

MINUTES

NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION

Meeting Location:
Ground Floor Hearing Room
Archdale Building
Raleigh, NC
September 17, 2008

MEMBERS PRESENT

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

OTHERS PRESENT

Pat Harris
Vernon Cox
Sandra Weitzel
Cecil Settle
Shelly Baird
Chester Lowder
Charles Bass
David Cash
Anne Coan
Ken Parks
Jerry Dorsett
Bill Dunlap
Ralston James
Michelle Lovejoy

Ed Gavin
Jeff Harris
Kristina Fischer
Julie Henshaw
Sarah McVay
William Bynum
Dewitt Hardee
Tommy Stevens
Michelle Raquet
Steve Bennett
Manly Wilder
Davis Ferguson
Donna Stearns

Summary of Actions Taken by the Commission

1. The following supervisor appointments were **approved**:
 - Morris L. Shambley - Orange SWCD
 - Samuel E. Jordan – Pender SWCD

2. The Commission **approved** the following Designation of Technical Specialists:
 - Daniel F. Fowler
 - Jim H. Lynch

3. The Commission **approved** supervisor contracts for the following:
 - Eddie Edwards – Brown Creek SWCD – BMP/Well, (Contract # 04-09-246-16) - \$7,238.00.
 - Thomas E. Porter, Jr. – Cabarrus SWCD – BMP/Well, (Contract # 13-09-04-16) - \$5,986.00.
 - Thomas E. Porter, Jr. – Cabarrus SWCD – Pasture Renovation – (Contract #13-09-06-16) - \$12,443.00.
 - Michael D. Willis – Caldwell SWCD – Pasture Renovation (Pasture Planting) – Contract # 14-09-03-16 - \$7,875.00.
 - Clifton McNeill – Cumberland SWCD – Irrigation Well – (Contract #26-09-05-02) - \$3,500.00.
 - William N. Craig – Gaston SWCD – Pasture Renovation – (Contract # 36-2009-214-03) - \$6,930.00.
 - Rick H. Morgan – Gates SWCD – Cover Crop – (Contract #37-09-09-04) - \$15,000.00.
 - Danny McConnell – Henderson SWCD – Irrigation Well – (Contract #45-09-102-05) - \$4,913.00.
 - Danny McConnell – Henderson SWCD – Irrigation Well – (Contract #45-09-103-05) – \$4,913.00.
 - Billie Raye Turner – Jones SWCD – Well, Pump and Pump House – (Contract #52-09-01-09) - \$4,219.00.
 - David E. Terrell – Mitchell SWCD – Pasture Renovation – (Contract #61-09-05-05) - \$5,625.00.
 - Wayne Hurdle- Perquimans SWCD – Well/Drought Grant – (Contract #72-09-07-11) - \$1,75.00.
 - Ted Holyfield – Surry SWCD – Pasture Renovation – (Contract #86-09-201-16) - \$3,990.00.
 - James Kenneth Mills – Union SWCD – Well for Poultry Operation – (Contract #90-09-268-16) - \$3,258.00.
 - Kelvin Baucom – Union SWCD – Well for Poultry Operation – (Contract #90-09-271-16) - \$3,258.00.

- Wilton Lee Short, Jr. – Vance SWCD – Pasture Renovation – (Contract #91-09-677-13) - \$2,250.00.
 - David Clary – Warren SWCD – Pasture Renovation – (Contract #93-09-414-13) - \$2,500.00.
 - Claude Shew, Jr. – Wilkes SWCD – Well/Pasture Renovation – (Contract #97-09-04-16) - \$5,000.00.
 - Charles Harrell – Wilson SWCD – 5-Year Conservation Tillage – (Contract # 98-09-05-09) -\$8,829.00.
 - Charles Harrell – Wilson SWCD – Sediment Removal from Pond – (Contract #95-09-302-09) - \$2,000.00.
 - George Teague – Guilford SWCD – Pasture Renovation – (Contract #41-09-06-02) -\$4,500.
4. The Commission **approved** the supervisor contract for Eddie Edwards be allowed at 75% of the actual cost and not to exceed the contract amount.
 5. The Commission **approved** the extension through June 30, 2009 to permit grazing or haying of acreage affected by ACSP cover crop incentive.
 - 6.. The Commission **approved** the TRC recommendation to add a new cost share practice called Rooftop Runoff Management System. Guttering would be allowed with or without a cistern in lieu of a gravel drip line, but that the maximum cost share would be limited to the estimated cost of a gravel drip line installation.
 7. The Commission **approved** the TRC recommendation to add Prescribed Grazing as a new cost share incentive practice, as well as, adding two fencing components to the ACSP cost list, 3-strand interior fencing at \$2.25/foot and temporary portable electric fence at \$0.10/foot.
 8. The Commission **approved** the TRC recommendation that the Commission repeal its existing policy requiring all rotary drum composters to be equipped with forced aeration.
 9. The Commission **approved** the TRC recommendation to increase the existing setback requirements for livestock watering tanks from 20 feet to 30 feet from the top of streambanks.
 10. The Commission **approved** the recommendation of the TRC to modify the requirements for pond restoration and repair in order to encourage but not require removal of woody vegetation from dams for restoration projects involving only removal of accumulated sediment.
 11. The Commission **approved** the recommendation of the TRC to modify the requirements for Agricultural Water Supply Pond to exempt dug ponds with no dam or outlet to surface waters from the requirement for livestock exclusion.

12. The Commission **approved** the addition of #29 - Prescribed Grazing and #33 – Rooftop Runoff Management System to the Detailed Implementation Plan for Program Year 2008.
13. The Commission **approved** the following components which are to be added to the PY 2009 Average Cost List:

The first three pertain to the Prescribed Grazing BMP:

- Fence – permanent, 3 strand Interior, electric or non-electric, including gates - \$2.25 per linear foot.
- Fence- temporary, portable electric- \$0.10 per linear foot.
- Incentive – prescribed grazing - \$30.00 per acre.

- Agricultural Pond – Sediment Removal Only – at \$4,000 each with the 75% cost share rate of \$3,000 (Lifetime cap).
- Agrichemical Mixing Station – Portable - \$4,667 unit cost with the 75% cost share rate of \$3,500 (Lifetime cap).
- Incentive – Lagoon Biosolids Removal – at \$0.01 a gallon with the 75% cost share rate of \$15,000 (Lifetime cap).

Preliminary Items

The September 17th, 2008 meeting of the North Carolina Soil and Water Conservation Commission was held in the Ground Floor Hearing Room of the Archdale Building, 512 N. Salisbury Street, Raleigh, NC.

Chairman Jeff Turlington was unable to attend and Vice-Chairman Ned Hudson conducted the meeting.

Vice-Chairman 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. None were noted.

Vice-Chairman Hudson called the meeting to order at 9:08 a.m. He welcomed everyone to the Commission meeting. He asked that everyone in the room introduce themselves.

Approval of Agenda

Vice-Chairman Hudson stated that on Item #14 *Supplemental Allocation of Drought Grant Funds* and #17 *ACSP Issues from Districts* of the agenda would be removed from the Agenda.

Item 11A would add Pender SWCD's *Nomination of Supervisor*, and delete

Scotland SWCD's *Nomination of Supervisor*.

Item 11C, Supervisor Contracts, would add George Teague of Guilford SWCD and remove Eddie Edwards of Brown Creek from the consent agenda. Mr. Edwards' supervisor contract would be handled separately.

Mr. Manly West offered a motion to approve the agenda as amended, with Mr. Don Cox providing a second. The motion carried.

Approval of Minutes

The July 16th, 2008 minutes were approved as read. Mr. Bobby Stanley offered a motion to approve the minutes. Mr. Richard Smith provided a second and the motion carried.

The August 8th, 2008 teleconference minutes were approved as read. Mr. Manly West offered a motion to approve these minutes. Mr. Bobby Stanley provided a second and the motion carried.

INFORMATIONAL ITEMS

Division Report

Ms. Pat Harris gave a power point presentation for her Division Report.

- On July 23, 2008 David Williams presented the first check for the Drought Response Program. Nicki Setzer, Plant Nursery Operator of Catawba County received the check for \$4,425. for an irrigation well. Agricultural Commissioner Steve Troxler was in attendance for this presentation.
- August 10-12, 2008 a delegation attended the Southeast Regional NACD meeting in Biloxi, Mississippi. Those attending were Bobby Stanley, John Finch, Jeff Harris, Franklin Williams, James Ferguson, Pat Harris, and State Conservationist, Mary Combs.

James Ferguson made a presentation at the meeting on the Drought Response Program in North Carolina.

The 2009 meeting will be held in Charleston, South Carolina.

- The District Employees Workshop was held at Atlantic Beach, NC and was a huge success. Two hundred and twenty-five people attended. The format for this event was committing to a training track which lasted for one to two days. Certification was given for the Erosion and Sedimentation Control Class.

- A surprise speaker showed up at the Thursday night banquet. Senator Bob Dole spoke with the DEW attendees and entertained them with his political comments.
- Ms. Harris thanked the Area Coordinators, and especially David Cash who was responsible for coordinating this workshop, for their hard work..
- The DEA had their installation of officers at the DEW banquet . The new officers are as follows:
 - ❖ Lisa Marochak of Durham County – Treasurer
 - ❖ Sue Glover of Wilson County – Secretary
 - ❖ Edward Davis of Columbus County – President-Elect
 - ❖ Mike Pardue of Wilkes SWCD – President
- The Division held a two-day retreat in Beaufort County. Presentations were given by Deputy Secretary-Bill Laxton, Asst. Secretary-Manly Wilder, Dr. Richard Spruill of ECU and Dr. Stan Riggs also of ECU.

On the second day of the retreat the Division went to Aurora, NC and toured the PCS Phosphate Mining Company at Lee Creek. The group then went to the Aurora Fossil Museum.

- Ms. Harris showed a picture of a red drum fish (huge) that she caught the night before on an evening fishing trip.
- Ms. Harris spoke about the “O” Chart and stated that Dick Fowler had been added as the District Programs Outreach Coordinator. His position will be to work with the Association, the Commission, and with UNC for Supervisor Training, He will work with the Strategic Planning Committee, Operational Agreements, and the Annual Meeting.
- Ms. Sandra Weitzel is the team leader for District Ops. She is the interface between staff and management. She will keep Ms. Harris informed as a supervisor.
- Ms. Harris reported that the Division is working on improved internet presence. Ms. Cindy Draughon, Public Information Officer, is actively working on this. The NonPoint Source web page is being modified and will be more user friendly and easier to navigate.

We will be working on the intranet which is a portal for the Division that allows you to communicate within the Division. There will be a public portal which supervisors can come in. The best example of this is the Annual Meeting page. You will be able to register on line, download Agendas, and download hotel information.

- Ms. Harris reported that the CREP Expansion Program is going slowly. Twenty-three applications are out there right now and only 12 applications are for easements. A full report will be available at the November Commission meeting.
- The Ag Task Force is designed to advise and make recommendations to the Commission on issues that face agriculture. The member agencies are Farm Bureau, FSA, NRCS, NC Cooperative Extension, NCDA, and the State Grange. The next meeting will be held on October 30.
- The following workshops will be held:

- ❖ Working Lane Easement Programs

West Johnston High School is to be congratulated. They came in 8th at the 2008 National Canon Envirothon.

The 2009 National Envirothon will be held in Asheville, August 2-8. Millie Langley is in need of volunteers for the envirothon.

NRCS Report

Ms. Mary Combs reported that Congress had passed a Farm Bill that extended program authorities through the remainder of FY 2008. Total obligations for general 2008 Environmental Quality Incentive Program (EQIP) will be approximately \$15.3 million. EQIP is now in 97 counties. She thanked supervisors and district employees for all of their hard work and support of EQIP.

Ms. Combs stated that the Wildlife Habitat Incentive Program (WHIP) under the extended program authorities had received a significant fund allocation of \$442,000. These funds will be allocated throughout the state with the intention of addressing declining species and aquatic species. At the beginning of the fiscal year it appeared that WHIP would receive no funding. With this last allocation of funds, it can boast its highest allocation in its history in North Carolina at over \$1.1 million.

The Conservation Security Program (CSP) has not very successful. There was only one application in the Little Pee Dee Watershed and no applications for the Rocky River Watershed.

The Farm and Ranchland Protection Program (FRPP) was given \$2,544,806. Easements will continue to be closed using these funds as well as funds from the prior year.

NRCS has received soft money and it is going to be used for the ACIS Program. This program will allow retired employees to be hired. They are hoping to hire 10 to 20 ACIS persons to work in positions in field offices.

Ms. Combs noted she would be having District Conservationist come to Raleigh on September 18th and 19th.

The Association Report

Mr. Bobby Stanley reported that this year as Association President had been a very eventful year. He has attended and/or participated in the following:

- Spring Area Meetings
- Conservation Farm Family
- CREP Expansion Celebration
- James Ferguson's Fish Fry
- Farmland Preservation
- 45th RCW Awards Luncheon
- SE NACD Meeting,
- DEW Workshop – Leadership
- Judging of Farm Family Farms
-

Mr. Stanley stated that at the President's meeting at this year's Annual Meeting, he wanted each past-president to bring two names and two people so that they could be trained for leadership.

He reminded everyone of the upcoming Annual Meeting which will be held at the Sheraton Imperial Hotel in the RTP on January 4-6, 2009.

The Association and the DEA will be raffling off a John Deere "big" Gator.

Lagoon Conversion Program & Methane Capture Pilot Program Update

Mr. Vernon Williams stated that the Lagoon Conversion Program was established in 2007 by Senate Bill 1465. The purpose is to convert anaerobic lagoons and sprayfields to innovative systems. An initial allocation was \$2,000,000 and it is run through the Ag Cost Share Program. In Round 1, we funded up to \$500,000 at 90% cost share rate. The program is technology neutral.

There are 3 farms that were approved by the Commission in May 2008: Centralized – Sampson, Farm –Sampson, and Farm-Sampson. There is approximately \$500,000 available and it will be announced that it is available through the Lagoon Conversion Program. Applications will be taken. Permits will be needed from DWQ.

The Swine Farm Methane Capture Pilot Program is administered jointly by the NC Utilities Commission and DENR's- Division of Soil and Water Conservation. It was also established by Senate Bill 1465. It is a voluntary program of up to 50 farms. The purpose of this program is to encourage the adoption of full/partial covered lagoons to generate electricity with a maximum of 25 Mega Watts. The legislation is very specific in that it

requires that the electricity be purchased by a public electric utility (Progress, Duke, and Dominion.)

(See attachment #7)

DWQ Rulemaking Update

Mr. Vernon Cox stated that on August 5th the Agriculture Task Force formed a work group to review the monitoring rules being drafted by the Division of Water Quality (DWQ) and develop a report to the NC Soil and Water Conservation Commission. The purpose of this report is to address concerns and suggest possible alternatives to the proposed rules.

The following persons attended that meeting: Anne Coan, Vernon Cox, Dewitt Hardee, Tim Jones, Deanna Osmond, and Josh Spencer.

Mr. Cox stated that in 2007 the Waterkeeper Alliance filed rule making petitions with the NC Environmental Management Commission (EMC) that would propose additional monitoring requirements on all permitted animal operations; to include swine, dairy and poultry operations with wet waste systems.

In accordance with the NC Administrative Procedures Act, the EMC may grant or deny a petition for rulemaking. At its meeting on May 8, 2008, the EMC agreed to accept the petition of the Waterkeeper Alliance and directed DWQ staff to receive input from appropriate stakeholder groups on the proposed rules. DWQ has held three stakeholders meetings. (Rules are attached. 15A NCAC 02T .1310 and .1311).

The rules state:

- 1) Monitoring plans would require that water quality samples be taken three (3) times per year at three separate locations on the farms. DWQ would be responsible for identifying the sampling locations.
- 2) Samples would be analyzed for Ammonia Nitrogen, Nitrate Nitrogen, 5-Day Biological Oxygen Demand, Fecal coliform, and Chloride.
- 3) Groundwater monitoring may be required when over application of waste occurs, storage structures do not meet NRCS standards, or adjacent water supply wells are contaminated by pollutants likely to be found in applied waste.

Deep Creek Watershed Project Agreement

Mr. Vernon Cox reported on the Deep Creek Structure 5-D Yadkin County which is a project of an overall watershed plan developed for the area in 1958. To date, 14 flood control structures have been constructed. The original plan was supplemented in 1995 to include water supply as a project purpose in structure 5-D. The 5-D structure will provide flood protection and a municipal and industrial water supply for Yadkin County. The project will provide 3,965 acre-feet of flood storage and 518 acre-feet of municipal and

industrial water supply. Six million gallons of water a day will be available and this will help address the growing demand for water in the Yadkin River Basin.

Mr. Cox stated these important facts:

- Design for Structure 5-D completed December 2004.
- NRCS provided \$620,451 for the federal portion.
- State of NC has appropriated \$11,990,640.
- The legislature earmarked \$5,440,000.
- State funding in a local match = \$1,835,871.
- Grant funds in the amount of \$10,154,769.
- Remaining grant funds are sufficient to provide the 50% Match for this project.
- Local sponsors are entering into a grant agreement with NRCS.
- 2010 is the anticipated date for completion of the 5-D.

Environmental Enhancement Grant in Partnership with NC Coastal Federation

Ms. Julie Henshaw stated that the Division has an opportunity to work in partnership with the NC Coastal Federation to submit a grant application for the NC Attorney General's Environmental Enhancement Program.

Three of the main objectives of this project are:

- Develop a GIS base tool that will assist in promoting and installing stormwater reduction measures (CCAP BMPs). This would help in calculating water quality benefits.
- Awarding funding to four districts: Brunswick, New Hanover, Carteret and Onslow. This would allow them to receive an additional CCAP allocation.
- The total grant application is for \$390,000; \$200,000 of which will be earmarked for CCAP BMPS. \$4,000 will be available for printing educational materials.

Of the \$200,000 the Coastal Federation is the lead applicant so we will have the opportunity to develop an extensive Memorandum of Understanding with them. January is hopefully when this project will begin.

ACTION ITEMS

Consent Agenda

Mr. Richard Smith made a motion to approve the Consent Agenda as amended. Mr. Manly West provided a second and the motion carried.

Nomination of Supervisors

The following supervisors were approved for appointment:

- Mr. Samuel Eugene Jordan of Pender SWCD filling a vacant position.
- Mr. Morris L. Shambley of Orange SWCD filling the unexpired position of Mr. Charles W. Snipes.

Approval of Technical Specialist

The following applicants were approved as Technical Specialists:

- Mr. Daniel F. Fowler of Weldon, NC. He has been approved for Waste Utilization Planning/Nutrient Management.
- Mr. Jim H. Lynch of Goldsboro, NC. He has been approved in Waste Utilization Planning/Nutrient Management.

Approval of Supervisor Contracts

The following supervisor contracts were approved:

- Thomas E. Porter, Jr. – Cabarrus SWCD – BMP/Well, (Contract # 13-09-04-16) - \$5,986.00.
- Thomas E. Porter, Jr. – Cabarrus SWCD – Pasture Renovation – (Contract #13-09-06-16) - \$12,443.00.
- Michael D. Willis – Caldwell SWCD – Pasture Renovation (Pasture Planting) – Contract # 14-09-03-16 - \$7,875.00.
- Clifton McNeill – Cumberland SWCD – Irrigation Well – (Contract #26-09-05-02) - \$3,500.00.
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- Rick H. Morgan – Gates SWCD – Cover Crop – (Contract #37-09-09-04) - \$15,000.00.
- Danny McConnell – Henderson SWCD – Irrigation Well – (Contract #45-09-102-05) - \$4,913.00.
- Danny McConnell – Henderson SWCD – Irrigation Well – (Contract #45-09-103-05) – \$4,913.00.
- Billie Raye Turner – Jones SWCD – Well, Pump and Pump House – (Contract #52-09-01-09) - \$4,219.00.
- David E. Terrell – Mitchell SWCD – Pasture Renovation – (Contract #61-09-05-05) - \$5,625.00.
- Wayne Hurdle- Perquimans SWCD – Well/Drought Grant – (Contract #72-09-07-11) - \$1,75.00.
- Ted Holyfield – Surry SWCD – Pasture Renovation –

- (Contract #86-09-201-16) - \$3,990.00.
- James Kenneth Mills – Union SWCD – Well for Poultry Operation – (Contract #90-09-268-16) - \$3,258.00.
- Kelvin Baucom – Union SWCD – Well for Poultry Operation – (Contract #90-09-271-16) - \$3,258.00.
- Wilton Lee Short, Jr. – Vance SWCD – Pasture Renovation – (Contract #91-09-677-13) - \$2,250.00.
- David Clary – Warren SWCD – Pasture Renovation – (Contract #93-09-414-13) - \$2,500.00.
- Claude Shew, Jr. – Wilkes SWCD – Well/Pasture Renovation – (Contract #97-09-04-16) - \$5,000.00.
- Charles Harrell – Wilson SWCD – 5-Year Conservation Tillage – (Contract # 98-09-05-09) - \$8,829.00.
- Charles Harrell – Wilson SWCD – Sediment Removal from Pond – (Contract #95-09-302-09) - \$2,000.
- George Teague – Guilford SWCD – Pasture Renovation – (Contract #41-09-06-02) - \$4,500.

Brown Creek Supervisor Contract

The Brown Creek SWCD supervisor contract for Eddie Edwards is allowed at 75% of the actual cost and it will not exceed the contract. (Contract # 04-09-246-16) - \$7,238.00 – BMP Well.

Mr. Manly West offered a motion (as above) and Mr. Bill Pickett, Jr. provided a second. The motion carried.

Extending 2007-2008 Policy Exceptions for Drought Relief

Mr. David Williams stated that in September 2007, the Commission approved a policy waiver through June 30, 2008 to permit grazing or haying of acreage affected by ACSP cover crop incentive.

The Division is recommending to extend through June 30, 2009 the policy waiver to permit grazing or haying of acreage affected by ACSP cover crop incentive.

Mr. Bill Pickett, Jr. offered a motion that the policy waiver be extended through June 30 2009. Mr. Bobby Stanley provided a second, and the motion carried.

TRC Recommendations

Mr. David Williams stated that the Technical Review Committee (TRC) met on August 5, 2008 in Raleigh, and it held a teleconference on September 5, 2008. He presented six modifications to be approved by the Commission.

- 1) Rooftop Runoff Management System Practice – a new cost share practice.

This prevents erosion resulting from rooftop runoff from agricultural structures. It involves stabilizing the roof dripline with gravel. Cisterns may or may not be used.

Mr. Bobby Stanley made a motion that this rooftop runoff management system practice be approved. Mr. Bill Pickett, Jr. provided a second, the motion carried.

- 2) Prescribed Grazing with Cost Share for Cross-Fencing – a new cost share incentive practice which involves managing the intensity, frequency, duration, timing, and number of grazing animals on pastureland in accordance with site production limitations, rate of plant growth, physiological needs of forage plants for production and persistence.

A participant would be eligible to receive \$30 per acre per year for up to 3 years with a lifetime cap of \$15,000 per applicant.

Cost share assistance could be given for cross-fencing. The TRC is recommending adding two fencing components to the ACSP cost list, -3 strand interior fencing at \$2.25/foot and temporary portable electric fence at \$0.10 /foot.

Mr. Richard Smith made a motion that the above recommendation be approved. Mr. Bobby Stanley provided a second, and the motion carried. (See amendment below.)

- 3) The TRC recommended that the Commission repeal its existing policy requiring all rotary drum composters be equipped with forced aeration. A new rotary drum composter, called the Biovator, has exhibited excellent performance for composting swine mortalities and does not have forced aeration.

Mr. Richard Smith made a motion to approve this recommendation. Mr. Bobby Stanley provided a second, and the motion carried.

- 4) The TRC recommended to increase the existing setback requirements for livestock watering tanks from 20 to 30 feet from the top of streambanks to better ensure that livestock congregating around the watering tank do not negatively impact water quality.

Mr. Don Cox made a motion to approve this recommendation. Mr. Bobby Stanley provided a second and the motion carried.

- 5) The TRC recommended modifying the requirements of pond restoration and repair practice to encourage, but not require removal of woody vegetation from dams for restoration projects involving only removal of accumulated sediment. This would also include exempting dug ponds with no dam or outlet to surface waters from the requirement for livestock exclusion.

Mr. Don Cox made a motion to approve this recommendation. Mr. Bill Pickett, Jr. provided a second, and the motion carried.

- 6) The TRC recommended modifying the requirements for Agricultural Water Supply Pond to exempt dug ponds with no dam or outlet to surface water from the requirement for livestock exclusion.

Mr. Bobby Stanley made a motion to approve this recommendation. Mr. Richard Smith provided a second, and the motion carried.

Amendment: Mr. Manly West made a motion to delete the time factor of 3-years and a lifetime cap of \$15,000 to Item #2 of the TRC recommendations. Mr. Richard Smith provided a second, and the motion carried.

Revision to 2009 Detailed Implementation Plan

Ms. Michelle Racquet stated that two items needed to be added to the Detailed Implementation Plan for Program Year 2008 and August 2008 (revised). Number 29 – Prescribed Grazing and Number 33- Rooftop Runoff Management System.

Mr. Manly West made a motion to approve this addition of items. Mr. Richard Smith provided a second, and the motion carried.

Revision to 2009 Average Cost List

Ms. Michelle Racquet stated that there are three new components to be added to the PY2009 Average Cost List. All three of these pertain to the Prescribed Grazing BMP:

- Fence – permanent, 3-strand interior, electric or non-electric, including gates - \$2.25 per linear foot.
- Fence – temporary, portable electric - \$0.10 per linear foot
- Incentive – prescribed grazing - \$30.00 per acre.

The BMP/Lifetime Cap is \$15,000. A correction is needed on the list for the unit cost of a livestock watering pump. It should read \$2,667. and the cost share amount of \$2000.

She said that three additional components that need to be added are:

- Agricultural Pond – Sediment Removal Only – at \$4,000 each with the 75% cost share rate of \$3,000. (Lifetime cap).
- Agrichemical Mixing Station – Portable - \$4, 667 unit cost with the 75% cost share rate of \$3,500. (Lifetime cap).
- Incentive – Lagoon Biosolids Removal – at \$0.01 a gallon with the 75% cost share rate of 15,000. (Lifetime cap).

Mr. Richard Smith made a motion to approve these changes on the PY2009 Average Cost List. Mr. Manly West provided a second and the motion carried.

Public Comments

Ms. Pat Harris informed the Commission that the Yadkin River BMP Implementation Grant was funded through the Clean Water Management Trust Fund in the amount of \$544,000. It impacts over 11 districts and is our first implementation of plans that were developed through NRCS's Cooperative Conservation Partnership Initiative Rapid Watershed Assessment Grant.

Ms. Anne Coan of Farm Bureau stated that she worked on the Waterkeeper Alliance Monitoring Petition. She requested that a letter be sent from the Commission to the Environmental Management Committee (EMC) expressing their concerns prior to the meeting in November in order to influence their consideration of the rules at their next EMC meeting to be held on November 9th, 2008.

Mr. Vernon Cox stated that the information needed to be reviewed, and then a conference call would be held to discuss this. Decisions could be made at that time.

Adjournment

The meeting was adjourned at 11:38 a.m

Patricia K. Harris, Director

Donna L. Stearns, Hearing Clerk