider the need to protect the emergency spillway from traffic if used more than 3 times/week or need access immediately following a rainfall event to prevent rutting.
5. Cooperators are responsible for obtaining and complying with all required permits.
6. Minimum life of BMP is 5 years.
7. It is the producer's responsibility to ensure the entire dam structure is maintained for the life of the contract (5 yrs.). All woody vegetation must be kept off the repaired portion(s) of the dam, structures, and emergency spillway. In the event the landowner chooses not to act on deficiencies noted by the engineer and the structure fails, the landowner is not eligible for

additional cost share and will be responsible for repairing the structure at their expense or repayment of cost share funds based on a prorated amount. However, the cooperator will be eligible to apply for costshare to replace the emergency restoration with a repair that meets the relevant NRCS standard.

8. Cost share shall not exceed 75% of average cost (or actual cost with receipts for components with no established average cost).
9. If the pond is no longer used for agriculture during the maintenance period, the cost share contract shall be considered out of compliance.
10. The District shall inspect the site annually during the maintenance period.

### **Standards**

North Carolina NRCS Technical Guide, Section IV, Code #378 (Pond), Code #402. (Dam), NC Dam Safety Law (15A NCAC 02K .0100)

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**Technical Assistance for Disaster Response Program Contracts**

The Commission authorizes the Division to compensate districts for Technical Assistance at the rate of \$500 per completed cost share contract in CS2 for all contracts funded through the Disaster Recovery Act of 2016 and 2017.

## APPENDIX A - DELEGATION OF APPROVAL AUTHORITY FOR SUPERVISOR TRAINING CREDITS

The NC Soil & Water Conservation Commission (Commission) delegates authority to the Division of Soil & Water Conservation (Division) to approve and award district supervisor training credits (STCs) according to the criteria outlined below.

The Commission retains authority to consider appeals for decisions to deny or limit approved STCs, as requested by local soil and water conservation district supervisors.

To be approved for STCs, the course or event shall include content related to one of two training topics, as listed in NC General Statute 139-7.2:

1. *Soil, water, and natural resources conservation*
2. *Duties and responsibilities of district supervisors*

Learning about the responsibilities of the district board is considered training; executing the responsibilities of the district board is not considered training. Learning about opportunities in which the district may engage, or how the district may operate to take advantage of opportunities is considered training; district engagement is not considered training. District supervisors and course sponsors must keep these training topics and considerations in mind when submitting requests for STCs.

The following guidelines should also be kept in mind when submitting requests for approval:

- Credits should only be requested for topic training time during a course or event participation
- Routine district business does not qualify for credit
- Association business does not qualify for credit
- Awards and recognition programs do not qualify for credit
- Breaks and meals during a program agenda do not qualify for credit; however, if an informational speaker with topic relevance is included during these agenda times, credit may be granted for speaker comments or training activity

STCs shall be approved and awarded as follows:

**TYPE I:** Training events below qualify for **1 STC hour awarded per hour of contact (100% credit)**:

1. District board meeting approved topics
  - a. Presentations as approved (e.g. invited outside speaker, planned training topic presentation or field visit hosted by staff professional – district / county employee, state employee, federal employee)
    - **NOTE:** routine district business does not qualify for credit
    - **SPONSOR:** reported by district staff on behalf of the district board, or NCDA&CS Division Regional Coordinator, or self-reported by district supervisor
2. District sponsored classroom training and / or field days as approved
  - a. Organized presentations and field tours intended for district outreach (e.g. cover crop workshop, BMP tour for potential program participants or elected officials)
  - b. Technical field training delivered by staff professional (e.g. site visit and review of innovative district BMP)

- NOTE: breaks and meals during a program agenda do not qualify for credit
  - SPONSOR: reported by district staff on behalf of the district board, or NCDA&CS Division Regional Coordinator, or self-reported by district supervisor
3. Classroom instruction as approved
    - a. School of Government Training – Basic Training for SWCD Supervisors
      - NOTE: breaks and meals during a program agenda do not qualify for credit
      - SPONSOR: reported by the Association
    - b. School of Government Training - Public Executive Leadership Academy
      - NOTE: breaks and meals during a program agenda do not qualify for credit
      - SPONSOR: self-reported by district supervisor or their staff
  4. Training courses with credit hours approved by other entities that are considered exceptional benefit to district supervisors
    - a. Certified Conservation Planner Continuing Education Hours (CEUs) approved by NRCS
    - b. Certified Environmental Educator Continuing Education credit hours (CEs) approved by Office of Environmental Education and Public Affairs
      - SPONSOR: self-reported by district supervisor or their staff
  5. Training courses approved by other entities that are considered related professional licenses, registrations, or certifications that are of benefit to district board supervisors
    - a. Certified Crop Adviser – American Society of Agronomy approved Continuing Education Units (CEUs)
    - b. Extension Master Gardener Volunteers – NC State University’s Cooperative Extension approved continuing education hours
    - c. Licensed Landscape Contractor – NC Landscape Contractors’ Licensing Board approved Continuing Education Units (CEUs)
    - d. Licensed Lawyer – NC State Bar approved Continuing Legal Education courses (CLE)
    - e. Licensed Pesticide Applicator – NCDA&CS approved Continuing Education courses (CE)
    - f. Licensed Professional Engineer and / or Land Surveyor – NC Board of Examiners for Engineers & Surveyors approved Professional Development Hours (PDHs)
    - g. Licensed Soil Scientist – NC Board for Licensing Soil Scientists approved Professional Development Hours (PDHs)
    - h. Registered Forester – NC State Board of Registration for Foresters approved Continuing Forestry Education credits (CFEs)
    - i. Wastewater Operator Certification – WPCSOCC approved Continuing Education courses (CE)
    - j. Water Quality Technical Specialist – Commission approved training
      - NOTE: district supervisors are reminded to keep in mind the two approved training topics from NC General Statute 139-7.2 when making credit requests; courses that do not cover information related to either of these topic areas, should not be submitted for approval
      - NOTE: it is likely other relevant training would be considered by the Commission on a case-by-case basis; when warranted, related entities that offer professional training credits will be added to this list by the Commission

- NOTE: to obtain credit, supervisor is not required to hold the license, registration, or certification listed above; however, the supervisor must demonstrate participation in the approved courses with certificate or other approved document indicating participation and hours approved by other entity
  - SPONSOR: self-reported by district supervisor or their staff
6. Association meetings
- a. Annual state meeting (STCs are approved individually for training activities offered during the event; sign-in sheets will be available at each event listed below)
    - 1) Commission meeting
    - 2) General sessions
    - 3) Concurrent sessions
    - 4) Educational presentations during standing committee meetings
    - 5) Milton Heath Lecture
    - 6) Legislative Luncheon (only when there is an informational speaker as part of the agenda time)
    - 7) NC CDEA Luncheon (only when there is an informational speaker as part of the agenda time)
    - 8) Education Dinner (only when there is an informational speaker as part of the agenda time)
    - NOTE: Association business does not qualify for credit
    - NOTE: awards and recognition programs do not qualify for credit
    - SPONSOR: reported by the Association
  - b. Area Spring and Fall Meetings, District Issues Committee Meetings, Mid-year Standing Committee Meetings, Association organized legislative outreach event
    - 1) Presentations as approved (e.g. invited outside speaker, planned training topic presentation or field visit hosted by staff professional – district / county employee, state employee, federal employee)
    - 2) District spotlight
    - 3) Partnership reports
    - NOTE: Association business does not qualify for credit
    - NOTE: awards and recognition programs do not qualify for credit
    - SPONSOR: reported by the Association
7. Division sponsored field days and / or classroom training as approved
- a. Conservation Employee Training (CET) – (STCs are approved individually for training activities offered during the event; sign-in sheets will be available at each relevant training opportunity)
  - b. New Employee Orientation (NEO)
    - NOTE: breaks and meals during a program agenda do not qualify for credit
    - SPONSOR: NCD&CS Division staff, or self-reported by district supervisor or their staff
8. National Association of Conservation Districts (NACD) meetings
- a. NACD Annual Meeting (national event)
  - b. NACD Regional Meeting

- c. NACD Mid-Summer Board Meeting
- d. Spring Fly-In (Washington, D.C.)
  - NOTE: Association business does not qualify for credit
  - NOTE: awards and recognition programs do not qualify for credit
  - SPONSOR: self-reported by district supervisor or their staff

**TYPE II:** Activities outlined below have potential to be considered a responsibility of the office of district board supervisor; however, the Commission recognizes training benefit associated with supervisor participation when activities are conducted using best practices and learning opportunities are incorporated. Training events below qualify for **1 STC hour awarded per hour of contact (100% credit), up to the following maximum amounts, annually:**

1. Spot checks of best management practices for state cost share programs – 1 hour
  - NOTE: to be eligible for credit, districts should comply with the Commission’s “Best Practices for Spot Checks” guidance
  - SPONSOR: reported by district staff on behalf of the district board, or NCDA&CS Division Regional Coordinator, or self-reported by district supervisor or their staff
2. Local Work Group meetings – 1 hour
  - NOTE: to be eligible for credit, districts should comply with the Commission’s “Best Practices for Local Work Groups” guidance
  - SPONSOR: reported by district staff on behalf of the district board, or NCDA&CS Division Regional Coordinator, or self-reported by district supervisor
3. Commission meetings (business meeting, work session, tour) – 6 hours
  - SPONSOR: NCDA&CS Division staff, or self-reported by district supervisor or their staff

**TYPE III:** Training events below are recognized as potential opportunities for supervisor training and STC requests will be reviewed on a **case-by-case basis** by the Division:

1. Higher level education courses (e.g. university or community college course)
2. National meeting or training attendance
  - NOTE: district supervisors are reminded to keep in mind the two approved training topics from NC General Statute 139-7.2 when making credit requests; training events or courses that do not cover information related to either of these topic areas, should not be submitted for approval
  - NOTE: it is likely other relevant training would be considered by the Commission on a case-by-case basis; when warranted, related training opportunities will be added to this list by the Commission; the Commission will establish more structured policy related to these training events or courses when appropriate
  - SPONSOR: self-reported by district supervisor or their staff

## APPROVAL OF DISTRICT PARTICIPATION FOR PILOT SUPERVISOR TRAINING PROGRAM

The NC General Assembly passed Session Law 2016-113 which includes amendments to NC General Statute 139 as follows:

**§ 139-4. Powers and duties of Soil and Water Conservation Commission generally.**

(d) *In addition to the duties and powers hereinafter conferred upon the Soil and Water Conservation Commission, it shall have the following duties and powers:*

(13) *To establish a training program required for all district supervisors.*

[and]

**§ 139-7.2. Training of elective and appointive district supervisors.**

(a) *All district supervisors, whether elected or appointed, shall complete a minimum of six clock hours of training annually.*

(b) *The training shall include soil, water, and natural resources conservation and the duties and responsibilities of district supervisors.*

(c) *The training may be provided by the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources as approved by the Soil and Water Conservation Commission.*

Draft Training Program and Education Approval Guidelines are under development and the NC Soil & Water Conservation Commission (Commission) will consider these in November. The Commission will also consider delegated authority to the Division of Soil & Water Conservation (Division) to approve and award district supervisor training credits (STCs).

The following eight Local Soil and Water Conservation Districts (Districts) are recommended as participants for a twelve-month Pilot Supervisor Training Program (STP) to evaluate the draft policies, guidelines and STC tracking:

- Association Area 1 – Henderson SWCD
- Association Area 2 – Caldwell SWCD
- Association Area 3 – Chatham SWCD
- Association Area 4 – Johnston SWCD
- Association Area 5 –
- Association Area 6 – New Hanover SWCD
- Association Area 7 – Columbus SWCD
- Association Area 8 – Rowan SWCD

The Pilot STP will begin in January 2018, and will be evaluated in December 2018. The Division Director will report bi-monthly to the Commission regarding the progress of the program, STCs achieved by the pilot Districts, and recommendations to improve the effectiveness of the program. Pilot STP Supervisors will be awarded the opportunity to carry forward excess STCs accumulated during the Pilot, as appropriate (i.e. up to 5 STCs).



# District Supervisor Training Program and Education Approval Guidelines

Supervisor Training Committee Recommendations  
August 2017

## Introduction

In July 2016, the North Carolina General Assembly passed Session Law 2016-113 stating:

*REQUIRE TRAINING FOR APPOINTED AND ELECTED SOIL AND WATER DISTRICT SUPERVISORS*

**SECTION 5.(a)** *G.S. 139-4(d) reads as rewritten:*

*"(d) In addition to the duties and powers hereinafter conferred upon the Soil and Water Conservation Commission, it shall have the following duties and powers:*

*(13) To establish a training program required for all district supervisors."*

**SECTION 5.(b)** *Article 1 of Chapter 139 of the General Statutes is amended by adding a new section to read:*

**"§ 139-7.2. Training of elective and appointive district supervisors.**

- (a) All district supervisors, whether elected or appointed, shall complete a minimum of six clock hours of training annually.*
- (b) The training shall include soil, water, and natural resources conservation and the duties and responsibilities of district supervisors.*
- (c) The training may be provided by the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources as approved by the Soil and Water Conservation Commission."*

To implement this new Soil and Water Conservation District Supervisor (Supervisor) training requirement, Commission Chair John Langdon appointed a special committee to develop the education program's structure and guidelines. The Supervisor Training Committee (Committee) members are Commission member and Special Committee Chair John Langdon, Commission Vice Chair and Association Past President Ben Knox, Association President Chris Hogan, Association Executive Director Bryan Evans, and Division Director Vernon Cox, Deputy Director David Williams and Eastern Regional Coordinator Kristina Fischer.

## Training Objective

The Committee's objective is to design a Supervisor Training Program that results in knowledgeable and skilled Supervisors, and enhances the overall capacity of the local Soil and Water Conservation Districts to deliver their programs and services.

## Program Delivery

The Commission will provide oversight for the program and approve education guidelines and criteria governing course eligibility and approved credit hours. The Commission may reserve or delegate its authority to approve specific training

courses and related credit hours to the Division. The Commission will retain authority to consider appeals for decisions to deny or limit credit for particular courses or events.

The Division will administer and market the program. The approved training courses, credit hours and Supervisor training credits (STCs) will be entered into a database managed by the Division. All approved training courses will be maintained in the Supervisor training database, and marketed through the district listserv and Division website. The Division Director will report bi-monthly to the Commission regarding the progress of the program, Supervisor compliance with training requirements, and recommendations to improve the effectiveness of the program.

All Supervisors, whether elected or appointed, are required to secure a minimum of six STCs per year. The period for this annual requirement is based on the calendar year and covers the period of January 1 – December 31. Supervisors who obtain excess STCs during a calendar year may carry forward up to 5 STCs to the next calendar year.

Credit will be assigned on the basis of 1 STC being equal to 1 hour of actual class, individual, online or field instruction that deals with content relevant to the categories being requested for credit. The Commission retains the authority to limit the number and / or frequency of hours that can be assigned for particular courses, events or training types. There is a 15-minute minimum and STCs are approved in quarter hour increments.

## Delivery Methods for Supervisor Training

The Commission recognizes that the duties and responsibilities of Supervisors are broad, and natural resource conservation concerns vary from district to district. Various delivery methods for Supervisor training will be considered when they meet the objective of the training program. Potential delivery methods for Supervisor training are listed below. More specific details related to approved STCs for each activity or course is included in Appendix A.

1. District board meeting approved topics
2. District sponsored classroom training and / or field days, as approved
3. Division sponsored classroom training and / or field days, as approved
4. NRCS sponsored classroom training and / or field days, as approved
5. Other classroom training and / or field days, as approved
6. Association meetings, as approved
7. Commission meetings, as approved
8. Other meetings, as approved
9. Online Training – *not available at this time – a list of approved courses and approved STC hours is under development*

## Topics Approved for Supervisor Training Credit and Mandatory Topics

In general, educational topics dealing with the overall operations of soil and water conservation districts will qualify for STCs. Educational topics directly relating to almost any aspect of Supervisor duties or responsibilities will be considered for approval. Appendix A provides guidance regarding training activities that may be awarded STC hours.

Supervisors and course sponsors must keep NC General Statute 139-7.2 training topics in mind when submitting requests for approval:

1. *Soil, water, and natural resources conservation*
2. *Duties and responsibilities of district supervisors*

While most training events will be non-mandatory, the Commission may determine that certain training is mandatory for all Supervisors, and will adopt a schedule for obtaining mandatory training. Supervisors that neglect to meet mandatory training requirements will be expected to provide a written explanation to the Commission.

Mandatory training courses include the following:

- *UNC School of Government’s Basic Training for Soil and Water Conservation District Supervisors* - required for all Supervisors;
  - Newly appointed Supervisors shall continue to be expected to obtain the training at the next scheduled offering.
  - Elected Supervisors taking office for the first time in December 2020 shall obtain the training by June 30, 2022.
  - Elected Supervisors serving prior to December 2020 shall be encouraged, but not required to complete the training before the expiration of their current term. Upon re-election in 2020 or beyond, these Supervisors will be required to attend the Basic Training for Soil and Water Conservation District Supervisors at the next scheduled offering, or they must provide certification that they have previously attended the training.

## Tracking of Supervisor Training Credits

The approved training courses, credit hours and STCs obtained annually by Supervisors will be entered into a database managed by the Division.

For the pilot program beginning in January 2018, course sponsors (including the Association, Division staff, district staff, and self-reporting Supervisors) will submit requests for STC approval through an *Online Credit Approval Process* link available through the Division website. The Online Credit Approval Process will collect relevant details related to each training course or activity, so that proper STC can be awarded to Supervisors. Division staff will review requests for STCs through authority granted by the Commission, and will notify the sponsors of STCs that are awarded. Sponsors will be required to submit typed participation rosters, following the completion of the course, so that appropriate STCs can be entered in a database that is used to track STC hours for each Supervisor.

Supervisors are responsible to verify the STC hours awarded for their training activities in a program year; this responsibility is expected if the STCs are self-reported, or reported by another sponsor. A report of STCs achieved by each Supervisor will be posted to the Division website on a quarterly basis.

Appendix A includes details related to approved STCs for each activity or course as delegated by the Commission.

Appendix B is an “STC User Guide” for sponsors, which includes details and standard documents to be used by sponsors in seeking approval and reporting STCs for Supervisors.

## Carry-Forward for Excess Training Credits

Supervisors who obtain excess STCs during a calendar year may carry forward up to 5 STCs to the next calendar year.

## Agenda Detail Requirement

The Division evaluates the title and agenda of each presentation to determine the STCs to be awarded for the course or activity. If too little information is provided to make a determination, the Division may ask for additional information before any STCs are approved. If a detailed agenda (i.e. including presenter name, affiliation and title, presentation time, topics covered) is provided, the evaluation process will be streamlined and the course will receive the correct STCs.

The course sponsor must provide a detailed agenda (in outline form) for the Division to accurately determine the amount of STCs to be approved. The detailed agenda shall include the amount of time allotted to presenting each agenda item, including all breaks and meals.

## Submitting a Course Request

All courses are evaluated in the order they are received by the Division. It is the sponsor's responsibility to ensure course approval requests are submitted at least 30 days prior to the date of the course or event. Ideally, training credits should be approved prior to the course or event, but the Commission will also consider credit approval for courses that have already occurred. A course will only be considered for STCs if the approval request and supporting documentation are submitted within 45 days following the course or event.

Often additional information or agenda details are requested from the sponsor before the course can be approved. Sponsors should not distribute any literature detailing STCs for a class prior to receiving credit approval from the Division; however, it is permissible to state in literature "*Supervisor Training Credits (STCs) pending approval*".

## Out of State Courses and Courses Approved by Other Entities

The Division will evaluate any course submitted for STCs through the *Online Credit Approval* process. Courses or training are not required to take place in North Carolina to be approved (e.g. NACD training). Appendix A provides guidance regarding training activities that may be awarded STC hours. The Division does not automatically approve courses that have been approved in other states, nor does the Division automatically approve the same number of credits as other states. Similarly, the Division does not automatically approve all training courses offered for credit by entities listed in Appendix A. Other states and entities usually have their own approval standards, which may differ from the Commission's STC standards. Supervisors and course sponsors must keep NC General Statute 139-7.2 training topics in mind when submitting requests for approval:

1. *Soil, water, and natural resources conservation*
2. *Duties and responsibilities of district supervisors*

## Course Changes

The sponsor is required to notify the Division if changes have been made to the course. Changes include, but are not limited to: topic, speaker, date and time or location changes. The Division does allow a sponsor to have a replacement speaker or presentation in the event that a speaker cancels. Replacement presentation should be submitted to the Division and depending on content, approved STCs may be adjusted. When changes need to be made to an approved course, such as postponing a course due to inclement weather or the substitution of a backup speaker / presentation, notify the Division's Deputy Director prior to resubmitting the course for approval.

## Division Course Monitoring

All courses are subject to monitoring by the Division. Monitors must be admitted to all approved courses without charge. Sponsors are NOT expected to provide meals or services free of charge to monitors.

## Course Sponsor's Responsibilities

Sponsors must ensure that all participants attend the entire course to obtain STCs. An approved format for the STC sign-in sheets is available in Appendix B. The Division recommends that sponsors take attendance at the end of training. If sponsors choose to take attendance at the beginning of the training, the sponsor must ensure that attendees stay for the entire course. Participants who are loitering outside the presentation room, reading newspapers, talking on cell phones or otherwise not engaged in the course, must not be allowed to sign the STC sign-in sheets. Participants leaving a session early should not be allowed to sign the STC sign-in sheets. No partial credit will be given. Each participant must sign the STC sign-in sheet to receive credit. No participant should sign for any other participants. Course sponsors must enter and submit the typed participation roster online within 30-days from the course date using the *Online Roster Submittal* link on the Division website.

For courses or training events for which post-approval is requested, the typed participation roster should be submitted along with the approval request. Sponsors should keep a copy of the manual sign-in sheets for their records.

Sponsors who do not adhere to these requirements, continually submit course information late, do not monitor attendees, or whose courses deviate substantially from the submitted agenda, may have STCs reduced and risk the denial of future courses being considered for approval.

## Proposed Timeline

- Pilot training program for Supervisors in eight local soil and water conservation districts (one per Association Area) will begin in January 2018
- Pilot training program will run from January 2018 through December 2018; the pilot may be extended if the Commission finds that the program systems need further improvement or considerations
- Tentative adoption for a statewide Supervisor Training Program is January 2019



# District Supervisor Training Program

Vernon Cox, Director

NC Division of Soil & Water Conservation





# GS 139

## District Law modified to require training:

SECTION 5.(a) G.S. 139-4(d) reads as rewritten:

"(d) In addition to the duties and powers hereinafter conferred upon the Soil and Water Conservation Commission, it shall have the following duties and powers:

**(13) To establish a training program required for all district supervisors."**

SECTION 5.(b) Article 1 of Chapter 139 of the General Statutes is amended by adding a new section to read:

**"§ 139-7.2. Training of elective and appointive district supervisors.**

(a) All district supervisors, whether elected or appointed, shall complete a minimum of six clock hours of training annually.

(b) The training shall include soil, water, and natural resources conservation and the duties and responsibilities of district supervisors.

(c) The training may be provided by the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources as approved by the Soil and Water Conservation Commission."





Supervisor  
Training  
Committee  
  
work products

- District Supervisor Training Program and Education Approval Guidelines
- Appendix A – Delegation of Approval Authority for Supervisor Training Credits



# District Supervisor Training Program and Education Approval Guidelines

- Objective – design a program that results in knowledgeable and skilled Supervisors, and enhances the overall capacity of local districts to deliver programs and services
- Commission to provide oversight
- Commission may delegate authority to Division
- Require 6 STCs per year (January 1 – December 31)
- May carry forward up to 5 excess STCs to next year
- 1 STC = 1 hour of instruction; 15-minute



# District Supervisor Training Program and Education Approval Guidelines

- Approved topics in keeping with GS 139-7.2:
  - *Soil, water, and natural resources conservation*
  - *Duties and responsibilities of district supervisors*
- UNC School of Government's Basic Training for Soil and Water Conservation District Supervisors will be mandatory, with phased implementation





# District Supervisor Training Program and Education Approval Guidelines

- STCs tracked in a database managed by the Division
- Online Credit Approval Process
- Supervisors responsible to verify their hours
- Sponsors responsible to provide adequate detail for STC awards





# Appendix A – Delegation of Approval Authority for STCs

- Commission delegation of authority for STC approval and awards
- General guidelines
- Includes specific list of anticipated training opportunities
- Commission to add to the list as program develops





# Proposed Timeline

- Commission to revisit draft documents in November
- Pilot phase for Supervisor Training Program
  - January 2018
  - Eight districts to participate; one from each Area
  - One-year, with opportunity to extend
- Evaluate criteria, guidelines, and systems during Pilot
- Tentative adoption for statewide program January 2019



# Requesting Commission Approval for Pilot Program

- Begin Pilot Supervisor Training Program (STP) in January 2018
- Eight Districts to participate:
  - Association Area 1 – Henderson SWCD
  - Association Area 2 – Caldwell SWCD
  - Association Area 3 – Chatham SWCD
  - Association Area 4 – Johnston SWCD
  - Association Area 5 – TBD
  - Association Area 6 – New Hanover SWCD
  - Association Area 7 – Columbus SWCD
  - Association Area 8 – Rowan SWCD
- Pilot STP Supervisors awarded opportunity to carry forward excess STCs accumulated during the Pilot phase

