

# Missouri Department of Natural Resources



## MINUTES

### Missouri Soil and Water Districts Commission Open Conference Call Meeting

Department of Natural Resource Conference Center  
1101 Riverside Drive  
Jefferson City, MO  
April 1, 2020

**COMMISSION MEMBERS PRESENT:** Gary Vandiver, H. Ralph Gaw, Kenny Lovelace, Keith Stevens, Jeff Lance and Tim Martin.

**EX-OFFICIO MEMBERS:** CAROL S. COMER, DIRECTOR, DEPT. OF NATURAL RESOURCES: Dru Buntin; CHRIS CHINN, DIRECTOR, DEPT. OF AGRICULTURE: Ken Henderson; SARA PARKER PAULEY, DIRECTOR, DEPT. OF CONSERVATION: Lisa Potter; DEAN CHRISTOPHER R. DAUBERT, UNIVERSITY OF MISSOURI: Rob Kallenbach

**ADVISORY MEMBERS PRESENT: SOIL AND WATER CONSERVATION PROGRAM (SWCP):** Colleen Meredith; **NATURAL RESOURCES CONSERVATION SERVICE (NRCS):** Grover DePriest; **MISSOURI ASSOCIATION OF SOIL AND WATER CONSERVATION DISTRICTS (MASWCD):** No representative; **ATTORNEY GENERAL'S OFFICE:** Benjamin Walker

**SWCP STAFF MEMBERS PRESENT:** Jim Boschert, Bill Wilson, Jim Plassmeyer, Cody Tebbenkamp, Jake Wilson, Amanda Wolfgeher, Jeremy Redden, Allan Clarke, Kelsey Kempker, Madeline Belke-Entwisle, and Tina Stockman

**OTHERS PRESENT: ST. GENEVIEVE COUNTY SWCD:** Rebekah Naeger; **USDA NRCS:** Karen Brinkman; **MO DEPARTMENT OF NATURAL RESOURCES:** Kurt Boeckmann, Kyra Moore, Susanne McKenna and Van Beydler

#### A. CALL TO ORDER

Commissioner Vandiver called the meeting to order at 1:32 p.m. A roll call was taken to establish a quorum.

#### B. MINUTES FROM THE JANUARY 31, 2020 MEETING

A motion was made by Commissioner Jeff Lance to approve the January 31, 2020 minutes. Commissioner Ralph Gaw seconded the motion. A roll call vote was taken. The motion passed with all in favor.

## **C. REPORTS AND UPDATES**

### **1. Department of Natural Resources**

Mr. Dru Buntin reported the vast majority of the Department is working remotely except for some state parks staff. The Department has moved public meetings to a virtual format. There is a tremendous increase in visitation in some of the state parks. Some people are ignoring the physical distance requirements in reference to the coronavirus. Due to congestion and concerns not only for our workforce in state parks but some concern expressed locally in those areas, yesterday the Department announced the temporary closure of a number of the parks where there are the most problems with congestion. These parks include: Elephant Rock in Iron County, Castlewood in the St. Louis area, Weston Bend and Watkins Woolen Mill both north of Kansas City, and temporarily suspending the off-road vehicle riding at St. Joe State Park in St. Francois County. At a number of other parks some controls are implemented to shut off access at a certain threshold of visitors. The Department certainly wants to continue to provide opportunities for people to get out and recreate, but also want to follow the CDC's guidance on distancing. The big thing on everyone's mind is the impact that all of this will have on the economy, and for this group the sales tax collection for the purposes of the Soil and Water Program and Missouri State Parks.

There are a number of actions the Governor is working with the agencies on to put ourselves in the best position to manage issues. The Legislature will be back in session next week to take up the supplemental budget which is necessary in order to have appropriations authority for any of the federal funding included in the stimulus package that is coming through on the federal level. The Department is staying in communication with staff, working with ITSD to get as many of our people remote access as we can. Mr. Buntin asked everyone to please be patient as we are working through some of these logistical challenges and moving into this new normal for the next several weeks.

### **2. Soil and Water Conservation Program Director's Comments**

Ms. Colleen Meredith announced a new attorney has been assigned to the Commission, Mr. Ben Walker from the Attorney General's Office. Commissioner Vandiver welcomed him and asked if he would like to tell them about himself. Mr. Walker said he joined the Attorney General's Office in September and did his undergraduate work at the University of Missouri and law school at St. Louis University, and is now living back in Columbia. He is glad to be assigned to this Commission and looks forward to working with them. Commissioner Vandiver said he looks forward to working with him and appreciates him assisting the Commission.

Ms. Meredith said that this was her last Commission meeting before she retires and said it has been a pleasure and an honor to work with this Commission, the SWCP staff, all the districts, and the partners. She thanked everyone for making her tenure as director so enjoyable. During this COVID -19 crisis all the SWCP

staff are teleworking with only a few physically in the office, and most soil and water conservation districts are working and rotating staff who are in the office to keep the conservation work moving.

There are two requests that don't necessarily need Commission action today so they are being handled under Director's Comments. These reports are informational for possible future actions, although the Commission can take action today if desired.

**C.2.a. Livingston County SWCD Request Regarding FY2021 Funding for Rollover FY2020 Contracts.**

Livingston County SWCD has a request regarding FY 2021 funding for 2020 cost-share contracts that are not completed and will roll over into next fiscal year. Livingston SWCD wrote a letter that is in the packet which says due to the flooding and heavy rains in the fall of 2018 and in 2019 that their contractors are busy with levee repairs and Federal Emergency Conservation Program terrace clean-outs and are not able to complete some cost-share practices. The district is asking the Commission to have program staff explore options for additional funding to cover the rollover contracts. Several districts sent in letters to support this Livingston SWCD request which applies to contracts for this year that won't be finished, and will roll over into next fiscal year. Rollover contracts may expand greatly due to COVID-19. The funding the districts have for the new fiscal year could all or in part be tied up with the rollover contracts. The SWCD is requesting that the Commission has our staff explore options so districts don't tie up their FY2021 allocation due to rollovers.

The Commission asked several questions and suggested that the Supplemental Allocation Process could be an avenue to have funding available even with rollover contracts. Ms. Meredith agreed that it would be a way to have additional funding and said that staff could look into starting the supplemental process earlier and/or increasing the supplemental amounts. She said she didn't feel the Commission needed to take formal action on this other than agree that this is something they want program staff to work on and bring back some ideas at the June meeting once we can determine how much funding is likely to roll over. Commissioner Vandiver indicated that he feels this is a reason the Supplemental Allocation process is in place and thought the program might use this process to remedy this situation. Ms. Meredith agreed that Supplemental Allocations could be started earlier and/or a larger supplemental amounts could be provided. Several of the Commissioners added items to consider while reviewing this such as the three-year average used to generate the initial allocations, the impacts of the coronavirus and the work on levees and other flood related issues from last year. The Commission

asked that the program work with the districts on this and estimate what impacts there will be from rollover contracts before the June meeting.

**C.2.b. Supplemental Request for Nodaway County Soil and Water Conservation District for a Watershed Issue.**

This item is a possible request for additional funds for the Nodaway County Soil and Water Conservation District for a watershed issue. This is an emerging issue regarding harmful algal blooms in Mozingo Lake which is a drinking water supply for the City of Maryville in Northwest, MO. On January 6, 2020 the Kansas City Regional Office was contacted by the company that operates Maryvilles's drinking water plant to inform them that the lake had elevated levels of cyanobacteria (blue-green algae), enough to trigger a report for harmful algal blooms. Harmful algal blooms can create a health risk for anyone consuming or in contact with the water. Currently, although number of bacteria are high, and have gone up since January, the toxin testing at the raw water intake shows no toxins in the water supply. The bacteria can be present but don't always release toxins.

This harmful algal bloom triggered several meetings with various stakeholders. Eric Fuchs is involved from Missouri Rural Watershed Association (Eric was responsible for the tour the Commission took of the drinking water and wastewater plants last October) and he is planning on developing a Sourcewater Protection Plan for the lake. Jeremy Redden from the program staff, City of Maryville staff, Farm Bureau, the Natural Resources Conservation Service, DNR Kansas City Regional Office staff, and Northwest Missouri State University have all been involved.

This is a small watershed, about 13,000 acres and it is predominately agricultural. Mr. Redden spoke with the Nodaway SWCD board chair and staff to let them know about this situation. The district has their entire allocation for next fiscal year planned out for projects that have been surveyed and are ready to design.

This might be a situation where the Commission can designate a separate funding pool to this a watershed project, since it is high priority with potential for a public health risk. The City of Maryville indicated they are willing to leverage their funds with state cost-share funds to reduce sediment and nutrients coming into the lake to help decrease the potential for a toxic algal bloom. This project will be tracked separately similar to the old SALT projects. The next meeting of the stakeholder group is planned for the end of May and a more detailed update will be provided to the Commission at their June 24, 2020 meeting. There is not necessarily action requested today unless the Commission wishes to do so.

Commissioner Jeff Lance suggested that action should be taken now since this is a public health issue. He asked how long it would take to set up a project and provide funding. Ms. Meredith responded that it could be immediate. There is a way to set up projects in MoSWIMS and all funding in that project can be tracked. She also said that the Sourcewater Plan may be able to be converted to a 319 Watershed Plan, and staff have already talked to EPA about it. If there is a 319 Watershed Plan, that would provide for funds to the city for the urban runoff.

Mr. Buntin asked about the makeup of the watershed and Commissioner Lance said it is row crop with some livestock. Immediately adjacent to the lake is pasture and timber, and the watershed is about 70 percent agricultural. He indicated there is a lot of concern about this in his area because the lake is a drinking water source. Mr. Buntin commented that the Department has been working on this issue and ensuring the Governor's office stays informed, and if the Commission is inclined to allocate funds that could help the algae blooms abate, it could provide a source of help quickly. Mr. Jeremy Redden said he had the map of the watershed and it is 40% pasture/hay, 35% row crop, and 8% timber, with the lake making up the additional percentage. Commissioner Lovelace was concerned about pets and children in the campground around the water as he has heard of other situations where there were harmful algal blooms, where pets, livestock and people were sick or died due to contact. Commissioner Lance was pleased that the City of Maryville is willing to put in funds as well. Chair Vandiver said this is a way for agriculture to be proactive with the resources within our organization, but wondered if the district had enough staff available; he thought the district would be efficient with the funds. Commissioner Lance made a motion to allocate \$200,000 to the Nodaway County Soil and Water Conservation District into a special fund to help reduce harmful algal blooms for the Mazingo Lake watershed. Commissioner Keith Stevens seconded the motion. The motion passed with all in favor.

### **3. FY20 Cost-Share Update**

Mr. Bill Wilson provided a report on cost-share for Fiscal Year 2020 (FY20) as of March 23, 2020. Statewide approximately \$64.6 million is allocated, \$42.1 million obligated, with \$29.7 million obligated in Sheet and Rill/Gully being the highest. There are currently 8,810 contracts with approximately \$16.8 million contracts paid. Supplemental allocations as of February 18, 2020 went to a total of 104 counties for approximately \$31.3 million. He reviewed cost-share allocation trends for FY2017-2020.

**D. NEW BUSINESS - REQUESTS**

**1. Soil and Water Conservation District (SWCD) Supervisor Appointments**

**a. Dunklin County SWCD**

Mr. Jim Boschert reported that the Dunklin County Soil and Water Conservation District is requesting to have Mr. Steve Worrell appointed to complete the unexpired term of Mr. Stuart Worrell, who resigned. Mr. Steve Worrell and Mr. Stuart Worrell are brothers. Mr. Steve Worrell and the Board Chairman signed the Verification of Supervisor Eligibility form, verifying the candidate meets the qualifications to serve on the board.

Commissioner Keith Stevens made a motion to approve the appointment of Mr. Steve Worrell to complete the unexpired term of Mr. Stuart Worrell on the Dunklin County SWCD Board of Supervisors. Commissioner Ralph Gaw seconded the motion. A roll call vote was taken. The motion passed with all in favor.

**2. Ste. Genevieve County SWCD Request to Reconstruct a DWP-01 Sediment Retention, Erosion of Water Control Structure Practice**

Mr. Jim Boschert reported that the Ste. Genevieve County Soil and Water Conservation District is requesting approval of a new contract for reconstruction of a damaged DWP-01 Sediment Retention, Erosion, or Water control structure that is currently under a maintenance agreement. The board approved payment for contract SGE 083-20-0083 on November 14, 2019. The board sent a letter to the Commission requesting reconstruction on January 30, 2020 because earlier that month the county received four to six inches of rain that damaged the structure. The district estimated the cost-share amount needed for the repair will be \$754.23.

Mr. Boschert reviewed the reconstruction policy from the Cost-Share Handbook and the Commission's authority to grant individual variances from 10 CSR 70-5.060 (3).

Commissioner Ralph Gaw made a motion to support the Ste. Genevieve County SWCD request to allow reconstruction cost-share assistance for a DWP-01 Sediment Retention, Erosion, or Water Control Structure in the amount of \$754.23. Commissioner Tim Martin seconded the motion. A roll call vote was taken. The motion passed with all in favor.

**E. APPEALS AND VARIANCE REQUESTS**

(Approval Needed)

**F. OPEN COMMENT SECTION**

Mr. Grover DePriest, Acting State Conservationist for NRCS gave a shout out to Colleen; saying she has been wonderful, as everyone has said, and has done great job working with each agency and individuals. She is a very outstanding person and we greatly appreciate her.

He reported that a new State Conservationist has not yet been named. He reported that the COVID-19 operating procedures for USDA is at a Level II for Continuity of Operations. This results in one NRCS person in the office, and there could also be NRCS contracted employees as well. For the Emergency Watershed Protection Program and Emergency Conservation Program, NRCS has been able to get more drainage ditches surveyed, designed and plans out for producers, and projects are moving as fast as possible. As far as state cost-share and EQIP work, NRCS is able to go out without contact with the producers, i.e. survey and plan without the face to face meetings. They are getting work done, but it is challenging. For the Conservation Reserve Program in Missouri, over 120,000 acres were offered and 117, 000 were accepted, resulting in over 3,000 field visits and conservation plans that NRCS and all of our partners will need to complete by September. This will be a big workload. NRCS is also moving along in filling positions. Offers are going out on the 39 entry level positions.

Karen Brinkman, Assistant State Conservationist for Partnerships and Initiatives, reported that for the Mozingo Lake Watershed project, this will be a good opportunity for a Regional Conservation Partnership Program project to be submitted and could provide some targeted financial assistance. There will be a call for new project proposals coming out this summer. She noted that DNR was a lead on other RCPP proposals that were submitted, and they anticipate those to be announced in mid-April, so more information will be going out soon.

Ken Henderson from the Department of Agriculture reported that they have a new item on their website <https://agriculture.mo.gov/> in reference to the corona virus, with a chat feature for questions from producers and agriculture retailers. Essential businesses are identified in transportation hauling guidance. He mentioned he has not worked with Colleen very long, but he wishes Colleen the best in her retirement.

## **G. FUTURE MEETING DATES**

June 24, 2020

Lincoln University George Washington Carver Farm

3804 Bald Hill Road

Jefferson City, MO

1:30 p.m.

## **H. CLOSED SESSION**

The Commission did not go into closed session.

**I. MEETING ADJOURNMENT**

Commissioner Ralph Gaw made a motion to adjourn the meeting at 2:30 p.m. and Commissioner Kenny Lovelace seconded the motion. A roll call vote was taken. The motion carried with all in favor.

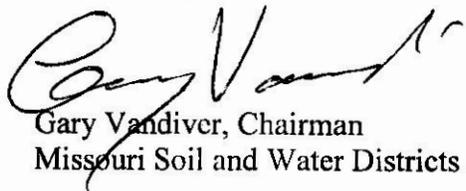
Respectfully submitted,



Colleen Meredith, Director

Soil and Water Conservation Program

Approved by:



Gary Vandiver, Chairman

Missouri Soil and Water Districts Commission