



## EASTERN SHORE SOIL AND WATER CONSERVATION DISTRICT

### MINUTES OF DISTRICT BOARD MEETING

**Wednesday, February 9, 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, Ursula Deitch-Director, Sands Gayle- Director, Jaclyn Friedman- DCR CDC, Carmie Savage- District Manager, Bill Savage- Conservation Specialist, Norman Pitt- Conservation Technician, Ben Young- NRCS Soils Conservationist

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

Kyle Sturgis- Director, Robbie Lewis- Associate Director, Edwin Long- Associate Director, Rick Hall- Associate Director, Bill Shockley- Associate Director, Chip Turlington- Associate Director, Julie Head- Education Director

**CALL TO ORDER:** Robin Rich-Coates, Chair, called to order the February 9, 2022 District Board Meeting of the Eastern Shore Soil and Water Conservation District.

**MINUTES and FINANCIAL REPORTS:** Director Nick Thomas made a motion to approve the January 12, 2022 meeting minutes and the January 2022 financial reports as presented. The motion, seconded by Director Jim Evans, carried unanimously.

#### **NEW BUSINESS:**

**A. 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 January 31, 2022 totals in \$218.61 towards Ches Bay funding and \$63.69 towards OCB funds. Non-compliant BMP repayments total \$269.76 in Ches Bay funds and \$119.70 in OCB funds. The total available FY22 funds is \$1,199,396.37 in Ches Bay and \$583,781.39 in OCB. The cost share requests approved, contingent on funding, as of February 9<sup>th</sup> total 1,001,326.25 in Ches Bay and \$947,394.35 in OCB. Additional cost share requests totaling \$11,012.75 in Ches Bay and \$22,662.80 in OCB funds were included bringing the total unallocated Ches Bay VACS to \$187,057.37 and a need of \$386,275.76 in OCB VACS to fully fund all OCB cost share requests as of February 9<sup>th</sup>. James River SWCD has a balance of \$250,000 in unallocated OCB VACS funds they have offered to transfer to Eastern Shore SWCD and may have more eventually. Director Ursula Deitch made a motion to approve the acceptance of the \$250,000 in OCB VACS funds from James River SWCD and any associated TA if offered. The motion, seconded by Director Sands Gayle, carried unanimously.

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

## Minutes

February 9, 2022

Carmie reminded the Board of other available funding 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 BMP cost share requests were presented for approval contingent on funding:

Cons Plan Contract No:	BMP:	Requested Ches Bay funds:	Total Ches Bay Acres:	Requested OCB funds:	Total OCB Acres:
20-22-0182	NM-3C	\$1,501.80	250.3	\$8,808.00	1468.0
20-22-0183	NM-3C	\$337.20	56.2	\$395.40	65.9
20-22-0071	NM-1a			\$69.60	34.8
20-22-0181	NM-4			\$5,046.30	1121.4
20-22-0186	NM-4	\$1,173.15	260.7		
20-22-0184	NM-1a			\$154.60	77.3
20-22-0185	NM-4			\$347.85	77.3
20-22-0187	NM-4	\$31.50	7	\$1,750.50	389
20-22-0189	NM-3C	\$1,004.40	167.4	\$1,846.80	307.8
20-22-0188	NM-3C			\$739.20	123.2
20-22-0190	NM-3C	\$1,626.60	271.1	\$651.00	108.5
20-22-0161	NM-4	\$375.30	83.4		
20-22-0167	NM-3C	\$817.20	136.2		
20-22-0191	NM-1a	\$2,968.40	1484.2	\$1,430.80	715.4
20-22-0192	NM-3C	\$1,177.20	196.2	\$1,151.40	191.9
20-22-0193	NM-4			\$271.35	60.3
<b>Total Ches Bay Cost Share Requests:</b>		<b>\$11,012.75</b>			
<b>Total OCB Cost Share Requests:</b>					<b>\$22,662.80</b>

A breakdown of instances associated with each contract number presented for approval will be attached to the official copy of the meeting minutes at the District office. Director Nick Thomas made a motion to approve new BMP cost share requests as presented. The motion, seconded by Director Jim Evans, carried unanimously.

Minutes  
February 9, 2022

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

<p>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.</p> <p>Technical Assistance available: \$ 111,610.00</p> <p><b>Total Cost Share funds available: \$ 865,241.00</b>  <b>-Disbursed in FY21: \$279,932.90</b>  <b>-Funds Available for Disbursement in FY22: \$585,308.10</b></p>		
WFA-1 Contract: 20-22-0075	\$	19,397.80
WFA-1 Contract: 20-22-0179 (one tract was listed in VACS OCB CC, but it in Ches Bay HU so cancelled in VACS and added to WFA-1)	\$	176,889.80
WFA-1 Contract: 20-20-0180	\$	153,951.60
<b>Total FY22 WFA-1 Approved Cost Share Requests as of Feb. 9, 2022:</b> (Ches Bay funded only)	\$	366,207.30

Two producers have reported in but one still needs to report so these numbers will reduce.

Carmie updated the Board that the poultry projects are moving along. Two as-built inspections have been completed by Amanda Pennington, DCR State Engineer. One has a minor issue and the other one has several issues. Both are in the process of correcting issues. Another project has reported completion and once the as-built is submitted to the District by the Engineer, an as-built inspection will be scheduled. 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. The third project in line is just waiting. 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 Ursula Deitch, carried unanimously.**

**B. Update on Tillage Surveys:** During the January 12<sup>th</sup> District Board meeting, the Board agreed to draft a letter of concern regarding the tillage surveys. The letter was emailed on January 14<sup>th</sup> to Jacklyn Friedman, DCR CDC to disburse to DCR folks. The letter was

Minutes

February 9, 2022

also emailed to the Area VI Chair, all Districts in Area VI and VASWCD. During the Young Farmers Oyster Roast following the Ag Conference & Trade Show, Sands Gayle and Carmie had a conversation with VDACS Commissioner, Joseph Guthrie regarding the Eastern Shore District and mentioned the concerns regarding the no-till surveys. He reached out to DCR and on February 3<sup>rd</sup>, Carmie received an email from Darryl Glover, Deputy Director of DCR, to follow-up on the concerns. Carmie clarified the communication with the Commissioner. Mr. Glover stated in an email and in conversation that the Eastern Shore would either be omitted from the surveys or another group would conduct them. Carmie included more informative information regarding the survey process in the meeting packets.

**D. Perdue Carbon Credit Program:** On February 4<sup>th</sup> Carmie and Jim Evans participated in a Zoom meeting with Scott Raubenstine, Vice-President Perdue Ag Services regarding Perdue's Carbon Credit Program. Perdue has a long term vision to have all farmer-partner acres included in their sustainable crop production program by 2030. They have started a pilot program now and are trying to get 150 growers to participate. Eligibility to participate growers must plant corn, soybeans and/or wheat in their rotation (only these crops). Growers must plan to implement no till, strip till, and /or cover crop. Practices must be new or adopted continuously on or after January 1, 2012. Growers must implement the practice every year for the length of the program. Fields must be greater than 10 acres but there is no max acreage or number of fields. Growers must own the land or will obtain permission from landowner to participate via contract. Growers must be using or agree to use a Climate FieldView digital ag platform device. Participants will receive a yearly cash payout for the verified and validated practices that have been implemented. The payout is \$3 per acre, per year for the no-till/ strip till, \$6 per acre, per year for the Cover Crops or \$9 per acre per year for no till/ strip till and cover crops combined. Fields on which no till, strip till, and/or cover crops were adopted after January 1, 2012 are eligible for up to 5 years of historical payment that will be paid out the same as future payments of \$3, \$6 or \$9 per acre per year after validation. Each field will be considered on a case-by-case basis based upon their ability to verify historical practices were performed and carbon credits were generated.

**E. New Projects Director for Eastern Shore RC&D:** The Eastern Shore RC&D has a new Projects Director. Stacy Johnson previously served as the Executive Director for the Eastern Shore Habitat for Humanities and is getting up to speed on conservation needs and priorities on the shore.

**F. VASWCD 2022 Legislative Tracking Report:** The legislative tracking report as of February 3<sup>rd</sup> was included in the meeting packets. An updated copy was available during the District Board meeting.

Minutes

February 9, 2022

## **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.

### **FY 2022 Cost Share Program:**

- **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 under during New Business. Bill and Carmie have taken more BMP Cost Share requests for NM-4, NM-3C, and NM-1a. They advertised a sign-up period through January 31<sup>st</sup>. All requests have been entered in tracking and were presented during New Business for approval contingent on funding.
- **Whole Farm Approach Pilot Program (WFA-1):** Three large growers enrolled and were approved for their bay acreages into the program. All reported planted acreages have been updated in the Tracking Program and all spreadsheets have been updated. One more applicant is soon to report.

**Poultry Update:** The seven approved poultry practices that have been Board approved to carry over to a 3<sup>rd</sup> year were reflected in the FY22 Cost Share Report under New Business as well as the one FY21 project. Two projects were completed and inspected by DCR's State Engineer, Amanda Pennington on 12/20/21. One project had a minor issues and the other had major issues. It now falls back on the private engineers to have the issues corrected or Amanda will not pass the project and cost share funding will be lost. Another has been completed and waiting on the As-Built from the Engineer before the State Engineer can be scheduled to come over for the inspection. Two have yet to begin and one is in line to be constructed. The contractor is having issue setting poles in the holes with the high water table, rain, snow, etc.

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

Minutes

February 9, 2022

**Tillage Surveys: Letter of Concern:** Emailed the letter of concern from the Board to Jackie Friedman on January 14<sup>th</sup> as requested. Carmie asked Jackie to distribute to those folks in DCR that it should go to. She also emailed it to the Chair of Area VI, all other Districts in Area VI and VASWCD. Sands Gayle and Carmie spoke with VDACS Commissioner, Joseph Guthrie at the Young Farmers Oyster Roast regarding our District's concerns. He asked for more information which she emailed to him. On February 3<sup>rd</sup> Darryl Glover, Deputy Director DCR, emailed Carmie which she included in the meeting packet. He also called that same day as the VDACS Commissioner had reached out to him. She clarified how he had become involved and explained the concerns. He said he understood and the Eastern Shore would either be omitted from the surveys or they would have another group conduct them.

**Perdue Carbon Credit Program:** A few farmers have reached out to Carmie to draft a verification letter of their cover crops and no-till acres that had been funded through the District since 2017 so they could participate in the carbon credit program with Perdue. Carmie was unsure of what this program was about so she contacted Scott Raubenstine, Perdue Vice President of Ag Services, on January 28<sup>th</sup>. Jim Evans was in the office at that time so he and Carmie participated in a Zoom meeting with Scott. He explained the Carbon Credit Program to us and what they are offering to producers. Jim Evans presented more details during New Business.

**Ag Conference & Trade Show:** January 26-27 the District participated with a display booth in the Ag Conference and Trade Show held at the Exmore Moose Lodge. Carmie attended the mornings of both days and took NM-4 and NM-3C signups while there. She also attended the Young Farmers Oyster Roast the evening of January 26.

**Painter AREC Seminar/ Lunch/ and Meeting for the Applied Plant Pathology Faculty Position:** Carmie attended, via Zoom, the first candidate's session on February 4<sup>th</sup> as the District was invited as a stakeholder. Bill and Ben Young, NRCS, attended in-person. The second candidate presented on February 8<sup>th</sup>.

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

Minutes

February 9, 2022

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

**Webinars/ Trainings/ Conference Calls:**

- 1/27/22: Completed "Section508: What is it and Why is it important to you" course required by NRCS

**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 NM-3C & NM-4 additional signup & press release.
- Ongoing: cover crop inspections. Northampton County completed.
- Ongoing: logging in cover crop inspection dates in tracking.

**Ground Water Committee Meeting 1/18/22:**

- The meeting was held in person at the Chamber of Commerce building in Melfa. This is the "new" official meeting place of the Groundwater Committee.
- The meeting did not have a quorum present, so no votes on official business were called.
- Committee member Grayson Chesser commented on a recent article in the Bay Journal. The article was about poultry houses, but Grayson was concerned that no mention was made of the number of chicken houses that have been shut down or the number of new houses that have had construction halted.
- The Committee is still searching for a new member to fill the slot vacated by Taylor Dukes.
- Britt McMillian (ARCADIS) Updated the Committee on a groundwater with drawl permit application on a farm transitioning from small grains to 43 acres of plastic culture tomatoes. The farm would need an estimated 200,000gal of water per day and plans to draw all of it from the Columbia, which is what the Committee would like to see.

**Minutes**

February 9, 2022

- Britt McMillian gave a presentation on a recent USGS publication concerning sea level rise. One interesting point to note is a one foot rise in sea level at Kiptopeke since 1950.
- Joe Grist (VDEQ) gave some updates from DEQ: Chapter 910 of The State Water Control Board is now set for executive review. This is the general permit for incentivizing the use of the surficial aquifer on the Eastern Shore. Chapter 920. This general permit is aimed at non-agricultural irrigation. These irrigation practices must pull water from the surficial aquifer unless this will not meet their needs. Finally, Senate Bill 1291, Water Conservation Planning is being added to the regulations.
- Next meeting scheduled for 2/15.

**Painter AREC Seminar/ Lunch/ and Meeting for the Applied Plant Pathology**

**Faculty Position:** On Feb. 4<sup>th</sup> Ben Young, NRCS, and Bill attended to hear Dr. Fereshteh Shahoveisi present. Dr. Douglas Higgins presented on February 8<sup>th</sup>. Ben and Bill attended that presentation as well.

**VESLT Reports:**

- 2 monitoring reports filed this month.

**Events and Meetings:**

- Norman and Bill set up and manned the District's booth at the Eastern Shore Ag Conference & Trade Show on 1/26 at Exmore Moose Lodge. Carmie and Bill took several NM-4 and NM-3C signups and answered many questions regarding the programs during the conference. Ben Young (NRCS) assisted Bill on 1/27 and helped pack up the display. Bill also attended the Young Farmers Oyster Roast on 1/26.

**Trainings:**

- Bill attended the virtual zoom meeting on RUSLE 2 that was held 1/19.

**Vehicle Maintenance:**

- Van to Eastern Shore Tire for oil change on 1/25.

Minutes

February 9, 2022

**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:** Still in communication with poultry farm owners and their engineers to clarify the additional compliance requirements requested by DCR State Engineer so they can soon be granted final approval of their projects.

**No-till/ Cover Crop Spot Checks:** Continuing to conduct spot check inspections in the upper and middle of Accomack County.

**VCAP:** Completed VCAP site along Crystal Beach Rd to determine if the ongoing erosion and flooding problems could be diminished by using one or a combination of VCAP measures. It appears the flooding in the area is a normal occurrence during high tides and storm events. The erosion appears to be caused by wave action. The owner's lot appears to be eroding at a greater rate because the adjacent homeowners on both sides of the property have rip rap shoreline protection. This may be causing the wave action to be directed to the unprotected lot.

**Ag Conference & Trade Show:** Norman helped Bill set up the District's exhibit on January 26<sup>th</sup> and helped to man the booth.

**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 was unable to attend.

## **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 Disbursement letters sent Feb 9; funds should follow in less than 30 days.
- Be on the lookout for Tillage Survey MOU for board action in February or March\
- FOIA and records retention training: Due this program year. Records retention and FOIA officer training found on COVLC. FOIA training for local elected officials: <http://foiacouncil.dls.virginia.gov/training.htm>

Minutes

February 9, 2022

### **Strategic Planning:**

Many districts extended the expiration date for their current strategic plans by one year per approval of the VA Soil and Water Conservation Board. Planning efforts should be well underway to engage stakeholders and develop a new 4 year plan.

### **Reminders Regarding Grant Agreement Deliverables**

- Strategic Plan: *Must be reviewed annually during the FY Board review & recorded in meeting minutes.*
- Annual Plan of Work: *Must be reviewed twice during the FY and recorded in the board meeting minutes*
- *“Desktop Procedures for District Fiscal Operations” must be reviewed annually by the District Board or the Finance Committee and documented in official minutes*

### **Good Byes:**

- **Clyde Cristman**, DCR Director retired 1/14/22. Governor Youngkin will appoint his replacement
- **David Bryan**, DCR Ag Incentives Program Manager accepted position with State Parks. Advertising has begun.
- **Jim Echols**, DCR Western Area manger retired Feb 1. Hiring process underway

### **And Hello:**

- **Andrew Wheeler**, Secretary-Designee, Natural and Historic Resource.
- **Michael Rolband**, Director-Designee, Department of Environmental Quality
- **Matt Lohr**, Secretary-Designee, Agriculture and Forestry
- **Joseph Guthrie**, Commissioner-Designee, Agriculture
- **Frank Stovall**, Acting DCR Director

### **AG & COST SHARE ITEMS:**

Coverage of VACS Program and related issues until DCR fills the Ag Incentives Program Manager position. We are dividing up responsibilities until the positon is filled. Begin with your CDC and funnel all your VACS related questions through me. The following staff will also be helping out on VACS program related topics.

Minutes

February 9, 2022

- Variance Requests should be sent in to the local CDC and Agricultural BMP Engineer (Amanda)
- TAC Questions and Planning; Tax Credit Questions; Media or Legislative Inquiries- Christine Watlington Jones
- Carryovers Requiring DCR Sign-off (Due 5/13/22); Allocation Transfers; Practice Failures- Blair Gordon
- Secondary Considerations; Average Cost Lists; Verifications- Nicole Keller
- CREP Program- Barbara McGarry

**Follow-up Needed for CY21 Random BMP Verifications:** Please continue to work with participants who have maintenance needs, and remember to update the Verification Module as repairs are completed. No more than 6 months should be between the initial inspection and repairs being completed.

**Tillage Survey:** DCR will be working with select SWCDs during the spring of 2022 to complete a residue/tillage survey. This survey will provide an update to existing rates of tillage practices in the CB, which were last determined in 2015/2016. Although it is the tillage practices that we want to update, the surveyors will also be measuring (in categories) the amount of residue they encounter. The survey has two goals; to have an accounting of how much conservation tillage is occurring as a voluntary practice for which we can receive Chesapeake Bay model credit, and to improve the estimations of NPS pollution loadings from cropland that are derived from our NPS Assessment modeling, which is used to target NPS BMP installations and practices. The goal is to conduct the surveys after the main crop is planted but before the crop canopy closes. District staff will be asked to use their knowledge to conduct the surveys during the appropriate time period for their survey area. Districts have been provided the dollar amount they will receive once the data has been submitted and reviewed. MOUs will be sent to districts for board approval in February/March.

#### **UPCOMING TRAINING AND IMPORTANT DATES:**

- Feb 15: Crossover Day in the VA General Assembly
- Feb 21: President's Day Holiday - State Offices Closed
- March 12: General Assembly Adjourns

Minutes

February 9, 2022

**Natural Resources Conservation Service (NRCS):** Ben Young, NRCS Soil Conservationist, gave a verbal report to the Board.

- Finishing up EQIP ranking- deadline February 18<sup>th</sup>
- Three programs have recently been announced:
  - CSP (Conservation Stewardship Program) deadline is March 25 for applications. They will include all CSP applications that did not funded last year, renewal applications that did not get funded and new CSP applications
  - EQIP CIC (Conservation Incentive Contract) focused on livestock grazing- deadline is April 1
  - Aquaculture Reef Restoration- applicants work with VMRC for eligibility- deadline for applications- March 18
- A lot of interest in the Black Duck Program and Wildlife Habitat Projects – will be scheduling visits over the next few months with Ducks Unlimited and Bob Glennon, Private Lands Biologist.
- Wetland Restoration Easement in Northampton County- Been working on the planning and going through easement process with landowner since 2017. Excited to see the implementation of some practices on site.

**Virginia Cooperative Extension (VCE):** Ursula Deitch, Northampton County Extension Agent, gave a verbal report to the Board.

- Wrapped up the Ag Conference & Trade Show for this year
- AREC is hiring an Applied Plant Pathology Faculty Position- conducting interviews
- Accomac County VCE has been hosting a tire recycling event with Accomack County Farm Bureau
- March 2- Commercial Pesticide Recertification for the Green Industry

**The February 9, 2022 Board meeting was adjourned.**

*Meeting minutes were recorded by Carmie M. Savage*