



Missouri Department of Natural Resources

MINUTES

MISSOURI SOIL AND WATER DISTRICTS COMMISSION

Missouri State Fair Grounds

Lowell Mohler Assembly Hall/National Guard Armory

Sedalia, Missouri

August 19, 2015

COMMISSION MEMBERS PRESENT: Thomas Bradley, H. Ralph Gaw, Jeff Lance and Gary Vandiver

EX-OFFICIO MEMBERS: RICHARD FORDYCE, DEPT. OF AGRICULTURE: Judy Grundler; BOB ZIEHMER, DEPT. OF CONSERVATION: Brent Vandeloecht, SARA PARKER PAULEY, DEPT. OF NATURAL RESOURCES: Joe Engeln; DEAN THOMAS PAYNE, UNIV. OF MISSOURI: David Baker

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;

STAFF MEMBERS PRESENT: Lori Bax, Van Beydler, Jim Boschert, Theresa Mueller, Jeremy Redden, Darlene Schaben, Colette Weckenborg, Bill Wilson

OTHERS PRESENT: DISTRICTS: CARTER: Michael Kelley; HOWARD: Beverly Dometrorch; JEFFERSON: George Engelbach; MORGAN: Abbey Kempker, Patty Wittrock; BATES: Brad Powell; MISSOURI DEPARTMENT OF AGRICULTURE: Chris Klenklen; MISSOURI DEPARTMENT OF NATURAL RESOURCES: Kurt Boeckmann, Todd Sampsell; NATURAL RESOURCES CONSERVATION SERVICE MISSOURI: Dick Purcell; SOIL AND WATER CONSERVATION DISTRICT EMPLOYEES ASSOCIATION (MSWCDEA): Sandy Stratman; UNIVERSITY OF MISSOURI: Randy Miles; Dr. Josh Millspaugh; OTHER: MCGA/MOSOY: Darrick Steen

A. CALL TO ORDER

Chairman Gary Vandiver called the meeting to order in Sedalia, Missouri, at 1:03 p.m. Thomas Bradley, H. Ralph Gaw, Jeff Lance and Gary Vandiver were present, which made a quorum.

B. MINUTES OF THE LAST MEETINGS

H. Ralph Gaw made a motion to approve the minutes of December 15, 2014, June 17, 2015 and August 3, 2015 Commission Meetings. When asked by the Chair, Thomas Bradley, H. Ralph Gaw, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

C. DEPARTMENT OF NATURAL RESOURCES

1. Kurt Boeckmann presented a brief update on the Regional Conservation Partnership Program (RCPP). He report that they are in the first year of RCPP. The three areas have a total of seven watersheds. The landowners have signed up for EQIP and the contracts should be awarded as soon as funding is available. He stated they anticipate next fall will be sign up for the second year of RCPP. He pointed out that in the second year there will be different watersheds chosen.
2. Joe Engeln reported that the documents for the Natural Resource Damages (NRD) projects in Southeast and Southwest Missouri have been received. For the southwest project area of Spring River, the award is \$500,000 to support cost-share programs, for riparian corridor and for groundwater quality. The southeast project is \$250,000 in the Big River watershed.

He report the first Nutrient Trading meeting had taken place and the goal is to have the framework for trading developed by early next year. The idea is to have some pilots started in some communities that have shown interest.

He informed the Commission that the department is continuing to work on "Lean" E3 (Enhancing Efficiency and Effectiveness) efforts. Department employees have supplied ideas for processes for this effort. One of the processes to be reviewed is the hiring process; another is the grant process.

He reported the department had completed its Strategic Framework and the public version will be available in September. He stated that the Commission will be provided with the information.

D. SOIL AND WATER CONSERVATION PROGRAM DIRECTOR'S COMMENTS

1. **Fiscal Year 2015/2016 Budget Update**
Colette Weckenborg presented Fiscal Year (FY) 2015/2016 budget update. She reported the Cost-Share Grant had an appropriation of \$31,000,000, with \$24,431,632 or 79 percent spent. She pointed out the Special Area Land Treatment (SALT) projects will end in FY16 as well as current Mississippi River Basin Healthy Watersheds Initiative (MRBI) projects that are being provided match for monitoring. The District Grants had an appropriation of \$11,680,570 and \$11,496,100 or 98 percent was spent. Ms. Weckenborg covered the remaining FY15 expenditures. The total FY15 appropriation was \$49,135,698 and \$39,517,714 or 80 percent was spent.

Next, Ms. Weckenborg presented the FY16 budget of \$49,200.23. She stated it was very similar to the FY15 budget.

2. **Fiscal Year 2016 Cost-Share/SALT Fund Status**
Bill Wilson presented the FY16 Cost-Share/SALT Fund Status. As of August 17, 2015, approximately \$30 million has been allocated and of that amount,

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approximately \$9.5 million has been obligated and \$985,817 paid to landowners. He stated this amount did include the first supplemental that was sent out on August 7, 2015. He pointed out the supplemental allocated approximately \$2 million to 43 districts and the next supplemental will be on September 3, 2015. For FY16 SALT cost-share, \$110,396 has been allocated, \$50,110 obligated and zero paid to landowners.

3. **2015 Area Meetings Update**

Bill Wilson presented an update on the 2015 Area Meetings scheduled for the week of August 24, 2015. He covered the dates, times and locations for each of the eight meetings.

4. **Report on National Conservation Foundation (NCF) Envirothon**

Bill Wilson presented an update on the NCF Envirothon that was held in Springfield, Missouri on the Missouri State University Campus during the week of July 27, 2015. There were 260 students from 44 states, seven Canadian provinces and one Canadian Territory. Pembroke Hill High School from Jackson County, Missouri took first place and the members of the team received a \$3,000 scholarship provided by Smithfield Foods Inc. For this week long event there were more than 150 volunteers. Next year's competition will be in Ontario, Canada during the week of July 24, 2016.

Mr. Wilson reported that Judy Stinson and Peggy Lemons were inducted into the Envirothon Hall of Fame. Both have been co-chairs for the Missouri Envirothon for 17 years and have held positions on the national board.

Sandy Stratman presented some pictures that were taken during the event. The theme for the Envirothon was Welcome to Oz. She thanked Van Beydler for the pictures of the teams. She covered the schedule for the event and pointed out that Smithfield Foods Inc. is planning to continue as a sponsor of the Envirothon.

5. **Staff Updates**

Jim Boschert reported that the program had hired two district coordinators, Tammy Cody and Jacob Wilson.

6. **Soil Health Assessment Center Update**

Dr. Randy Miles presented an update on the Soil Health Assessment Center (SHAC). The Center is committed to good science, quality assurance and quality control and to be relevant. SHAC is working on the biological assessments from a soil health point of view. He reported that Phase I and II of the building construction are complete; Phase III will likely be completed later this year. Dr. Miles provided some pictures of the completed portions of the facility. He stated that there have been 174 samples submitted to the lab as of this meeting, and he is expecting a lot more. He showed the soil sample form submitted for cover crops, and the first round of samples submitted will be used for developing a database. After a field has been in cover crops for 3-4 years, a new soil sample will be done to see the changes in the soil health. He pointed out they are working educational

programs and are trying to be adaptable, meet customer needs, and provide additional information as needed.

Dr. Miles introduced Josh Millspaugh the Interim Director in the School of Natural Resources. Dr. Millspaugh thanked the commission for the opportunity to be at the meeting. He appreciated the work done in developing the Soil Health Assessment Center and sees huge benefits and relevance of the work being completed.

E. REQUEST

1. Daviess and DeKalb SWCDs – Request to Develop a Heavy Use Protection Area Included with a N574 Spring Development Practice

Jeremy Redden presented the Daviess and DeKalb SWCDs request to develop a heavy use protection area included with a N574 Spring Development practice due to the topographical issues at the tank locations. He stated the heavy use area components have not been utilized with the N574, but the heavy use areas have been used in Grazing System and WQ10 Stream Protection practices as stream crossings and with DWC-1 Grade Stabilization Structure (ponds) as a limited access watering point. Eligible components used for the N574 are: spring collection points (box or perforated tile), one distribution point (watering facility or tank), exclusion fence, trenching/backfill and pipe from collection point to outlet. Background information was provided on both requests. In both locations, a boundary or interior fence is nearby, slopes are naturally graded preventing the watering facility from being placed on dry solid ground at a low enough elevation below the spring for water to gravity feed into the tank, the water facilities have been designed in the only possible location for the proper elevation change and access to the tanks will be muddy due to being in low areas.

Mr. Redden stated the Daviess landowner's total estimated cost of the N574 without the heavy use components is \$3,552.51; the total estimated cost with a variance to include the heavy use area is \$4,333.64 and the landowner would receive \$3,250.23 for cost-share. The DeKalb landowner's total estimated cost of the N574 without the heavy use components is \$2,597.27; the total estimated cost with a variance is \$3,064.78 and the landowner would receive \$2,298.58 for cost-share. There were maps presented and reviewed for both of the designs.

After discussion, Jeff Lance made a motion to allow a one-time variance so Daviess and DeKalb SWCDs can provide cost-share to Mr. and Mrs. Cotton and Mr. Leibrant for a heavy use area due to the location of the watering facility to provide adequate access to the tanks. In addition, require both landowners to fence the area between the heavy use area and the spring to further protect the area and to insure that cattle are utilizing the heavy use area. H. Ralph Gaw seconded the motion. When polled, Jeff Lance, H. Ralph Gaw, Thomas Bradley and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

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2. **Butler SWCD – N430 Irrigation Water Conveyance Request for Second Payment**

Jim Boschert presented a request from Butler SWCD on an N430 Irrigation Water Conveyance for a second payment. On March 23, 2015, the Butler SWCD Board approved contract IM 046-15-0082 for an N430 practice with an extent approved for 375 feet of 12 inch pipe. On April 7, 2015, the board approved a change order reducing the approved extent to 50 feet of pipe. On May 27, 2015, the district checked the crown crossing and determined the landowner installed 62 feet of 12 inch pipe. The board approved a second change order for this contract on June 1, 2015 increasing the extent of pipe to 62 feet as well as approving the contract for payment in the amount of \$498.94.

Mr. Boschert reviewed with the Commission the component cost for underground irrigation pipe and the usage in FY15. There was discussion regarding the component cost since it varied depending on the footage installed; commissioners indicated that this should be reviewed when developing the state average cost list. He pointed out that on this contract the engineering plans showed the crossing was planned for 50 feet. Since 50 feet was in the engineering plans it was considered minimum and necessary. The Cost-Share Handbook states: "In instances where a cooperator desires to complete the practice beyond the minimum and necessary extents, the added extents need to be reported on the contract, but will not be used to determine the cost-share assistance to be made available to the cooperator."

After discussion, H. Ralph Gaw made a motion to approve the Butler SWCD Board's request and allow a second payment in the amount of \$1,144.31 for contract number IM 046-15-0082. Thomas Bradley seconded the motion. When polled, H. Ralph Gaw, Thomas Bradley, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

Gary Vandiver welcomed the Director of Natural Resources Sara Parker Pauley. Ms. Pauley thanked David Baker, of the University of Missouri for his years of service and his leadership on the Soil and Water Districts Commission. She presented him with a plaque from the department and Soil and Water Districts Commission and a poster to celebrate his retirement. Mr. Baker first began serving on the Commission in 1999.

Mr. Baker thanked the Commission and the partners for all of the good work that has been accomplished, and has cherishing his time on the Commission.

Gary Vandiver, on behalf of the Commission, thanked Mr. Baker for his partnership and for being a mentor.

F. **REQUEST (Continued)**

3. **Reconstruction Policy for Disaster Declaration FEMA 4238 DR**

Bill Wilson reported that a disaster declaration was approved as a result of prolonged flash flooding and severe storms across the state from May 15 to July 27 and it involved 68 counties. He stated the Commission has a

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reconstruction policy that states: "Reconstruction assistance is available for practices that failed during the maintenance life of the practice. Districts must request cost-share if a single storm event causes widespread failure of state cost-shared structural practices. The request must document the seriousness and the extent of the damage, along with estimates of cost for repairs. The request to provide assistance for reconstruction must be approved by the Commission before the board approves the contract. The district must attach a copy of the approval letter to the Documents section of the MoSWIMS contract." He stated the program is anticipating requests for assistance in those counties due to the storm events. The request is to give a blanket approval to the 68 counties in the FEMA-4238-DR disaster declaration to provide assistance with reconstruction of soil and water conservation practices currently under maintenance agreement that were damaged from severe storms, tornadoes, straight-line winds and flooding between May 15, 2015 and July 27, 2015.

After discussion, H. Ralph Gaw made a motion to support the August 8, 2015, major disaster declaration FEMA-4238-DR and assist with reconstruction of soil and water conservation practices currently under a maintenance agreement that were damaged from severe storms, tornadoes, straight-line winds and flooding during the period of May 15 to July 27, 2015 in eligible counties designated in this declaration and subsequent declarations. Jeff Lance seconded the motion. When polled, Thomas Bradley, Jeff Lance, H. Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

G. APPEALS

1. **Worth County Landowner Appealing Board's Request for Repayment of Cost-Share Funds Received on a DSL – 44 Terrace System with Tile**

Jeremy Redden presented a Worth County landowner's appeal against the board's request for repayment of \$7,580.16 for cost-share funds received on a DSL-44 Terrace System with Tile. Mr. Redden stated the landowner believed he had made a good faith effort in fulfilling the obligation for repairing the practice. Letters and photos were sent to the Commission on June 14, 2015 and August 12, 2015, as well as a letter from the Worth SWCD dated July 14, 2015, asking the Commission to support their decision to require prorated repayment on the terraces for a maintenance violation. Mr. Redden provided background information to the Commission and a timeline on the several reseeding attempts of the terraces by the landowner since the terraces constructed were paid on June 8, 2012 in the amount of \$9,475.36 with a 10-year maintenance life. The landowner stopped by the district office on April 24, 2015, to report the seedbed had been prepared and seed had been broadcasted for the fourth time. The final field visit was completed by NRCS on May 8, 2015, and the project did not meet NRCS standards and specifications. On May 12, 2015, the landowner was sent a final letter requesting repayment of \$7,580.16 due to the maintenance violation.

Mr. Redden provided photos that were taken on May 8, 2015, of the practice. These pictures were used to determine that there was a maintenance violation.

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After discussion, H. Ralph Gaw made a motion to uphold the Worth County SWCD board's request to obtain repayment of the DSL-44 Terrace System with Tile practice by maintaining current policy and requesting that the landowner repay the prorated amount of \$7,580.16. If the payment has not been received within 30 days then the matter will be referred to the Attorney General's Office for collection. Jeff Lance seconded the motion. When polled, Jeff Lance, H. Ralph Gaw, Thomas Bradley and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

H. REPORTS

1. Natural Resources Conservation Service (NRCS)

J. R. Flores presented the NRCS report. The State Technical Committee met on June 30, 2015. One of the biggest issues discussed was the livestock funding in the Environmental Quality Incentives Program (EQIP); 60 percent of all EQIP funds must go toward livestock practices by statute. Some on the technical committee want the majority of the funding to go toward cow/calf operations and others want more funds to go toward animal waste. He stated that a decision would be made soon and forwarded to the committee. He reported that funding in 2015 for their general EQIP was good; they had a significant increase from the previous year. The Regional Conservation Partnership Program was a huge success with over 300 applications which are in the preapproval process. Mr. Flores stated there will be a sign up for 2016. Missouri was allocated 118,500 acres for the Conservation Stewardship Program with 91 percent of the funds obligated. In the Voluntary Public Access Habitat Approval Program, NRCS provided MDC with \$1,096,000 for the program. The State Conservation Innovative Grants allocated \$100,000; applications have been received and the University of Missouri had the top two applications and is going to be funded. The Emergency Watershed Protection (EWP) is based on the FEMA declarations. The EWP must be sponsored by a public entity and it covers from May 15, 2015-July 27, 2015. He stated that NRCS will be accepting applications from sponsors in eligible counties. Some of the work that will occur will be to repair bridges, streambank stabilization, drainage ditch clean out, levees, etc. He stated that it has been approved, but the funding is not available yet and will require a special appropriation from Congress.

2. University of Missouri

Dave Baker stated there is a group of federal and state partners to discuss the wet weather conditions statewide and what programs and assets are available. The MU Extension has a webpage with 50-60+ questions and answers regarding the weather conditions and impacts to crops and livestock. Multiple changes will be made at the University with approximately 130 faculty members leaving at the end of the month. A new director will be hired for Extension. Mr. Baker is working with Tom Henderson, Interim Director, on the budget and working on future direction of Extension in the state. Mr. Baker thanked the Commission and the partners for all the work that has been done as a partnership.

3 Department of Conservation

Brent Vandeloecht presented the Department of Conservation report. He reported that MDC has conservationists across the state; each has an assignment of two – three counties and they work in the USDA office with district staff and NRCS staff. They made 11,000 sites visits last year, over 600 workshops, and spent approximately \$1.1 million in the Landowner Assistance Program, which is their cost-share program. Their cost-share practices are focused on fish, forest and wildlife practices. On some practices, MDC will piggyback onto SWCD cost-share and provide NRCS with technical assistance on the wildlife planning on CRP practices. He stated they have an MDC CRP Incentives program that spent \$500,000 last year for incentives in addition to those established for certain CRP practices. The program also provides increased incentives for landowners to keep the CRP in good shape for wildlife (burning, disking, interseeding legumes, etc.). Since the inception of the program they have provided incentives on 10,665 acres and those incentives are \$100 - \$150 per acre depending on the program. They have completed 170 acres of down-tree structures and edge feathering; 3,435 acres in mid contract management; and 1,700 acres of wood enhancements. In 2015 an additional \$240,000 was approved for CRP incentives, with \$223,000 has already been requested in new contracts. The Voluntary Public Access Habitat Incentive Program is an opportunity for state agencies to apply for funds to have a walk-in hunting program. He reported that Missouri applied for and received a grant for \$1.1 million. He stated the program in Missouri will be called the Missouri Outdoor Recreation Access Program. It will be piloted this fall and they will be working with landowners in areas in north central and southeast Missouri. They will be leasing private land so people can open it up for hunting. There are different payment rates depending on what choices individuals make, such as wildlife viewing only, wildlife viewing and youth hunting, archery or all seasons. He stated the goal is to get 10,000 acres this year in the pilot areas.

Mr. Vandeloecht provided an update on Chronic Wasting Disease (CWD) in northcentral Missouri. They found nine new cases in Macon and Adair and one new case in Cole County. He also provided an update on the feral hog problem. He stated they have killed approximately 3,000 hogs in 2013 and 2014, and so far this year they have killed 1,800. The agency is changing their message on this issue; the idea is to make it illegal to hunt hogs, so that they do not scatter the remaining hogs in the group. They will be asking landowners that have feral hogs to contact MDC or USDA.

4. Department of Agriculture

Judy Grundler reported that Missouri was number one in preventive planted acres; the total acres are 506,039 of corn and more than a million acres of soybeans. She stated that has a huge impact not only on the acres not planted, but for weeds and seed bank of weeds, seed not being planted and seed being stored. She stated this is a huge concern for the economy of the state. She informed the Commission that MDA has a new program called Agriculture Stewardship Assistance Program (ASAP). Applications for this program can be found on the website: www.ASAP.farm. She stated that John Knudsen will be the person at MDA implementing the program. The program is to highlight that Missouri agriculture

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can be sustainable and responsible. There are six certification categories for this program: grassland, livestock, forestry, farmstead, energy and cropland. The purpose of the program is to acknowledge farmers using sustainable agriculture practices.

Next Ms. Grundler updated the Commission on survey work that has taken place across the state. The Pine Shoot Beetle is in six northeast counties; Emerald Ash Borer is federally regulated in the state since it has been found in other counties of the state; trapping has been completed on Thousand Cankers Disease and no detections were found in the black walnut trees in Missouri; only two Gypsy Moths were captured; Fire Ants in the Joplin area have been cleaned up at this time. She stated they have been working on their pesticide applicator training.

5. Missouri Association of Soil and Water Conservation Districts

Kenny Lovelace reported the next MASWCD meeting is scheduled for September 16, 2015, at 1:00 in the Cole County Soil and Water Conservation District Office. He felt that the Department of Agriculture's ASAP was a good program. He informed the Commission that he had traveled to Washington DC to represent the National Association of Conservation Districts (NACD). He invited the Commission and the table to Tan-Tar-A for the Training Conference in December. He reminded everyone that they are still looking for soil health champion network candidates.

I. SUGGESTED DATE(S) OF THE NEXT MEETING(S)

The next meeting is scheduled for October 14, 2015, at the Boudreaux Visitor Center at the Mark Twain Lake.

J. ADJOURNMENT

H. Ralph Gaw made a motion to adjourn the meeting at 4:03 p.m. Jeff Lance seconded the motion. When asked by the Chair, Thomas Bradley, H. Ralph Gaw, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

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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