

MINUTES

NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION

Meeting Location:
Ground Floor Hearing Room
Archdale Building
Raleigh, NC
March 19, 2008

MEMBERS PRESENT

Ned Hudson
Don Cox
Manly West
Richard Smith
Bobby Stanley

OTHERS PRESENT

Jeff Harris
Mary Combs
William Pickett, Jr.
Charles Bass
Tom Gulley
Michelle Raquet
Jill Slankas
Chester Lowder
Jerry Dorsett
Lynn Sprague
Pat Harris

Dewitt Hardee
Steve Bennett
David B. Williams
Cindy Phelps
Bridget Munger
Kelly Ibrahim
Tom Melton
Kristina Fischer
David Cash
Ed Gavin

Summary of Actions Taken by the Commission

1. The following supervisor appointments were **approved**:
 - Thomas E. Porter, Jr. – Cabarrus County
 - Steve Miller – Clay County
 - Charles F. Mitchell – Franklin County
 - Eric Brown – Tyrrell County
 - Richard E. Clayton, Sr. – Stanly County
 - Gary Dean Scott – Wilson County
 - A. Carroll Coleman – Wilson County
 - J. G. Clayton – Vance County

2. The Commission **approved** supervisor contracts for the following:
 - Haynes Stone – Scotland SWCD – Cover Crop for Drought Response - \$2,465
 - David Cleary – Franklin SWCD – Cropland Conversion to Grass - \$5,128
 - John Glosson – Chatham SWCD – Livestock Exclusion System - \$14,491
 - Derek Potter – Pamlico SWCD – Land Smoothing - \$14,625
 - Herman L. Collier – Warren SWCD–Cover Crop for Drought Response - \$663
 - Herman L. Collier –Warren SWCD–Cover Crop for Drought Response-\$1,181
 - Herman L. Collier – Warren SWCD–Cover Crop for Drought Response - \$176
 - David M. Hight – Warren SWCD – Cover Crop for Drought Response - \$293
 - David M. Hight – Warren SWCD – Cover Crop for Drought Response - \$839
 - David M. Hight – Warren SWCD – Cover Crop for Drought Response - \$467
 - David M. Hight – Warren SWCD – Cover Crop for Drought Response - \$538
 - Clifton McNeill – Cumberland SWCD – Cropland Conversion to Bermuda Grass - \$1,463
 - Wilton Lee Short, Jr. – Vance SWCD – Sod Base Rotation - \$656
 - Wilton Lee Short, Jr. – Vance SWCD – Sod Base Rotation - \$1,25
 - Wilton Lee Short, Jr. – Vance SWCD – Sod Base Rotation - \$1,73
 - W. Chester Lowder – Stanly SWCD – Pasture Renovation - \$2,537
 - Pamela Bell – Macon SWCD – Pasture Renovation - \$1,725

3. The Commission **approved** the following applicants for Technical Specialist:
 - Doug Atkins – Magnolia – WUP/NM, WA
 - Joseph Hudyncia – Asheboro – WUP/NM
 - Eric Olson – Columbia – WUP/NM

4. The March Supplemental Application for Ag Cost Share BMP Fund was **approved**.

5. Lagoon Biosolids Removal incentive was **approved**.

6. A \$15,000 lifetime cap for Manure/Litter Transportation was **approved**.

7. Agrichemical Containment and Mixing Facility as a cost sharable BMP was **approved**.
8. The Commission **denied** the TRC recommendation to repeal the Commission's 1/3 work policy.
9. The Commission **approved** a directive for David Williams and his staff to conduct a survey on a more definitive way of interpreting the 1/3 rule.
10. The Detailed Implementation Plan for Program Year 2008 was **approved** with the March 2008 revisions.
11. The Commission **approved** a directive to David Williams and staff to go back to the TRC to look at wording in ACSP's Land Smoothing Practice to enhance the practice.
12. The Commission **approved** a motion to change the Commission's next meeting date from 5-21-08 to 5-27-08 to coincide with Conservation Awareness Day.

Preliminary Items

The March 19, 2008 meeting of the North Carolina Soil and Water Conservation Commission was held in the Ground Floor Hearing Room of the Archdale Building, 512 N. Salisbury Street, Raleigh, NC.

Vice Chairman Ned Hudson called the meeting to order at 9:07 a.m. He welcomed everyone to the Commission meeting.

Mr. Hudson charged the Commission members to declare any conflict of interest or appearance of conflict of interest that may exist for agenda items to be considered by the Commission as mandated by Executive Order Number One. Vice Chairman Hudson advised he had a potential conflict with the appointment of a supervisor for Cabarrus County. He stated he would refrain from the discussion and voting in this matter. No others were noted.

Approval of Agenda

Mr. Richard Smith offered a motion to approve the agenda, with Mr. Bobby Stanley providing a second. The motion carried.

Approval of the Minutes

Vice Chairman Hudson called for the review and approval of the minutes of the January 6, 2008 regular Commission meeting and the minutes of the April 11, 2008

Teleconference. Mr. Manly West offered a motion to approve the minutes, with Mr. Don Cox providing a second. The motion carried.

INFORMATIONAL ITEMS

NCASWCD Report

Mr. Bobby Stanley reported he had attended seven of the Spring Area meetings. Due to the NACD meeting, Bill Pickett attended the Area 5 meeting in his place.

The following concerns were voiced:

- The importance of supervisors attending the local, area, and national meetings
- Some districts did not have a supervisor at their meeting

Mr. Stanley stated he now realized he would need to be prepared to spend a lot of time away from home. He thanked everyone for honoring him with the opportunity of being the President of the Association.

Division Report

Director Patricia K. Harris stated she would be adding information to her report that came to light after the Division's Report was submitted. She reported the following:

- The Ag Cost Share Program continues to be the Division's flag ship program with increased interest in drought issues and water use efficiency uses. A survey resulted in 42 districts responding should drought funds become available. 79% of the requests were for pasture renovation followed by the need for wells and pond repair and renovation.
- Vernon Cox worked with TRC's Water Use Efficiency Work Group to compile a strategy report to address ag drought issues, to present at the Legislative Drought Management Task Force. They will be meeting this week.
- The CREP Expansion Agreement has been signed. Training is being held across the state. A press conference will be held to announce the expansion. The CREP program has protected 750 stream miles with 33,000 acres enrolled and 24,000 of these acres in long-term easements.

The Division has received five applications for the \$2 million Lagoon Conversion Program.

- On March 10, 2008 on-line registration for the Methane Capture Pilot Program netted seven farms registered. Registration announcements will run again soon.

- The Division's goal is to have a division engineer housed in each of DENR's Regional Offices.
- CCAP is underway committing allocated funds to contract for 54 districts. An updated average cost list was released. The Division hopes to secure additional appropriated funds in the 08-09 fiscal year. Training will be held in: Buncombe County 4-9-08, Orange County 4-15-08, and Pitt County 4-23-08.
- Around April 1, 2008, supervisor travel will shut down, as in years past. A notice will be sent out. The vouchers will be paid in chronological order until funds are exhausted.
- The Swine Buyout Program received its fourth round of funding, \$3 million, from CWMTF. Applications must be post marked no later than April 15, 2008. There are 40 farms in the program, 38 completed easements, with 2 underway. The program has closed 80 of 105 lagoons with 8 more to be closed this month.
- Director Harris introduced the following new division employees:

Michelle Raquet-Cost Share Manager, formally with DWQ
 Shelly Miller-CCAP Coordinator, formally with New Hanover SWCD
 Kelly Ibrahim-Neuse Tar-Pam Coordinator, formally with Franklin SWCD

- Director Harris reminded the Commission members of the Statement of Economic Interest (SEI) long form she had placed in their packets that is due on April 15, 2008. It is unclear as to whether or not districts will be considered as part of county government.
- The Deep Creek Project, under PL566, received \$5 million in federal funding. It is anticipated the construction of this project will begin in 2009. Hyde County will receive around \$2.8 million for continued construction of a dyke to provide tidal flood protection to the town of Swan Quarter and surrounding ag lands.
- Director Harris called Ms. Bridget Munger forward. She was given an award by Vice Chairman Hudson on behalf of the Commission, Division, and partners. Ms. Munger stated she looked forward to working with the districts with Water Quality's Outreach Program.

TRC

Mr. David Williams stated the TRC met on February 7, 2008. Below are the recommendations from that meeting:

- Add one cent per gallon up to a \$15,000 lifetime incentive for Lagoon Bio-solids Removal.

- Lifetime cap of \$15,000 for Manure/Litter Transportation Incentive
- Establish a practice called Agrichemical Containment and Mixing Facility as a cost sharable BMP
- Repeal of Commission's 1/3 work policy
- Approve the Detailed Implementation Plan – Program Year 2008

Land Smoothing Practice

Mr. Manly West stated hoe drains cannot be totally eliminated in this practice. The practice needs to be enhanced with cover crop requirements and asked for the TRC to revisit the wording of this practice.

NRCS Report

Ms. Mary Combs stated NRCS has a farm bill extension until April 18, 2008. On March 14, 2008, NRCS obligated all of their EQUIP money. Nationwide, NRCS has \$700 million on the books that needs to be turned into conservation.

NRCS will work individually with all of the existing PL566 structures and current sponsors to make sure they have an updated operation and maintenance agreement. Sponsors may need to do an emergency plan as new buildings and structures have been erected behind the structures. This will begin this summer.

ACTION ITEMS

Consent Agenda

Mr. Manly West offered a motion to approve the consent agenda. Mr. Richard Smith provided a second. The motion carried.

One Cost Share contract was pulled due to a wrong practice being listed. The contract was corrected. Mr. Richard Smith offered a motion to approve the corrected contract. Mr. Bobby Stanley provided a second. The motion carried.

Nomination of Supervisors

The following supervisors were approved for appointment:

- Mr. Thomas E. Porter, Jr. filling the un-expired term of Ken Couch of Cabarrus SWCD
- Mr. Steve Miller filling the un-expired term of Larry Groves of Clay SWCD
- Mr. Charles F. Mitchell filling the un-expired term of Joseph E. Smith of Franklin SWCD

- Mr. Eric Brown filling the un-expired term of Mittie Hamilton of Tyrrell SWCD
- Mr. Richard E. Clayton, Sr. filling the un-expired term of Leonard Furr of Stanly SWCD
- Mr. Gary Dean Scott filling the un-expired term of J.F. Scott of Wilson SWCD
- Mr. A. Carroll Coleman filling the un-expired term of Braxton Pittman of Wilson SWCD

Approval of Supervisor Contracts

- Haynes Stone-Scotland SWCD-Cover Crop for Drought Response-\$2,465.00-Contract #: 83-08-13-08
- David Cleary-Franklin SWCD-Cropland Conversion to Grass-\$5,128.00-Contract #: 35-08-04-13
- John Glosson-Chatham SWCD-Livestock Exclusion System-\$14,491.00-Contract #: 19-08-018-02
- Derek Potter-Pamlico SWCD-Land Smoothing-\$14,625.00-Contract #: CS-69-08-07-09
- Herman L. Collier-Warren SWCD-Cover Crop for Drought Response-\$663.00-Contract #: CS93-08-16-13
- Herman L. Collier-Warren SWCD-Cover Crop for Drought Response-\$1,181.00-Contract #: CS-93-08-15-13
- Herman L. Collier-Warren SWCD-Cover Crop for Drought Response-\$176.00-Contract #: CS-93-08-14-13
- David M. Hight-Warren SWCD-Cover Crop for Drought Response-\$293.00-Contract #: CS-93-08-18-12
- David M. Hight-Warren SWCD-Cover Crop for Drought Response-\$839.00-Contract #: CS-93-08-20-13
- David M. Hight-Warren SWCD-Cover Crop for Drought Response-\$467.00-Contract #: CS-93-08-19-13
- David M. Hight-Warren SWCD-Cover Crop for Drought Response-\$538.00-Contract #: CS-93-08-17-12
- Clifton McNeill-Cumberland SWCD-Cropland Conversion to Bermuda Grass-\$1,463.00-Contract #: 26-08-07-02
- Wilton Lee Short, Jr.-Vance SWCD-Sod Base Rotation-\$656.00-Contract #: 91-08-652-13
- Wilton Lee Short, Jr.-Vance SWCD-Sod Base Rotation-\$1,225.00-Contract #: 91-08-653-13
- Wilton Lee Short, Jr.-Vance SWCD-Sod Base Rotation-\$1,173.00-Contract #: 91-08-654-13
- W. Chester Lowder-Stanly SWCD-Pasture Renovation-\$2,537.00-Contract #: 84-2008-14-16
- Pamela Bell-Macon SWCD-Pasture Renovation-\$1,725.00-Contract #: 56-08-05-07

Approval of Technical Specialist

- Doug Atkins-WUP/NM, WA
- Joseph Hudyncia-WUP/NM
- Eric Olson-WUP/NM

ACSP Approval

Mr. David Williams called attention to a sheet showing the recommended March Supplemental Allocation for Ag Cost Share BMP Fund.

Mr. Richard Smith made a motion to approve. Mr. Don Cox provided a second, and the motion carried.

TRC Recommendations

The TRC is proposing to approve a Lagoon Biosolids Removal incentive of one cent per gallon with \$15,000 lifetime payment. This is for ongoing swine operations that have completed sludge surveys that indicate a condition where the sludge is in the treatment

volume. The incentive is for the operator to remove the sludge and land apply it at a rate that will not exceed the phosphorus requirement for the next two receiving crops, if the plat index phosphorus soil assessment tools index shows a medium or lower phosphorus loss. If it is a high rating, they would only be able to apply the amount that would be taken off by the next crop. This is not a lagoon closure practice.

Mr. Manly West made a motion for approval. Mr. Richard Smith provided a second. The motion carried.

The TRC recommends establishing a lifetime cap of \$15,000 for Manure/Litter Transportation Incentive. Currently, a cooperator can receive \$15,000 per year for three years for a total of \$45,000. The TRC made the recommendation to lower the amount. The lifetime amount would apply to partnerships as well.

Mr. Bobby Stanley made a motion for approval. Mr. Manly West provided a second. The motion carried.

The TRC recommends to establish a practice called Agrichemical Containment and Mixing Facility as a cost sharable BMP. The practice would establish secondary containment and other mixing facilities for outdoor type facilities, not requiring it to be a covered facility. It would be a fixed facility.

Mr. Don Cox made a motion to approve. Mr. Manly West provided a second. The motion carried.

The TRC recommends eliminating the Commission's 1/3 policy. Currently, the Commission's policy requires a third of the work to be completed within 12 months of contract approval. David Williams mentioned that the Cost Share staff had been polling district staff during their training sessions and that most preferred to keep the 1/3 policy in place.

Mr. Don Cox made a motion to deny the request. Mr. Manly West provided a second. The motion carried.

Mr. Manly West made a motion to approve conducting a survey for feedback on making the 1/3 policy easier to implement and to make it consistent in every district.. Mr. Bobby Stanley provided a second. The motion carried.

David Williams presented the revised Detailed Implementation Plan that reflects the two new added practices and the revision to the Manure and Litter Transportation Incentive. He stated that the DIP needs to be approved for the practices to become official.

Mr. Richard Smith made a motion to approve. Mr. Manly West provided a second. The motion carried.

Mr. Manly West called attention to the Land Smoothing Program. He asked that the TRC consider rewording the practice to remove the requirement that all hoe drains be eliminated. It was recommended to enhance the practice with some cover crop requirements after the land smoothing if land smoothing is completed in the fall.

Mr. Manly West made a motion to approve referring the issue to the TRC. Mr. Richard Smith provided a second. The motion carried.

Approval to Change Meeting Date

Mr. Manly West made the motion to change the date of the upcoming Commission meeting from May 21, 2008 to May 27, 2008 to coincide with Conservation Awareness Day on May 28, 2008. Mr. Bobby Stanley provided a second, and the motion carried.

There being no further business, the meeting was adjourned at 10:23 a.m.

Patricia K. Harris, Director

Susan D. Pait, Hearing Clerk

David B. Williams, Chief of NPS
Editor