



## **EASTERN SHORE SOIL AND WATER CONSERVATION DISTRICT**

### **MINUTES OF DISTRICT BOARD MEETING**

**Wednesday, January 12, 2022, 5:00 p.m.**

**USDA Service Center, 22545 Center Parkway, Accomac, VA 23301**

#### **ATTENDANCE:**

**The following Board members, Staff and Partners were in attendance:**

Robin Rich-Coates- Chair, Nick Thomas- Vice Chair, Jim Evans- Director, Kyle Sturgis- Director, Rick Hall- Associate Director, Jaclyn Friedman- DCR CDC, Carmie Savage- District Manager, Julie Head- Education Director, Bill Savage- Conservation Specialist, Norman Pitt- Conservation Technician, Jenny Templeton- NRCS District Conservationist

**The following Board Members and Staff were unable to attend:**

Sands Gayle- Director, Ursula Deitch- Director, Robbie Lewis- Associate Director, Edwin Long- Associate Director, Bill Shockley- Associate Director, Chip Turlington- Associate Director

**CALL TO ORDER:** Robin Rich-Coates, Chair, called to order the January 12, 2022 District Board Meeting of the Eastern Shore Soil and Water Conservation District.

**MINUTES and FINANCIAL REPORTS:** Director Jim Evans made a motion to approve the December 8, 2021 meeting minutes and the December 2021 financial reports as presented. The motion, seconded by Kyle Sturgis, carried unanimously.

#### **NEW BUSINESS:**

##### **A. Recognition Service to Eastern Shore SWCD:**

- Carmie Savage presented Chair Robin Rich-Coates on behalf of VASWCD with a lapel pin to commemorate her 30 years of Service to Eastern Shore SWCD Board.
- Robin Rich-Coates presented Associate Director, Rick Hall, with a plaque to commemorate his 30 years of service the Eastern Shore SWCD Board.

**B. FY22 Cost Share Report- Carmie Savage:** Carmie presented the following report: Board approved carryover for Poultry BMPs from FY20 to FY21 and then to FY22 is \$1,002,440.78 in Ches Bay VACS and \$228,611.87 in OCB VACS. The FY22 VACS allocation is \$1,198,908 in Ches Bay VACS and \$583,598.00 in OCB VACS. Interest earned through December 31, 2021 totals in \$269.76 towards Ches Bay funding and \$119.70 towards OCB funds. Non-compliant BMP repayments in Ches Bay funds total \$269.76 bringing the total of available FY22 funds to \$1,199,360.59 in Ches Bay and \$583,769.47 in OCB. The Ches Bay cost share requests including reported planted cover crop as of January 12<sup>th</sup> total 1,002,885.45 and \$940,694.12 in total cost share requests for OCB funds. VACS funds fully fund all Ches Bay requests as of January 12<sup>th</sup> leaving an

**APPROVED:** \_\_\_\_\_ **SIGNED:** \_\_\_\_\_  
BOARD CHAIRMAN BOARD SECRETARY

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unallocated balance of Ches Bay funds totaling \$196,475.14. There is a need in OCB funds as of January 12<sup>th</sup> totaling \$356,924.65 to fully fund cost share requests. Carmie reported she had been in contact with Peanut SWCD and hoped to be getting some unallocated OCB funds from them but they wouldn't know exactly for a month or so. Jackie reported she has also informed James River SWCD and Chowan SWCD of the need for OCB funds on the Shore.

Carmie reminded the Board of other available fund sources if additional VACS funds cannot be obtained. The Eastern Shore SWCD FY22 Operational Budget *Cost Share Support* line item totals \$167,208.64 and can be used towards either Bay or Sea practices. Also, Carmie noted there is \$298,008.96 designated contingency funds towards projects directly related to soil and water conservation on the Eastern Shore which could be used if needed.

The following Conservation Plans were approved on December 28, 2021 by Designee Jim Evans:

Cons Plan Contract #:	Conservation Planner:	Agency:	Cropland or Poultry:
20-22-0001	Carmie Savage	ESSWCD	Cropland
20-22-0002	Carmie Savage	ESSWCD	Cropland

The following WFA-1 (Whole Farm Approach Pilot Program) was reported:

Grant Scope: March 1, 2021- May 31, 2022- Bayside Acres only- first-come, first-serve basis, no cap limit, no ranking required. Requires RMP fully developed or under development to receive cost share funds. In FY22, priority is given to those who participated in FY21.

Technical Assistance available: \$ 111,610.00

**Total Cost Share funds available: \$ 865,241.00**

**-Disbursed in FY21: \$279,932.90**

**-Funds Available for Disbursement in FY22: \$585,308.10**

WFA-1 Contract: 20-22-0075		\$ 37,747.30
WFA-1 Contract: 20-22-0179		\$ 174,508.40
WFA-1 Contract: 20-20-0180		\$ 153,951.60
<b>Total FY22 WFA-1 Cost Share Requests: (Ches Bay funded only)</b>		<b>\$ 366,207.30</b>

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Carmie updated the Board that the poultry projects are moving along. Norman Pitt accompanied Amanda Pennington, DCR Engineer, on the as-built inspections of two completed projects. One has a minor issue and the other one has several issues. At this point it falls back on the Engineer to move forward. Another project is a week out from completion. There is an issue with the water table being high so the poles cannot be set on two projects. Those two the contractor has to complete before moving to another one. Two more need to update their status to the District. **Director Nick Thomas made a motion to approve the FY22 Cost Share report as presented. The motion, seconded by Director Jim Evans, carried unanimously.**

Carmie informed the Board she had received a request to transfer some tracts signed up under SL-8H from one entity to other entities. At this time, Director Jim Evans and Associate Director Rick Hall exited the meeting due to potential conflicts of interest. Two tracts signed up under SL-8H for J&R Farming Operations LLC need to be transferred to H&R Farming Operations LLC. **Director Nick Thomas made a motion to approve the transfer of two SL-8H tracts from J&R Farming Operations LLC to H&R Farming Operations LLC as presented. The motion, seconded by Director Kyle Sturgis, carried unanimously.** Three tracts signed up under SL-8H for J&R Farming Operations LLC need to be transferred to B&R Farming Operations LLC. **Director Nick Thomas made a motion to approve the transfer of three SL-8H tracts from J&R Farming Operations LLC to B&R Farming Operations LLC as presented. The motion, seconded by Director Kyle Sturgis, carried unanimously.** Carmie has completed the required paperwork and after a Director signature, she will submit it to DCR.

Earlier in the day, DCR held an informational webinar regarding upcoming tillage surveys with all Bay Districts. Staff reported to the Board that unlike in 2015 when the last surveys were held, Districts are to capture and report individual tract data and lat/long location points through the use of a mobile app. Also unlike in 2015, the surveys will not be windshield surveys but will require staff to either walk onto the field (with permission) to measure the residue or stand on the road and gage it against pictures provided by DCR. This method is to be conducted every 2/10 mi. with every 10<sup>th</sup> stop requiring pictures to be taken to verify data being captured. The Board discussed the lat/longs being captured will then specifically identify producers and the data could potentially be used to regulate specific producers. In 2015 the data was submitted as aggregated data but this is completely different. Eastern Shore SWCD does not provide employees with cell phones so it would require the use of personal phones. FOIA concerns were then discussed of the use of staffs' personal phones. Staff are not allowed to conduct the surveys on the weekends and be paid for their work such as in 2015 due to COIA, so it would add a large additional workload to staff in the busy spring months. The informational webinar showed a map and had the entire Eastern Shore highlighted not just the on the Bayside. Jackie stated she would check to see if the survey was just for the Bayside or also included the Seaside. Safety issues for staff were also discussed by the Board along with the potential for producers to lose the trust they have in the District

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as “farmer friendly” once they know the District acquired specific data/ locations/ pictures and submitted it via an app without their knowledge. After much discussion, the Board decided to draft a letter against this methodology and to send it to Jackie to distribute up the chain. The Board stated they did not want to be part of a survey that acquired specific data be submitted and not aggregated data. If the survey was to be conducted by someone else, they would want to be sure the District’s name was not used.

**C. FY22 Officers and Committee Appointments:** The list of FY21 officers and committee appointments was included in the meeting packets for review and discussion. **Director Jim Evans made a motion to approve keeping the FY21 officer and committee appointments list unchanged for FY22. The motion, seconded by Kyle Sturgis, carried unanimously.**

**D. Review of FY22 APOW for 1<sup>st</sup> and 2<sup>nd</sup> Quarters in Accordance with the Strategic Plan:** A copy of the monthly goal charts for the 1<sup>st</sup> and 2<sup>nd</sup> quarters of FY22 was included in the meeting packets for review. Carmie stated that many projected meetings and activities were cancelled due to COVID but overall the District is staying on track with what it can do considering the current pandemic.

**E. ES Ag Conference- January 26-27- Exmore Moose Lodge:** The District will be setting up an informational booth for both days of the event. Eight tickets have been purchased for the Young Farmers Oyster Roast and Robin asked that anyone that needed a ticket please let me Carmie know as soon as possible.

## CORRESPONDENCE AND PRESS:

A. n/a

## STAFF REPORTS:

**District Manager Report:** Carmie Savage, District Manager, included a written report in the meeting packet and it is on file in the District office. She presented her report to the Board.

### Cost share Updates:

- **Agronomic Update:** Tracking has been updated to reflect all actual plantings resulting in an overage of Ches Bay funds and a need in OCB funds. All spreadsheets have been updated. Details were presented during New Business.
- **Whole Farm Approach Pilot Program (WFA-1) Update:** Three large growers have enrolled all of their bay acreages into the program. All tracts have been entered into the Tracking Program and all spreadsheets have been updated.
- **Poultry Update:** The seven approved poultry practices that have been Board approved to carry over to a 3<sup>rd</sup> year are reflected in the FY22 Cost Share Report under New Business as well as the one FY21 project. Two projects were

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completed and inspected by DCR's State Engineer, Amanda Pennington on 12/20/21. One project had a minor issue and the other had major issues. It now falls back on the private engineer to have the issues corrected or Amanda will not pass the project and cost share funding will be lost. One more project is to begin construction the week of Jan 10<sup>th</sup> and one more has two in front of him before the contractor can begin construction. One more is one week out and two have yet to begin.

**Accounting:** Daily accounting procedures and payroll ongoing.

**Quarterly Reporting:** Carmie completed the Attachment E Report for quarter ending December 31, 2021 and submitted it to Jackie along with the QB Balance Sheet and QB Profit and Loss reports. The quarterly payroll and year end reports were submitted.

**1099G/1099Misc/ 1099NEC:** Carmie has completed the 2021 1099Gs for those cost share participants who received over \$600 in cost share payments, 1099Misc those who have received VCAP funding, and 1099NEC for TSPs such as nutrient management planners or resource management planners. The 1096 was also completed all has been mailed to the IRS and participants.

**2021 Tax Credits/ Conservation Plans:** Carmie mailed to the two producers the completed Ag Best Management (ABM) Tax Credit and all associated documentation for each. She has also completed two Ag Equipment Tax Credits and all associated documentation. Those also required a conservation plan to be eligible and she completed both conservation plans.

**FY2023 Budget Requests for Accomack and Northampton Counties:** Carmie received the budget calls for both Counties and submitted both by the respective due dates asking each for level funding. (Accomack County- \$21,154 and Northampton County \$10,898). Accomack was due December 15 and Northampton was due January 4.

**Workers Comp Audit:** Carmie completed the workers comp audit for the period of Jan 1- Dec 31, 2021 and submitted all documents to Liberty Mutual Insurance by the Jan 7 due date.

**District Website:** Carmie has been updating the District's website to keep it up-to-date.

**District Facebook Page:** Julie and Carmie have been posting to the District's FB page as time allows

**Webinars/ Trainings/ Conference Calls:**

- 12/28/21: Completed the Annual Security Awareness Training required by DCR

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**Conservation Specialist Report:** Bill Savage, Conservation Specialist, included a written report in the meeting packet and it is on file in the District office. He presented his report to the Board.

**BMP - Cost Share:**

- Assisted Carmie in Tracking with approval updates.
- Completed mapping reported cover.
- Began cover crop inspections.

**SL-15A No-Till Repayments:**

- Contract 20-17-0023: During an annual spot check on October 27th, 5.7ac of a 37.5ac field was found to contain a barn and a house foundation under construction. This portion of the field is now out of compliance. I contacted the producer to inform him and find out when construction had started to base the repayment calculations. The repayment letter was mailed out on the same day (10/27). The total amount owed the District is \$119.70 and repayment is due by December 27<sup>th</sup>. **Repayment was made in full on 11/10/2021 via Check # 24795.**

**Ground Water Committee Meetings:**

- 12/21/21 meeting was cancelled.
- Next meeting scheduled for 1/18/22.

**VESLT Reports:**

- 7 monitoring reports filed this month.

**Events and Meetings:**

- Bill was unable to attending the Agriculture, Soil Health and Water Quality Through the Ages lecture on 11/16 due to the COVID shutdown.

**Trainings:**

- Bill has been attending the virtual zoom meetings on RUSLE 2 that were held 12/22, 12/29, 1/5 & 1/12.
- Bill completed the required training on Section 508 What is it & Why it's Important? on the Federal computer 1/5/21.

**Conservation Technician Report:** Norman Pitt, Conservation Technician, included a written report in the meeting packet and it is on file in the District office. He presented his report to the Board.

**Poultry :**

- Norman accompanied Amanda Pennington, DCR State Engineer, on two poultry farm manure shed inspections. The inspections were conducted to determine if the contractor constructed the sheds in accordance with the engineer's specifications detailed on the approved plans.
- In communication with the poultry farmer owners and their engineers to clarify the additional compliance requirements requested by the state engineer to be granted final approval for their poultry sheds.

**No-Till/Cover Crop :**

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- Assisting Bill in updating the No-Till Files.
- Conducting cover crop spot checks in Accomack County.

### **VCAP :**

- Norman has conducted several VCAP site inspections in the Silver Beach and Crystal Beach area.

**Education Director Report:** Julie Head, Education Director, included a written report in the meeting packet and it is on file in the District office. She presented her report to the Board.

**Water Wise Home Program** – this has launched. Press releases have gone out. Several groups have picked up flyers. Julie is actively looking for places to talk about the program. Both yard signs and flags are in her office.

**Kiptopeke Elementary** – Working with the Gifted teacher. They are reading *A Long Walk to Water*.

**Occohannock Elementary** – working with 6th grade teachers in presenting *A Landfill is No Dump* and *Letter From A Plastic Bag*. One of the teachers is also participating in the vermicomposting project.

**Virginia Association of Environmental Educators** – Cora Baird and Julie will be presenting at the conference at the end of February.

**Envirothon** – Julie has been working on getting schools to commit to participating but this seems to be an uphill battle because of COVID. Broadwater Academy may have interest in pulling together a team but Accomack and Northampton Schools will not be participating. If Broadwater Academy does get a team together, Julie plans to work with them and then that team will just go on to compete in the Area competition.

**VDOE Environmental Education Advisory Committee** - ongoing

### **Upcoming**

- 1/14 – Education Committee Meeting
- 2/17 – Envirothon Training Day
- 2/24 – 2/25 – VAEE Conference
- 3/24 – Envirothon Testing Day

## **PARTNER AGENCY REPORTS:**

**Department of Conservation & Recreation Update:** Jaclyn Friedman, DCR CDC, included a written report in the meeting packet and it is on file in the District office. She presented her report to the Board.

### **Administrative and Operational Items:**

- **Quarterly reports are due January 18, 2022-** Attachments E, QBs cash balance and P&L reports for the quarter.

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- **IRS Mileage Rate:** Effective January 1, 2022, the rate has increased to 58.5 cents per mile driven for business use. This is up 2.5 cents from the 2021 rate.\
- **SWCD Election of Officers and Committee Appointments** to include appointment/reappointment of FOIA Officer & Records Retention Officer, if not already done so.
- **Directory Changes-** Please keep VASWCD apprised of changes in district personnel, district directors & officers, associate directors and meeting date/time changes for 2022.
- **Risk Management Coverage Reminder:** As per the memo distributed in August 2021, the Division of Risk Management provides tort liability and fidelity bonding. SWCDs are eligible to participate in the auto liability insurance for a cost to the SWCD. However, DRM DOES NOT PROVIDE PROPERTY INSURANCE OR WORKER'S COMP. These types of insurance policies should be sought out by the SWCDs from private insurance providers.
- **DCR IT Security Awareness On-Line Training:** All AgBMP Tracking program users must complete **required on-line training by Jan 28th**. Recall this training is required annually for all users of DCR's web applications, which includes the Tracking Program's Conservation Application Suite. Please send me copy of completion certificates.

**Ag Cost Share:**

- **BMP Tax Credits: January 31<sup>st</sup>** is the deadline for Districts to provide their producers with all required documentation for any agricultural BMP tax credits certified in calendar year 2021. The includes Form ABM, tax certificate letter(s) with attached certificates, as well as the applicable letters documenting an approved Soil Conservation Plan and/or Resource Management Plan. It is the producer's responsibility to work with their tax preparer to submit all required documentation to the Virginia Department of Taxation by APRIL 1, 2022.
- **Agricultural Equipment Tax Credit:** Districts can provide a blank copy of the Virginia Form AEC, a letter confirming that an approved soil conservation plan is on file at the District, and a blank copy of the certified statement signed by the producer and their nutrient management planner (i.e., not the District) stating that their NMP is being implemented. If there is no approved conservation plan, one would have to be developed and Board-approved and turned into the VA Dept of Taxation at least 90 days prior to the producer's state income tax filing deadline. In many cases, this means 90 days before 5/1/22, which is 1/31/22.
- **Cover Crop Survey:** DCR is partnering with the VCU Center for Environmental Studies to complete a survey to determine the extent of potential cover crops within the Chesapeake Bay Watershed. The intent of this survey is to obtain an accurate estimation of cover crop that is present within the Chesapeake Bay Watershed. The survey will be conducted by teams of graduate students during the month of January. An email with more information was sent out to impacted districts on 1/6/22 from Blair Gordon and Stuart Blankenship. If you have any questions, please contact Stu at [stuart.blankenship@dcr.virginia.gov](mailto:stuart.blankenship@dcr.virginia.gov)
- **Tillage Survey:** DCR will be working with select SWCDs during the Spring of 2022 to complete a residue/tillage survey throughout selected cropland areas in the Chesapeake Bay Watershed. This survey will provide an update to existing rates of tillage practices in the Chesapeake Bay watershed, which were generally last determined in 2015 or 2016. Informational meetings have been



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scheduled for participating Districts on January 12th at 11:00 am and January 19th at 3:00 pm.

### **Important Dates:**

- **January 12: Tillage Survey Meeting 11AM**
- **January 12:** General Assembly session starts
- **January 15:** Virginia Inauguration Day
- **January 17:** State Holiday – Martin L. King, Jr. Day
- **January 19: Tillage Survey Meeting 3PM** Zoom link: <https://vcu.zoom.us/j/99680922012?pwd=YUoyeSsrWUhyblpqWG9WT2ZxMUtwQT09>
- **January 28:** IT Security Awareness Training Completion Deadline
- **January 31:** deadline for Districts to provide producers with documents for tax credits

**Natural Resources Conservation Service (NRCS):** Jenny Templeton, NRCS District Conservationist, gave a verbal report to the Board.

**Office Procedures Update:** Jenny updated the Board that the Accomack Service Center is back to a “no visitors” policy and 25% daily staffing due to the increase in COVID cases.

**CSP Contracts:** Had one preapproval for CSP renewal.

**EQIP:** currently ranking applications

**The January 12, 2022 Board meeting was adjourned.**

*Meeting minutes were recorded by Carmie M. Savage*