



# Missouri Department of Natural Resources

## MINUTES

### MISSOURI SOIL AND WATER DISTRICTS COMMISSION

Missouri Department of Conservation

Regional Office

3500 Gans Road

Columbia, MO

June 8, 2016

**COMMISSION MEMBERS PRESENT:** Glen Cope, H. Ralph Gaw, Jeff Lance, Tim Martin and Gary Vandiver

**EX-OFFICIO MEMBERS:** RICHARD FORDYCE, DEPT. OF AGRICULTURE: Judy Grundler; BOB ZIEHMER, DEPT. OF CONSERVATION: Lisa Potter; SARA PARKER PAULEY, DEPT. OF NATURAL RESOURCES: Todd Sampsell; DEAN THOMAS PAYNE, UNIV. OF MISSOURI: Robert Kallenbach

**ADVISORY MEMBERS PRESENT:** SOIL AND WATER CONSERVATION PROGRAM: Colleen Meredith; NATURAL RESOURCES CONSERVATION SERVICE (NRCS): J.R. Flores; MISSOURI ASSOCIATION OF SOIL AND WATER CONSERVATION DISTRICTS (MASWCD): Kenny Lovelace; ATTORNEY GENERAL'S OFFICE: Shawna Bligh

**STAFF MEMBERS PRESENT:** Van Beydler, Jim Boschert, Allan Clarke, Theresa Mueller, Jim Plassmeyer, Steve Walker, Colette Weckenborg, Bill Wilson, Jake Wilson

**OTHERS PRESENT:** CARTER: Mike Kelley; CASS: Tom Lampe; HOWARD: Beverly Dometrorch; MONTGOMERY: Robert Ridgley; MISSOURI DEPARTMENT OF NATURAL RESOURCES: Andrea Balkenbush, Kurt Boeckmann, Joe Engeln, Jennifer Hoggatt; MISSOURI FARM BUREAU: Leslie Holloway; MISSOURI SOIL AND WATER CONSERVATION DISTRICT EMPLOYEES ASSOCIATION (MSWCDEA): Matt Blansett; MISSOURI RURAL WATER ASSOCIATION: Eric Fuchs; NATURAL RESOURCES CONSERVATION SERVICE: Dick Purcell; UNIVERSITY OF MISSOURI: Dr. Randy Miles; USGS MISSOURI WATER SCIENCE CENTER: Amy Beussink, Shane Barks

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## A. CALL TO ORDER

The meeting was called to order at the Missouri Department of Conservation Regional Office, in Columbia, MO, at 1:34 p.m.

Gary Vandiver welcomed Tim Martin back to the Commission and asked Glen Cope, the newest member to the Commission, to introduce himself. Mr. Cope stated he is from Aurora in Barry County. He is a 4<sup>th</sup> generation cow/calf producer, also involved with other commodity organizations, and has a lot of respect for what the Commission does and what the tax dollars do for the state.

## B. MINUTES OF THE LAST MEETING

H. Ralph Gaw made a motion to approve the minutes for the April 13, 2016, meeting. Jeff Lance seconded the motion. When asked by the Chair, Glen Cope, H. Ralph Gaw, Jeff Lance, Tim Martin and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

## C. DEPARTMENT OF NATURAL RESOURCES

1. Todd Sampsell, Department Deputy Director, informed the Commission that Joe Engeln is retiring and that he would be taking his place on the Commission. Mr. Sampsell reported that he had been to the Citizen's Committee Meeting for the Parks, Soils and Water Sales Tax renewal effort and it went well. He updated the Commission on HB1414 that focused on agriculture privacy issues and HB1713 and Senate Amendment 1 that impacts the Clean Water Commission's makeup.

### 2. Nutrient Trading

Joe Engeln presented an update on the Nutrient Trading. Water quality trading was one of the recommendations that came from the Nutrient Loss Reduction Strategy that the department completed in 2014. There were a number of people interested in this, but there was no policy to support it. Approximately a year ago, a workgroup was started that included farmers, other members of the agriculture community and municipal interests to develop a strategy to be considered for adoption as policy from the Clean Water Commission. He pointed out that trading would be voluntary; it will only be used if a community or company thinks they can do better in terms of using trading to meet water quality standards. Trading could take place between two point sources or between a point source and a nonpoint source. The workgroup views this as an opportunity to build upon the conservation efforts of the Soil and Water Districts Commission and the Soil and Water Conservation Program. The Nutrient Tracking Tool can demonstrate how effective the soil and water practices are in nutrient reduction. The department has proposed creating a clearinghouse for nonpoint source trades using the Missouri Soil and Water Information Management System (MoSWIMS). Another important thing is the stable funding through the Soil and Water Conservation

Program. It helps provide a constant source of new practices that will be put on the ground for nonpoint source nutrient and sediment reduction. The policy has to be implemented through the Clean Water Commission because it is under the state and federal clean water laws and they hope to present the draft policy to that Commission at their July meeting. Mr. Engeln said they have worked hard to make the program work well for farmers. The only change that any farmer would have, if they were to participate in the program, is their approval to allow the state portion of the cost-share funding to be used for water quality trading. He pointed out that if they participate, it does not mean they would have extra inspections. They have made the program as easy as possible for the farmer and it is completely voluntary.

**D. SOIL AND WATER CONSERVATION PROGRAM DIRECTOR'S COMMENTS**

**1. FY16 Cost-Share Fund Status/FY17 Allocations**

Bill Wilson presented the Fiscal Year (FY) 2016 Regular Cost-Share and Agricultural Nonpoint Source (AgNPS) Special Area Land Treatment (SALT) Fund Status report. As of June 6, 2016, approximately \$50.6 million has been allocated and of that amount, \$35 million has been obligated. The total amount paid was approximately \$27.8 million. As of June 6, 2016, \$170,988 of the SALT Cost-Share had been allocated and of that amount, \$105,103 had been obligated. The total amount paid was \$75,998. He pointed out this is the last year for the AgNPS SALT Program.

Next, Mr. Wilson covered the FY17 cost-share allocation timeline: December 1, 2015, the FY17 allocation was approved by the Commission, including the supplemental process; January 5, 2016, Advanced Allocations were provided to the districts, which included 100 percent of Animal Waste and Nutrient & Pest Management allocations and \$2.6 million for the other five resource concern areas. On May 26, 2016, the budget was signed and the FY17 funds were made available to the districts. On August 4, 2016, the supplemental allocations will start. It will be a rolling allocation process and evaluated monthly. The threshold is 90 percent obligated of the total allocation in each Resource Concern and the Supplemental Allocation for qualifying resource concerns will be raised to \$60,000. The Master Fund Status Report from MoSWIMS will be pulled at the end of the day on August 4, September 1, October 6, November 3, December 8, January 5, February 2 and March 2. At 4:00 p.m. on each of these days, MoSWIMS will be locked until allocations are loaded. An email will be sent to the districts receiving the additional funds, and all districts will be notified by email when MoSWIMS is unlocked. There is a \$500,000 limit for Total Supplemental Allocation per district. He pointed out that the supplemental status reports will be presented to the Commission regularly.

**2. Soil Health Assessment Center Update**

Dr. Randy Miles presented an update on the Soil Health Assessment Center. Their goal is to have high quality, as well as relevance, for analyses. As of June 8, 2016, they have 1,732 samples analyzed out of the 1,900 contracted samples. They are working on developing a database. The database will be on a regional basis, as well as statewide by major land resources areas. They are going to include the use of the soil survey information. Dr. Miles updated the Commission on some of the assessments.

Dr. Miles stated that three of the four phases of the lab renovation have been completed and are about two-thirds of the way toward completion of the training center. They have been in the process of collecting data and formatting it. The emphasis is to look at the current status of soil health and how they compare, as well as developing general recommendations. They will have components of the soil health report and a summarization of the database online so individuals will have access to the information. Dr. Miles covered some of the components of the Soil Health Report. He reemphasized they are developing baseline data for comparative aspects. They have received assistance from NRCS and the Soil Survey group. The Reference "baseline" will be the conceptual "healthiest" soil, and most reference baselines will come from natural areas or those with little disturbance.

The Soil Health Assessment Center has two permanent employees and several student workers that have a wide variety of majors. In May they were involved with NRCS on development of the Missouri Baseline reference samples and the soil profile sampling blitz. The center has been recognized at the national level with NRCS National Soil Health Center where they are doing their Phospholipid Fatty Acids assessment on a series of long term sites. They are also working on developing educational programs.

In summary, Dr. Miles said they are directly assessing soil health parameters, developing a baseline, and want to provide Missouri citizens with the greatest bang for the buck through the "Missouri Way."

It was pointed out that the Cover Crop policy requires an initial soil sample and if cover crops were grown consecutively on the same field for 3-4 years, then a follow-up sample could be taken for comparison. In regards to tillage on cover crops, Commission policy states no tillage allowed; the practice is set up that cover crops have to be no-tilled or broadcast and the production crop after the cover crop has to be no-tilled as well.

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Gary Vandiver introduced Shawna Bligh as the new Attorney General Representative on the Commission. Ms. Bligh stated she is an Assistant Attorney General, in the Agriculture and Environmental Division. She has been practicing law for approximately 13 years, mainly in Environmental Law.

### 3. **Envirothon Update**

Bill Wilson presented an update on the State Envirothon that was held on April 28, 2016, at Lincoln University's Carver Farm in Jefferson City. There were 18 teams that competed and the winner was Pembroke Hill High School from Kansas City. They took the high score in four of the five resource stations. Since they were the overall winners, they will represent the state at the National Envirothon to be held in Canada in late July.

### 4. **State Water Plan Research Funding**

Andrea Collier presented an update on the State Water Plan Research Funding project. The department is responsible to develop, maintain and periodically update a state water plan. This is not a new effort to the state of Missouri. They have been doing state water planning since the 1930's. The first state water plan was finalized in 1938 and the most recent update was 2003. The goal is to update the plan every 10 years. The plan that is being worked on is intended to be comprehensive and to consider all future water needs for the state. The Water Resources Center is using a planning horizon of 2060, which will include looking at water demands, supplies and availability by projecting out the next 45 years to determine what the needs will look like under different conditions. The plan looks at the demands and availability to see what the gap could be. They have finalized a cost-share agreement with the U.S. Army Corp of Engineers (USACE) through their planning assistance to states program, which is a 50/10 cost-share agreement. Contractor DCM-Smith will be doing a large portion of the initial analysis and stakeholder engagement work; the second scope of work is being proposed with University of Missouri's-College of Agriculture, Food and Natural Resources (MU-CAFNR) for the Ag Water Demands. Ms. Collier presented information for Missouri's annual average precipitation for years 1895-2014. The amounts ranged from 24 to 57 inches per year. Water planning is important because not all water supplies and water infrastructure in Missouri can sustain or tolerate drought conditions, and from previous water planning that has been, the water demands in certain areas cannot be met long term under drought conditions. By planning, it better prepares the state to understand what water needs are in water use sectors under water-stressed conditions. Water planning helps in understanding areas where developing new and more sustainable water sources, better infrastructure and more integrated water supplies can help to sustain water delivery in a dynamic climate.

Ms. Collier presented examples of water planning in the state of Arkansas and one in southwest Missouri. Both of these examples showed the need to understand

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water demands and the sustainability of groundwater use. Continued water planning is important in order to have the most updated information available to project water needs and gaps. The studies completed to date are not comprehensive so doing a new Missouri State Water Plan effort is critical to have a full understanding of the statewide needs. Ms. Collier presented information on the funding needs for the Missouri State Water Plan. The estimated cost of the project is \$3 million over two years. In fiscal year (FY) 2016 there is a 50/50 cost-share agreement with the USACE for a total of \$647,600. The Water Resources Center in FY16 provided \$273,000 in funding and \$100,000 is "work-in-kind." For FY17 they have \$1.2 million in appropriation that was approved in the FY17 budget signed by the Governor, \$300,000 from Water Resources Center's water planning funds, and possibly another \$300,000 of USACE funding through planning assistance to states. That brings the total to just over \$2.5 million of the total \$3 million needed to complete the project. She pointed out that they expect to complete this project in FY18 but additional funds will need to be pursued to complete the project.

Next, Ms. Collier presented the benefits of a MU-CAFNR partnership for agricultural water demands. The goal of the project is to quantify agricultural water demands statewide on a basin scale and then to understand what sources of water are being used for irrigation and livestock watering, as well as projecting forward under different water uses what the demands will be. This project should be approximately \$300,000 total.

Dr. Kallenbach stated the university wants to develop reliable estimates of water demands for agriculture. One way they look at water in agriculture is often in water cycles, such as inputs to the system through the entire hydrologic system. From rainfall to crop, groundwater back to surface water and back into the atmosphere through evaporation. One thing that is not completely understood about agricultural use of water is the use of water to create wealth, such as economic development in communities and also to create healthy food. They want to bring that aspect into the state water plan. They are also interested in updating the demands for water in regards to new hybrids that are more water efficient and irrigation potential. As far as livestock watering demand, they would like to estimate it as accurately as possible. The outcomes that they want from this project are water demand use plans (HUC 8 levels) and economic estimates of value that agriculture adds to water.

After extensive discussion, the Commission asked that the following information be provided to them before the next meeting: a copy of the last state water plan, how the new one will look, the differences and how will they get the information for the plan.

**5. U.S. Geological Survey Monitoring Network**

Amy Buessink, Director of the USGS Missouri Water Science Center, stated they are part of the Department of Interior, which is a federal agency. They do not regulate, own or manage any land and focus on water science.

Shane Barks, Deputy Director for USGS Missouri Water Science Center, presented information on the Ambient Water Quality Monitoring Network Phase II Data Analysis. They have collected data from 195 lake sites, 408 spring sites, 1,815 stream sites; the data from the sites is stored in a database. The types of data are time series, current conditions, historical observation, and daily discrete data: field measurements and field/lab samples. The time series data is continually collected and they are looking at gage height, stage, water-surface elevation; streamflow or discharge; suspended sediment concentration and load; and water quality parameters. Historically they have operated stream gages in 400-500 locations in the state, but currently they are operating 250 gages in the state and they have continuous data from as far back as 1861 on the Mississippi River. They have 26 water quality monitoring sites in the state; on continuous basis they collect water temperature, dissolved oxygen, specific conductance, pH, turbidity, nitrate and nitrite. With the discrete data they collect discharge measurements in 647 locations and over 130,000 measurements are stored in the database. They also collect discrete water quality data, such as physical properties, nutrients, fecal bacteria indicators, major ions, trace elements, suspended sediments and solids, and pesticides. They have collected water quality samples from 1,703 locations; 132,414 samples are stored in the database. They have been collecting samples on the Missouri River at Hermann since 1948. The ambient water quality monitoring network is done in cooperation with the Department of Natural Resources and began in 1964 at 18 sites; currently there are 73 sites. Most of the sites are selected by the department. The data is used for the following: definition of existing surface water quality conditions; detection and definition of trends in concentrations and loads; detection of emerging problems; regulatory needs including the Clean Water Act; evaluation of management strategies and program effectiveness; and design of abatement, control and management strategies. Phase I of the Water Quality Data Analysis was started in 2008 with six sites looking at physical properties, nutrients, fecal bacteria indicators, total suspended solids and select trace elements. The results of the study are: geometric mean of E. coli exceeded state standards at the Grand River site; the total suspended concentrations were greater at the northern sites; total phosphorous strong downward trend at the Wilson Creek site; and nitrate and nitrite had an upward trend at Elk River. In Phase II the objectives are to analyze all sites, evaluate baseline water quality conditions across the state, compare selected constituent concentrations and loads, analyze long-term trends and evaluate the current monitoring network to determine if it meets the current needs. He pointed out this would be a 2½ year project. The results would be presented in a USGS Scientific Investigation Report and Fact Sheet. The total cost would be \$363,000 with

USGS providing \$50,000, leaving a balance of \$313,000 that is needed from other partners.

**6. Handbook Updates**

Bill Wilson presented updates on the FY17 Cost-Share Handbook and District Operations Manual. Program staff received suggestions from the districts for updates to the Cost-Share Handbook. Some of the updates are clarification of the conservation mapping process, clarification of reseeding components for critical areas, update of the Design and Certification section to remove the references of District Tech II to be consistent with new District Specialist classification, development of a policy regarding retention of ACH/EFT forms, update of policy for WQ10 acres excluded, and formatting updates. The District Operations Manual will be updated to include any necessary changes to reflect the implementation of the progression line that was effective January 1, 2016.

**7. FY17 Budget Update**

Colette Weckenborg presented an update on the FY17 Budget. The FY17 budget has been agreed upon and passed by the Governor. The FY17 budget authority totals \$61,417,053. Out of that amount, \$40 million is appropriated for Cost-Share, \$15.3 million for District Operations, \$3.3 million for Program Administration, \$634,990 for Other, \$1 million for Federal Demo and Technical, \$650,000 for Conservation Monitoring and \$400,000 for Research.

**E. REQUEST**

**1. Carroll SWCD – N340 Cover Crop Practice Started Prior to Board Approval of Contract**

Jim Plassmeyer presented a request from Carroll County Soil and Water Conservation District (SWCD). The issue is: should the Commission support the Carroll SWCD's request to develop an N340 Cover Crop contract on 100 acres for a cost-share amount of \$3,067.50 that was planted prior to board approval of a contract. He pointed out that according to the rules established by the Commission, the board shall not approve any application for cost-share assistance on which the construction or implementation of projects or practices has begun. Commission policy states the board responsibilities for approval of cost-share: the district board of supervisors approves cost-share assistance for a cooperator by signing and dating the cost-share contract. A district can never use any type of provisional approval, such as pre-approval or tentative approval. Commission policy on starting a practice states "Cost-share assistance is not authorized for practices installed or started prior to board approval of the contract."

On October 27, 2016, the landowner was in the district office to sign up for the N340 Cover Crop Practice; district staff worked with the landowner to develop the NRCS Agron 340 design sheet along with other necessary paperwork for cost-

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share. The only option the landowner had at this time of the year was winter wheat. The deadline for planting was November 1 and the landowner was told to proceed. . On April 19, 2016, the landowner brought documentation into the district office supporting completion of the practice along with photos of no-tilling corn into the cover crop. On April 22, 2016, the district determined that the cost-share contract had been misplaced and was not completed or approved in October.

State statute gives the Commission the ability to grant individual variance to any rule.

Jeff Lance made a motion to approve the board's request to develop an N340 Cover Crop contract on 100 acres that was planted prior to board approval of a contract in the amount of \$3,067.50. Tim Martin seconded the motion. When polled, Glen Cope, H. Ralph Gaw, Jeff Lance, Tim Martin and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

### **2. Montgomery SWCD – DSL-44 Terrace System Started Prior to Board Approval of Contract**

Jim Boschert presented a request from Montgomery County SWCD on a DSL-44 Terrace System that was started prior to board approval of the contract. The issue is: should the Commission support the Montgomery SWCD's request to approve two contracts for DSL-44 Terrace Systems with Tile that were built prior to board approval of the contracts. On February 29, 2016, the landowner and NRCS technical staff signed the contracts and the landowner was given the designs for the terrace systems; after the contracts were signed they were set aside for a board member signature. On April 11, 2016, the checkout notes were turned in verifying the practice was completed. It was noticed on April 15, 2016, that the contracts were not board approved when the technician was reviewing contracts in MoSWIMS. The total for the two contracts is \$16,451.19.

Robert Ridgley, Montgomery SWCD Technician, stated the contracts not being signed was an oversight in the district, not the landowner's fault.

H. Ralph Gaw made a motion to approve the board's request to provide payment for contracts SGE 030-16-0123 and SGE 030-16-124 for DSL-44 Terrace Systems with Tile that were built prior to the board approving the contracts. Glen Cope seconded the motion. When polled, Glen Cope, H. Ralph Gaw, Jeff Lance, Tim Martin and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

**3. Shannon and Wayne SWCDs - N312 Animal Waste Systems for Small Ruminants**

Jim Plassmeyer presented a request from Shannon and Wayne SWCDs for an N312 Animal Waste System for small ruminants. The issue, should the Commission approve allowing the N312 Beef Waste Management practice to be used for small ruminant animals. Mr. Plassmeyer pointed out that the Commission has authority to establish general programs for the saving of Missouri soil and water by the soil and water conservation districts. This would be an addendum to a practice already established. He reiterated that request is to provide cost-share assistance on an animal waste management system for sheep and goats. The current animal waste practices are species specific so the program can track the number of facilities per species. The Commission Policy for the N312 practice states the purpose is for farms to manage waste from agriculture production in a manner that prevents or minimizes degradation of soil and water resources. The cost-share policies state the practice names are species specific; four species have the same basic policies of 75 percent on manure storage area and 50 percent on waste collection in feeding and travel areas. Some differences between the practices are flush tanks, loading ramps and conveyance system. On all of the practices cost-share is not authorized for bedding and bunk feeding areas, nor the development or implementation of a Comprehensive Nutrient Management Plan (CNMP). He pointed out that the planning for these facilities must be based on the current animal units. He reviewed example information regarding design requirements for beef and sheep, manure volume and cost estimates for a beef barn and a sheep barn provided to the Plan for the Future Current Practices Subcommittee discussed thi at their February 2016 meeting and they recommended that cost-share assistance be provided on animal waste storage facilities for sheep and goats.

H. Ralph Gaw made a motion to approve the request to allow cost-share assistance on an animal waste management for small ruminants and change the name of the N312 Beef Waste Management to N312 Beef and Small Ruminant Waste Management. Tim Martin seconded the motion. When polled, Glen Cope, H. Ralph Gaw, Jeff Lance, Tim Martin and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

**F. REPORTS**

**1. Department of Conservation**

Lisa Potter reported that effective July 15, 2016, Robert Ziehmer will resign as Director of the Department of Conservation. He has been the director for six of the 25 years that he was with the Missouri Department of Conservation.

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### 2. **Department of Agriculture**

Judy Grundler reported that the State Fair is scheduled for August 11-21, 2016, and the Director's Reception is scheduled for August 17. The Governor's Conference will be held December 14-16, 2016.

She reported an Agri- Business Academy was started this week with 30 high school students; they attend various tours and will finish back in Jefferson City at the State Capitol on Friday.

In September they will have the Farm Scape at the Ball Park Village in St. Louis. This is a huge educational event for the people in the city to experience agriculture.

### 3. **Natural Resources Conservation Service**

4. J. R. Flores reported the State Technical Committee Meeting was held this morning and they received a lot of great comments and input. He reported that Missouri Local Workgroup Meetings are held in each county. They provide recommendations to J.R and the State Technical Committee on natural resource priorities and criteria for their area. Job approval authority requirement also applies to vegetative practices so district employees will need to be certified. The Emergency Watershed Protection Program received approximately \$8 million for Missouri. NRCS received 56 requests covering 76 projects; total requests exceeded \$30 million.

### 5. **University of Missouri**

Dr. Kallenbach reported they had their first Animal Science Leadership Academy with 30 high schools students attending from across the state. They are also hosting a Lender School and it is going well. He reported that Dean Payne will be retiring at the end of the year. Marshall Stewart, the new Director for Extension, will start in the middle of August; he is from North Carolina.

### 6. **Missouri Association of Soil and Water Conservation Districts**

Kenny Lovelace reported they have been working on the Training Conference workshops and other issues associated with it.

## G. **PUBLIC COMMENTS**

Beverly Dometorch inquired about the supplemental money from May 15 to June 15 and if the districts would be penalized for not getting that money spent. Colleen Meredith responded that they would not be penalized.

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**H. ADJOURNMENT**

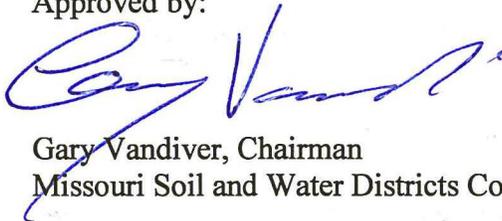
H. Ralph Gaw made a motion to adjourn the meeting. Tim Martin seconded the motion. When asked by the chair, Glen Cope, H. Ralph Gaw, Jeff Lance, Tim Martin and Gary Vandiver voted in favor of the motion and the motion carried unanimously. The meeting was adjourned at 4:50 p.m.

Respectfully submitted,



Colleen Meredith, Director  
Soil and Water Conservation Program

Approved by:



Gary Vandiver, Chairman  
Missouri Soil and Water Districts Commission

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