



Missouri Department of Natural Resources

MINUTES

MISSOURI SOIL AND WATER DISTRICTS COMMISSION

TELEPHONE CONFERENCE CALL

Lewis and Clark State Office Building

Jefferson City, Missouri

April 13, 2016

COMMISSION MEMBERS VIA TELEPHONE: Charles Ausfahl, H. Ralph Gaw, Jeff Lance and Gary Vandiver

EX-OFFICIO MEMBERS VIA TELEPHONE: RICHARD FORDYCE, DEPT. OF AGRICULTURE: Judy Grundler; BOB ZIEHMER, DEPT. OF CONSERVATION: Lisa Potter

EX-OFFICIO MEMBERS: SARA PARKER PAULEY, DEPT. OF NATURAL RESOURCES: Joe Engeln

ADVISORY MEMBERS VIA TELEPHONE: NATURAL RESOURCES CONSERVATION SERVICE (NRCS): Dick Purcell; MISSOURI ASSOCIATION OF SOIL AND WATER CONSERVATION DISTRICTS (MASWCD): Kenny Lovelace

ADVISORY MEMBERS VIA TELEPHONE: ATTORNEY GENERAL'S OFFICE: Tim Duggan

ADVISORY MEMBERS PRESENT: SOIL AND WATER CONSERVATION PROGRAM: Bill Wilson

STAFF MEMBERS PRESENT: Van Beydler, Jim Boschert, Theresa Mueller, Jim Plassmeyer, Steve Walker, Colette Weckenborg

OTHERS PRESENT VIA TELEPHONE: CAMDEN: Earnest Calvert, Troy Frederick, Connie Luttrell; CARTER: Mike Kelly; HOWARD: Beverly Dometrorch; MARIES: Sandy Stratman; GASCONADE: Dennis Berger; MISSOURI SOIL AND WATER CONSERVATION DISTRICT EMPLOYEES ASSOCIATION (MSWCDEA) and CALLAWAY: Matt Blansett; MISSOURI FARM BUREAU: Kelly Smith

A. CALL TO ORDER

The meeting was called to order at the Lewis and Clark State Office Building, in Jefferson City, MO, in the LaCharrette Conference Room at 9:31 a.m.

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Roll call was taken and the following commissioners were present via the telephone: Charles Ausfahl, H. Ralph Gaw, Jeff Lance and Gary Vandiver, which made a quorum.

B. MINUTES OF THE LAST MEETING

Jeff Lance made a motion to approve the minutes for the February 10, 2016, meeting. Charles Ausfahl seconded the motion. When polled, Charles Ausfahl, 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. Nutrient Trading Overview

Joe Engeln presented an overview of Nutrient Trading. This was a recommendation from the Nutrient Loss Reduction Strategy. The department has been working with a diverse set of stakeholders since July 2015 on what will be the Clean Water Commission's Policy for nutrient trading. They are developing a system that will work for Missourians and are looking at leveraging the conservation benefits of the Soil and Water Conservation Program cost-share program. The advantage in the trading framework is that only the cost-share funds that the state provides are being proposed for trading value, so that it does not complicate things for the farmer; it will not open them up to any additional liability or regulation. This will also allow communities to trade without a large investment in setting up a trading program. The state portion of the cost share practice will be available for trading if the farmer approves. Mr. Engeln reviewed the timeline regarding future plans for this Nutrient Trading proposal. The Commission requested more details on Nutrient Trading at a future meeting.

D. SOIL AND WATER CONSERVATION PROGRAM DIRECTOR'S COMMENTS

1. FY16 Cost-Share/AgNPS Fund Status

Bill Wilson presented the Fiscal Year (FY) 2016 Regular Cost-Share and Agricultural Nonpoint Source (AgNPS) Special Area Land Treatment (SALT) Fund Status report. He stated that as of April 6, 2016, \$44.8 million had been allocated and of that amount, \$34 million had been obligated. The total amount paid was approximately \$17 million. As of April 6, 2016, \$110,396 of the SALT Cost-Share had been allocated and of that amount, \$50,610 had been obligated. The total amount paid was approximately \$38,260.

2. 2016 Area Meetings Update

Bill Wilson presented an update on the 2016 Area Meetings that took place the week of March 28, 2016. The meetings consisted of introductions, Soil and Water Districts Commission comments, Parks Soils and Water Sales Tax survey

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information with a review of what Soil and Water Conservation District (SWCD) employees/boards can say about the sales tax, updates from the Natural Resources Conservation Service (NRCS), University of Missouri-Columbia (MU), Missouri Department of Conservation (MDC) and a video from the Missouri Department of Agriculture (MDA). There were also Area Director Elections.

There were 68 SWCD supervisors that attended; 101 SWCDs were represented either by supervisors or district employees. The total number of attendees was 349. Commissioner Gaw commented on the three area meetings that he attended and said that he was very impressed with the attendance and discussion during the meetings.

3. **FY16/FY17 Budget Updates**

Colette Weckenborg presented an update on the fiscal year (FY) FY16/FY17 Budget. She provided an update on the legislative budget cycle for both FY16 and FY17. A supplemental was submitted in the amount of \$4 million for cost-share for FY16. The Governor's supplemental bill included the request but it was not included in House's version. The Senate sided with the Governor's request and now it will have to go to a conference committee since the House and Senate versions did not agree. At that point it will be determined if the House and Senate choose to include or exclude the request or some amount in between. For FY17 there was a department request for a \$3.8 million increase for cost-share, which also received an additional \$5 million in the Governor's recommended budget, bringing the total appropriation for cost-share to \$40 million. There was also a request for \$3 million to increase the appropriation authority in Grants to Districts. These increases have been included in both the House and Senate versions of the budget which will be prepared for the Governor's signature. The Research and Conservation Monitoring Programs appropriations and obligations were also reviewed

4. **Natural Resources Damages Awarded Funding**

Colette Weckenborg presented an update on the Natural Resources Damages Awarded Funding. In Southeast and Southwest Missouri, a Request for Proposals (RFP) was submitted for riparian area conservation practices and both projects were funded. The funding is from the American Smelting and Refining Company (ASARCO) and/or Newton County Wells damages. The Soil and Water Conservation Program (SWCP) was awarded \$500,000 for a two-year agreement in the Spring River Watershed for Barry, Barton, Jasper, Lawrence and Newton SWCDs for damages in those areas. Currently, the obligations in this project area total \$16,144.80 and pending obligations of \$35,447.53. The SWCP was awarded \$250,000 for a two-year agreement in the Big and Black River Watersheds in Iron, Reynolds, St. Francois, Washington and Wayne County SWCDs. She reported there were no funding obligations in these districts at the time of the meeting.

After some discussion, the Commission asked that more information be provided at a future meeting.

5. State Water Plan Research Funding

Colette Weckenborg presented a request for funding for the State Water Plan. The State Water Plan is to be developed and maintained on a periodic cycle; it is a long-range, comprehensive statewide plan for the use of surface water and ground water resources of the state. The requested funding would determine agriculture water demands such as irrigation, livestock, normal vs. drought conditions, and model water usage through 2060. The funding would also provide leverage for Planning Assistance to States from the U.S. Army Corps of Engineers for additional funding for the plan.

Ms. Weckenborg asked the Commission for concurrence on the development of a two-year agreement with the University of Missouri to research the agriculture water demand of the state to be incorporated into the state water plan in the amount of \$300,000.

After extensive discussion, the Commission asked that it be tabled until the June Commission meeting. They would like more information on the plan, as well as more details on the research for this project.

6. U.S. Geological Survey Monitoring Network

Steve Walker presented a request for funding for a U.S. Geological Survey (USGS) Monitoring Network project in Missouri. The Commission was asked for concurrence to fund a total of \$313,000 during the next three years (SFY 2017-2019) for development of the proposed USGS Phase 2 Data Analysis Report. The USGS has maintained a statewide ambient water quality monitoring network since 1969, and the current network contains 71 stream water quality monitoring stations throughout the state. In 2008, USGS proposed a two-phase project to analyze the network data; USGS completed the Phase 1 in 2010, which described water quality and long-term trends for select parameters at six of the 71 water quality monitoring stations. The Phase 2 part of the proposed project will comprehensively analyze water quality data from all the different network stations that have sufficient data. Sufficient data is described as 10 years or more of data. The benefits of the proposal for the department are that USGS is the designated science agency for the federal government and this is their area of expertise. They have developed unique ways of evaluating water quality data that the department does not have the ability to do. He pointed out that this information would help the Soil and Water Conservation Program with knowing how successful the conservation practices are in reducing soil erosion and protecting and improving the state's water resources. The proposed Phase 2 Report would provide an in-depth statistical analysis of water quality at the sites, establish baseline conditions,

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identify water quality trends, compare loads and concentrations of parameters between the sites and identify watersheds with water quality problems. Over the next three state fiscal years, the SWCP would provide \$313,000 for the project while USGS would provide \$50,000.

Mr. Walker asked the Commission for concurrence to provide a total of \$313,000 during the next three state fiscal years (2017-2019) for development of the proposed U.S. Geological Survey Phase 2 Data Analysis Report.

After extensive discussion about the issue, the Commission asked that it be tabled until the June Commission meeting. The Commission requested more information on the plan, how it will help the Soil and Water Conservation Program, who the program will enter into a contract with, as well as how accurate the information would be from the monitoring stations.

E. REQUEST

1. **Johnson SWCD Supervisor Request**

Jim Plassmeyer presented a request from the Johnson County Soil and Water Conservation District (SWCD) requesting the appointment of Mr. Danny Weigand to complete the unexpired term of Mr. Steve Ring due to his resignation. Mr. Weigand and the board chairman have signed the Verification of Supervisory Eligibility form, verifying the candidate meets the qualifications to serve on the board.

H. Ralph Gaw made a motion to approve the appointment of Mr. Danny Weigand to complete the unexpired term of Mr. Steve Ring to the Johnson SWCD Board of Supervisors. Jeff Lance seconded the motion. When polled, Charles Ausfahl, H. Ralph Gaw, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

2. **Callaway and Lewis SWCDs – N340 Cover Crop Practice Started Prior to Board Approval of Contract**

Jim Boschert presented a request from Callaway and Lewis Soil and Water Conservation Districts to develop an N340 Cover Crop practice that was started prior to board approval. The Cost-Share Handbooks states: "Cooperators who start a practice before receiving official notification of approval from the board are not eligible to receive cost-share, and cannot be approved for a cost-share payment."

In August 2015, a Callaway landowner contacted the district and expressed interest in a cover crop practice. On September 4, 2015, the District Specialist met the landowner to explain the requirement of the cover crop program and assisted in collecting soil samples. After the samples were collected, Callaway SWCD

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contacted other districts to obtain information on how to proceed with the samples. Mr. Boschert pointed out that due to the district receiving contradictory information and a backlog of other contracts, the district did not proceed in developing a cover crop contract for the landowner. On February 23, 2016, the landowner contacted the district to inquire about payment for his cover crop planting.

Mr. Boschert stated that Callaway SWCD is requesting approval to create and approve an N340 Cover Crop contract for 52 acres that were planted in September 2015 prior to having a signed contract.

Next, Mr. Boschert presented the Lewis SWCD request. The district has an operator participating in the Cover Crop program with five contracts, but only four were approved. The operator turned in all the signed necessary paperwork for which he assumed was for all five farms. The operator submitted soil samples and payment to the Soil Health Assessment Center for all five farms. The operator came into the district office on March 11, 2016 to verify that he had completed all the requirements for payment on all five farms. It was discovered on this date that the district did not develop a N340 contract for one of the farms totaling 88.4 acres; the contract would total \$2,719.50.

Mr. Boschert stated that Lewis SWCD is requesting permission to create and approve the N340 contract for \$2,719.50 due to an oversight made by district staff.

During the discussion, Commissioner Lance reminded the districts to contact the SWCP if there are policy questions. Charles Ausfahl made a motion to approve the Callaway board's request to develop a N340 Cover Crop contract for a total of 52 acres that have been planted prior to board approval of a contract. H. Ralph Gaw seconded the motion. When polled, Charles Ausfahl, H. Ralph Gaw, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

Jeff Lance made a motion to approve the Lewis board's request to develop a N340 Cover Crop contract for a total of 88.4 acres that have been planted prior to board approval of a contract. H. Ralph Gaw seconded the motion. When polled, Charles Ausfahl, H. Ralph Gaw, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

3. Camden SWCD – Variance to the DSP-02 Permanent Vegetative Cover Enhancement Policy on Land Already in a Maintenance Agreement

Jim Plassmeyer presented a request from Camden SWCD for a variance to the DSP-02 Permanent Vegetative Cover Enhancement to allow applying the practice

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to land under a maintenance agreement of a DSP-3.4 Grazing System Lime practice.

In January of 2015 the landowner went to the Camden office and brought soil tests and discussed the DSP-02 with the District Specialist; April 2015, the landowner attended grazing school based on the recommendation of the District Specialist; August 2015, the landowner brought in updated soil tests and the District Specialist developed a contract for the DSP-3.4 Grazing System Lime; November 2015, the landowner received payment on the DSP-3.4 Grazing System Lime contract for 191.6 acres. The landowner contacted the District Specialist in March of 2016 about proceeding with the fertilizer and seed and was informed he was not eligible for the DSP-02 because those acres were under maintenance for the DSP-3.4 Grazing System Lime.

Mr. Plassmeyer covered Commission policies for the DSP-3.4 Grazing System Lime and the DSP-02 permanent Vegetative Cover Enhancement.

The board's letter indicated that the landowner was not familiar with the cost-share program or acronyms and they feel that there was not adequate communication between the landowner and district staff and the DSP-02 practice would improve the landowner's farm. Mr. Plassmeyer pointed out that under the DSP-3.5 Grazing System Seed the landowner would be eligible. The practice could be applied to the same acres as the DSP-3.4 Grazing System Lime.

H. Ralph Gaw made a motion to approve the board's request and grant a variance to the DSP-02 Permanent Vegetative Cover Enhancement Practice to allow a contract to be developed on acres under a maintenance contract for another practice (DSP-3.4 Grazing System Lime) cost-sharing on the eligible components excluding lime. Jeff Lance seconded the motion. When polled, Charles Ausfahl, H. Ralph Gaw, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

4. Gasconade and Franklin SWCDs – Variance on the N340 Cover Crop Practice No-Till Requirement

Jim Boschert presented requests from Gasconade and Franklin SWCDs for a variance on the N340 Cover Crop Practice no-till requirement. The districts are requesting a variance to allow tillage prior to planting the production crop due to damages caused by the heavy rains and flooding in late December 2015. Commission Policy for the N340; Cost-Share Handbook (V-34). "Production crop following the cover crops must be planted using a no-till system on the contracted acres."

On August 14, 2015, the Gasconade SWCD Board approved two N340 Cover Crop contracts for a total of 76.7 acres for one or two species cover crop incentive

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and two soil tests for a total of \$2,638.50. The landowner followed all requirements to establish cover crops and has provided all applicable documentation. On December 29, 2015, the field flooded causing some scouring, as well as extensive deposits of sand, silt and debris. On March 3, 2016, the landowner contacted the district office to inquire about tilling the fields to smooth out the damage and to incorporate the deposited sand into the soil profile.

On August 6, 2015, the Franklin SWCD Board approved three N340 Cover Crop contracts for a total of 298 acres for three different landowners. Of those three, two were for three or more species cover crop incentive and the other was for one or two species cover crop incentive plus soil test, for a total of \$11,204.10 on all three contracts. Mr. Boschert informed the Commission that all three landowners contacted the district to let them know about the damage, and notified them that of the 298 acres on the three contracts only 13 acres were affected by the flood. He stated that one landowner wanted to do disking and blading; another requested to do blading and heavy harrowing; and the third requested to do light harrowing.

H. Ralph Gaw made a motion to approve the Gasconade and Franklin SWCDs requests to grant a one-time variance to the N340 Cover Crop Policy to allow tillage only on acres damaged for contracts SGE 062-16-0012, SGE 062-16-0013, SGE 002-16-0013, SGE 002-16-0015 and SGE 002-16-0019. Charles Ausfahl seconded the motion. When polled, Charles Ausfahl, H. Ralph Gaw, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

Mr. Boschert stated there was another Commission consideration to provide authority to the Soil and Water Conservation Program staff to approve/disapprove a variance to the N340 Cover Crop Policy to allow tillage for repairing flood damage related to the FEMA 3374-EM on a case-by-case basis with NRCS technical input.

Jeff Lance made a motion to provide authority to the Soil and Water Conservation Program staff to approve/disapprove a variance to the N340 Cover Crop Policy to allow tillage for repairing flood damage related to the FEMA 3374-EM on a case-by-case basis with NRCS technical input. H. Ralph Gaw seconded the motion. When polled, Charles Ausfahl, H. Ralph Gaw, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

F. REPORTS

1. Natural Resources Conservation Service

Dick Purcell reported that the Conservation Stewardship Program signup for this year has concluded and offers are being processed with the final ranking deadline of June 3. They are completing quality reviews on the 2017 projects. The

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Environmental Quality Incentive Program (EQIP) has a funding amount of \$23.6 million. They have processed 500 applications for preapproval and are expecting to fund approximately 1,000 contracts. Mr. Purcell also reviewed the Monarch Habitat Development project that is a new part to EQIP this year. In addition they are anticipating receiving funding for Strike Force initiative under EQIP that involves 46 counties in Missouri. Under the Regional Conservation Partnership Program some are receiving their first funding this year.

The EQIP Subcommittee met on April 6 to review EQIP for 2017. Mr. Purcell invited the Commission to attend the State Technical Committee meeting on June 8, 2016.

He informed the Commission of the upcoming Hypoxia Task Force meeting being held in St. Louis during April 25-27, 2016.

The Forestry Assistance is being looked at to streamline how they deliver assistance. Under the Easement Program, they have approximately \$10.1 million for easements and are expecting another 2,100 to 2,200 acres for the Wetlands Reserve Program. Natural Resources Conservation Service received some funding in the Emergency Watershed Protection Program for projects in northwest Missouri and have also applied for funding for projects that are part of the Emergency Management 3374 Disaster Declaration.

NRCS is piloting a project in the Livingston Soil and Water Conservation District to provide access from the district's computer to NRCS computer software systems. In addition, they are working on finding a new office location in Barry County due to several flood events of the current location.

2. **Department of Conservation**

Lisa Potter reported that during the Youth Turkey Season approximately 4,000 turkeys were harvested; the highest counties were Callaway, Franklin and Greene. Regular Spring Turkey Season is April 18 – May 8, 2016. She stated that MDC proposed a ban on hunting Feral Hogs on MDC land, and the comment period is from April 16 – May 15. Recently Chronic Wasting Disease has been detected in Arkansas with 79 positive cases in their wild deer population. She stated that MDC was going to increase their monitoring efforts in some of the counties in southern Missouri. She mentioned the new Monarch Initiative in the Farm Service Agency Conservation Reserve Program; there is a one-time \$100 per acre incentive for those who enroll in the CRP-42 Pollinator Habitat Practice and use a monarch butterfly friendly forb mix.

3. **Department of Agriculture**

Judy Grundler reported on the Commercial Pesticide Applicator licensing and testing. They now use a system called Pearson VUE which has over 40 different

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testing stations across the state. This makes it easier for those taking the test both in state and out of state. The system went live on April 1, 2016 and the cost for the test is \$50. The Missouri Agriculture Photo contest is now open until June 15, 2016 and has a new category of Farm Selfie. The Missouri State Fair is scheduled for August 11-21, 2016. The Governor's Conference is scheduled for December 14-16, 2016 at Tan-Tar-A. The Beef Referendum had a total of 8,479 beef producers that were registered to receive a ballot; they have to be postmarked by April 15. Surveys for Thousand Canker Disease, Emerald Ash Borer and Gypsy Moth are underway.

4. Missouri Association of Soil and Water Conservation Districts

Kenny Lovelace thanked the Commission for attending the Area Meetings. He stated that House Bill 2006 was passed by the House and Senate that included the funding for the districts. He stated that there is a good group of individuals working on the Citizens Committee promoting the sales tax. Mr. Lovelace inquired about two percent pay increase for district employees for FY17.

G. PUBLIC COMMENTS

Sandy Stratman informed the Commission the Employees Association had an election and Matt Blansett is the new President. Sandy thanked the Commission for their support during her term as President.

H. ADJOURNMENT

Charles Ausfahl made a motion to adjourn the meeting. H. Ralph Gaw seconded the motion. When polled, Charles Ausfahl, H. Ralph Gaw, Jeff Lance and Gary Vandiver voted in favor of the motion and the motion carried unanimously. The meeting was adjourned at 12:21 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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