



Missouri Department of Natural Resources

MINUTES
MISSOURI SOIL AND WATER DISTRICTS COMMISSION
Lewis and Clark State Office Building
Jefferson City, Missouri
October 1, 2014

COMMISSION MEMBERS PRESENT: Charles Ausfahl, Thomas Bradley, H. Ralph Gaw, and Gary Vandiver

EX-OFFICIO MEMBERS: RICHARD FORDYCE, DEPT. OF AGRICULTURE: Judy Grundler; BOB ZIEHMER, DEPT. OF CONSERVATION: Clint Dalbom; SARA PARKER PAULEY, DEPT. OF NATURAL RESOURCES: Kurt Boeckmann; DEAN THOMAS PAYNE, UNIV. OF MISSOURI: David Baker

ADVISORY MEMBERS PRESENT: SOIL & 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: Tim Duggan;

STAFF MEMBERS PRESENT: Van Beydler, Jim Boschert, Patricia Chapman, Allan Clarke, Matt Elliott, Alan Freeman, Theresa Mueller, Jim Plassmeyer, Cody Tebbenkamp, Bill Wilson

OTHERS PRESENT: DISTRICTS: Cole: Peggy Lemons; Hickory: Duane Mackey; Osage: Angie Cole; MISSOURI FARM BUREAU: Kelly Smith; MISSOURI SOIL AND WATER CONSERVATION DISTRICT EMPLOYEES ASSOCIATION (MSWCDEA): Sandy Stratman; Other: John Sebastian

A. CALL TO ORDER

Vice Chairman Gary Vandiver called the meeting to order in Jefferson City, Missouri, at 1:35 p.m. Charles Ausfahl, Thomas Bradley, H. Ralph Gaw and Gary Vandiver were present, which made a quorum.

B. MINUTES OF THE LAST MEETING

1. June 10, 2014 and August 8, 2014

H. Ralph Gaw made a motion to approve the minutes of June 10, 2014 and August 8, 2014 Commission Meetings. Thomas Bradley seconded the motion. When asked by the Chair, H. Ralph Gaw, Thomas Bradley, Charles Ausfahl and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

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C. REQUEST

1. Supervisor Requests

a. Cass Soil and Water Conservation District (SWCD)

Cody Tebbenkamp presented the Cass SWCD supervisor appointment request. The Cass SWCD Board requested the appointment of Ms. Melinda Steckley to complete the unexpired term of Mr. Ed Winter who passed away. Ms. Steckley and the board vice-chairman signed the Verification of Supervisor Eligibility form verifying the candidate meets the qualifications to serve on the board.

Charles Ausfahl made a motion to approve the appointment of Ms. Melinda Steckley to complete the unexpired term of Mr. Ed Winter. H. Ralph Gaw seconded the motion. When asked by the Chair, Charles Ausfahl, Thomas Bradley, H. Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

b. Marion SWCD

Matt Elliott presented the Marion SWCD supervisor appointment request. The Marion SWCD Board requested the appointment of Mr. Doug Wilson to complete the unexpired term of Mr. Gale Behring due to his resignation. Mr. Wilson and the board chairman have signed the Verification of Supervisor Eligibility form verifying the candidate meets the qualifications to serve on the board.

Charles Ausfahl made a motion to approve the appointment of Mr. Doug Wilson to complete the unexpired term of Mr. Gale Behring. H. Ralph Gaw seconded the motion. When asked by the Chair, Charles Ausfahl, Thomas Bradley, H. Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

c. Mercer SWCD

Matt Elliott presented the Mercer SWCD supervisor appointment request. The Mercer SWCD Board requested the appointment of Mr. Anthony Henke to complete the unexpired term of Mr. Lynn Moffatt due to his resignation. Mr. Henke and the board chairman have signed the Verification of Supervisor 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. Anthony Henke to complete the unexpired term of Mr. Lynn Moffatt. Charles Ausfahl seconded the motion. When asked by the Chair, Charles Ausfahl, Thomas Bradley, H. Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

d. Miller SWCD

Allan Clarke presented the Miller SWCD supervisor appointment request. The Miller SWCD Board requested the appointment of Ms. Sharon Paterson to complete the unexpired term of Mr. Mike Keeth due to his

resignation. Ms. Paterson and the board chairman have signed the Verification of Supervisor Eligibility form verifying the candidate meets the qualifications to serve on the board.

H. Ralph Gaw made a motion to approve the appointment of Ms. Sharon Paterson to complete the unexpired term of Mr. Mike Keeth. Charles Ausfahl seconded the motion. When asked by the Chair, Charles Ausfahl, Thomas Bradley, H. Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

2. Declaration of Disestablishment of Platte River Tributaries Watershed District by Worth SWCD

Jim Plasmeyer presented the request from Worth SWCD. The Worth SWCD requested that the Commission recognize the disestablishment of the Platte River Tributaries Watershed District and to sign the certificate of disestablishment.

Mr. Plasmeyer stated that a watershed district is established under RSMo 278.160. He stated that the watershed districts are sponsors of the Watershed Protection and Flood Prevention Act PL-566 projects, which are funded through United States Department of Agriculture (USDA) Natural Resources Conservation Service. (NRCS). The watershed district authority includes acquiring land easements, right-of-ways for the structures; the power of eminent domain and the authority to assess taxes to maintain the structures. He stated that the PL-566 is a USDA program that provided funding for the design and construction of flood control structures with a maintenance life of 50 years or longer.

Next, Mr. Plasmeyer provided some background information on the Platte River Tributaries Watershed District. He stated that there were 11 structures (dams) that were built and the trustees received a letter from NRCS stating when the economical life would be met by the structures. He also provided the procedures for the disestablishment. He pointed out that all of the procedures had been met for the disestablishment of the watershed district.

After some discussion, Thomas Bradley made a motion to approve Chairman Vandiver to sign the Certificate of Disestablishment recognizing the disestablishment of the Platte River Tributaries Watershed District. H. Ralph Gaw seconded the motion. When asked by the Chair, Charles Ausfahl, Thomas Bradley, H. Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

D. SOIL AND WATER CONSERVATION PROGRAM DIRECTOR'S COMMENTS

1. Supplemental Cost-Share Allocation

Alan Freeman presented the Supplemental Cost-Share Allocation process. He stated that at the June 10, 2014 Commission meeting, the Commission authorized a 10 percent increase in the fiscal year (FY) 2015 cost-share. The funds were

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allocated to the districts on September 24, 2014 and the 10 percent increase in allocation was limited to the district's FY15 Needs Assessment.

Next, Mr. Freeman covered the proposed supplemental cost-share allocation parameters: it will be a rolling allocation process; a threshold of 90 percent obligated of the total allocation in each Resource Concern(s) must be met; the allocation amount for qualifying resource concerns will be \$20,000; allocations will start on Thursday, October 9, 2014, and then will follow a schedule. He stated that the Missouri Department of Natural Resources Soil and Water Information Management System (MoSWIMS) Master Fund Status Report will be reviewed at the end of the day on October 9, 16, 23, November 6, 13, 20 and December 4. He pointed out that MoSWIMS would be locked on the following days to load the allocations and that an email will be sent to the districts receiving additional funds. He stated that in some instances, districts may receive 100 percent of their FY15 Needs Assessment in a Resource Concern and MoSWIMS would be the "gatekeeper" in managing the FY15 cost-share appropriation.

After discussion, H. Ralph Gaw made a motion to concur with allocating supplemental funds to districts that meet the 90 percent obligated threshold based on the proposed process. Charles Ausfahl seconded the motion. When asked by the Chair, Charles Ausfahl, Thomas Bradley, H. Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

2. **FY16 Cost-Share Needs Assessment**

Alan Freeman stated that the FY16 Cost-Share Needs Assessment memo had been sent indicating October 31, 2014 is the deadline for the districts to submit their Needs Assessments. He stated that the numbers received will be presented to the Commission at the December meeting.

3. **Technician Survey**

Patty Chapman presented the results of the Technician Survey. She stated that at the June 10, 2014 Commission meeting, the Commission directed staff to survey districts regarding technician certification. On August 21 the survey was sent to the districts with a deadline of September 19, and 104 districts submitted responses to the survey. She pointed out there are 120 Technician II staff statewide. She stated that of the 92 districts that have Technician II staff, 31 districts do not have their Technician II sign off on cost-share documents. Some reasons indicated by the survey that districts do not sign off for completion of practices is that boards feels it is a liability, NRCS staff prefer to sign and/or the boards prefer NRCS to sign, the technician does not feel confident to sign or a combination of the above. She pointed out that 20 of the 31 districts showed that NRCS prefers to sign or the board prefers NRCS to sign. She stated that the survey asked if NRCS had given job approval authority for other practices and 30 districts responded, yes.

After some discussion, H. Ralph Gaw made a motion that Technician II staff will have the responsibility to sign off on the required practices included in the Technician II certification beginning January 1, 2015. Charles Ausfahl seconded

the motion. When asked by the Chair, Charles Ausfahl, Thomas Bradley, H. Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

4. Follow Up – District Comments on Request to Extend Original Maintenance Life for Stream Buffer Practices

Alan Freeman presented the follow up to the request to extend original maintenance life for sensitive areas. He stated that Hickory SWCD requested to provide an additional out-of-production incentive as the maintenance life expires on WQ10 Stream Protection Buffer practices. This would also include: N391 Riparian Forest Buffer, N393 Filter Strips and WQ10 Stream Protection. The issue is should the Commission provide an incentive to extend the maintenance life of buffer practices. Mr. Freeman provided some background on the issue. He stated the Commission has not historically paid for maintenance on practices beyond their lifespan, with the exception of the BDSF-31 Sinkhole Buffer. He stated there is no data collected on landowner intentions to maintain or not maintain a practice beyond the maintenance life. He stated that in response to Commission direction at the June 10, 2014 meeting, a memo was sent to the districts to solicit comments with the comment period through July 25, 2014.

Mr. Freeman stated that 19 districts submitted comments, four districts opposed extending the maintenance life on buffers, four had no position and 11 were in favor. Some of the comments in support were: it would encourage landowners to keep the practice in place; protect sensitive areas especially when so many acres are being put in crop production creating more erosion; provide additional time for natural regeneration; and reduce the need for more costly erosion control measures. Some of the comments in opposition were: landowners will maintain conservation practices without further incentives; it would be an additional cost to the program; it may reduce funding for new buffer installations; and may be paying landowners that intended to maintain the practice anyway. Some comments received that were neither for nor against were: suggested five years rather than 10 for maintenance; feel landowners will want to continue to maintain buffers without incentive; and if a landowner has already decided to remove the buffer, an additional incentive may not have an impact.

Duane Mackey, Hickory SWCD, stated that they had about 10 landowners that had come to the office to ask about continuing their buffers. He stated that they surveyed the landowners that were close to the end of the 10-year lifespan and 80 percent of the landowners indicated that they were going to start grazing that area. He covered some of the pros and cons of the issue in his district. He stated that a majority of their landowners will not continue to maintain the practice without an incentive.

After some discussion, Thomas Bradley made a motion to direct staff to do additional research on potential incentive payments and maintenance life, and develop a draft practice policy for Commission review. Charles Ausfahl seconded the motion. When asked by the Chair, Charles Ausfahl, Thomas Bradley, H.

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Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

E. PUBLIC COMMENTS

1. John Sebastian

Mr. Sebastian addressed the Commission concerning wells. He stated that in 2007 the price was \$5.44 and in June it was \$6.44, so over a seven year period why did the cost for drilling not go up more?

Colleen Meredith stated the Commission would receive more information on the cost of wells in his area at the December Commission meeting. The program office is waiting for the districts to submit their drilling costs.

Mr. Sebastian asked how the price for wells is determined. Ms. Meredith stated there is a State Average Cost for components. This is determined by the prices districts input into a database from paid invoices. She stated that NRCS has the State Cost Database; the actual costs from the receipts that the districts have entered are used to develop a state average cost. She reminded everyone that the database is only as good that the information entered into it.

Mr. Sebastian asked why an operator could not be paid instead of the landowner for installation of cost-share practices?

Ms. Meredith stated there are several practices where an operator can receive payment. She stated those are more management practices where the operator incurs the payment, such as pest management, nutrient management and cover crops. The other practices are normally a structural practice installed on the landowner's property that enhances the value of the land. She pointed out that this issue is being discussed in one of the Plan for the Future subcommittees and that she appreciated Mr. Sebastian's participation.

Chairman Vandiver thanked Mr. Sebastian for his comments.

F. SOIL AND WATER CONSERVATION PROGRAM DIRECTOR'S COMMENTS (CONTINUED)

1. Missouri Association of Soil and Water Conservation Districts (MASWCD) 2013 Resolutions

Colleen Meredith presented information on the MASWCD 2013 Resolutions. She stated that every year at the Training Conference the MASWCD provides a set of resolutions and the Commission/program generally sends the association responses to the resolutions prior to the next year's Training Conference.

Next, Ms. Meredith reviewed the resolutions with the Commission along with the proposed response for each of the resolutions which will be submitted to the MASWCD.

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NOTE: At 3:10 p.m. the Commission no longer had a quorum as one of the commissioners needing to leave. No action was taken on the remainder of the agenda items.

2. Health Insurance Update

Jim Boschert presented an update on the 2015 health insurance for the district employees. He stated that Memo 2015-003 was sent to the districts explaining the health insurance. In fiscal year (FY) 2014 the districts spent \$1,441,000 for health insurance. He stated there are approximately 225 district employees that have the insurance.

Next, Mr. Boschert provided the premium costs for the calendar year 2014 and the calendar year 2015. He stated that for 2014, the employee portion of the premium for the PPO600 and the PPO 1000 was \$41.00. For 2015, the employee portion of the premium for the PPO600 will be \$70.00 and for the PPO1000 it will be \$41.00. He stated that the open enrollment period for district employees will be from October 6 to November 7, 2014. He pointed out that Osage SWCD had sent a letter asking that the program office look at other options for health insurance. He stated that health insurance is one of the issues that the Program Delivery and Operations Subcommittee has been discussing.

After discussion, Angie Cole from the Osage SWCD stated that their board was asking the Commission to explore additional options for health insurance. She pointed out that the health care market has changed significantly over the last seven years and would like to see if there are other options.

The Commission suggested that that the Program Office look into other health insurance options.

3. Plan for the Future Subcommittees Updates

Colleen Meredith informed the Commission that several of the subcommittees will be meeting in the next couple of weeks. She stated that some of the subcommittees are at a point to start drafting part of the document. She stated there would be another report at the Training Conference.

4. Update on Webster and Jasper SWCD Cost-Share Maintenance Violations

Jim Plassmeyer presented an update on the Webster and Jasper SWCD cost-share maintenance violations. He reminded the Commission that these were brought to them at their March meeting. He stated that they were forwarded to the Attorney General's Office. The Jasper landowner has made repayment and the Webster landowner has been notified by the Attorney General's Office about pending litigation. He pointed out the program office had received a copy of a letter from the landowner requesting a payment plan.

G. REPORTS

1. **University of Missouri**

Dave Baker thanked NRCS and the Missouri Department of Natural Resources for working with the University to move forward on continuity for the soil health lab. He stated they have a team in place to do training on the Farm Bill. He stated they are doing four regional meetings looking at the crop side of the bill. He pointed out the dairy portion had been done in two or three places around the state. He stated the other issue they are discussing is the type of assistance they are going to provide producers on the forms that they need for Farm Service Agency.

2. **Department of Conservation**

Clint Dalbom stated that all of the MDC Conservation Reserve Program (CRP) incentive funds had been obligated. These funds are for wildlife friendly practices on CRP land. He also stated the Wild Turkey Brood Survey information had been received and it showed substantial gains in most of the state. He stated there has been an increase in small game, quail and pheasants. He pointed out they have updated their website regarding deer and turkey seasons.

3. **Department of Agriculture**

Judy Grundler stated this year there is an abundant harvest and the need for more farm storage. She stated MDA had put together a fact sheet on what you need to know about storing grain on their website. She pointed out they have finished their survey work on the Thousand Cankers Disease. She informed the Commission that the Governor's Conference on Agriculture is scheduled for December 18th, 19th and 20th at Tan Tar A.

4. **Natural Resources Conservation Service**

J. R. Flores stated a decision has been made regarding the Field Office Service Areas (FOSA) reorganization. Currently, NRCS has a total of 54 FOSAs which will be reduced to 30. During the open comment period they received 40 comments, of those, 25 were from soil and water conservation districts. NRCS is now working on how the new FOSAs will be staffed. Mr. Flores stated he is not going to close any offices in Missouri.

Next Mr. Flores discussed the Regional Conservation Partnership Program. He stated there were 39 proposals with Missouri as the primary sponsor, or a partner. Of the 39 proposals, 12 were selected for further submittal. He stated he has completed 11 letters of support for the 12.

Mr. Flores informed the Commission that NRCS was able to obligate 100 percent of all 2014 Farm Bill funding received.

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5. Missouri Association of Soil and Water Conservation Districts

Kenny Lovelace stated the MASWCD Training Conference is scheduled for December 10-12 at Tan Tar A. The theme for the conference is Partners in Progress. He provided some additional information regarding the conference.

Mr. Lovelace stated he has heard concerns regarding how to best get the practices on the ground now that there is more funding. He asked if it would be possible to have a meeting between JR Flores, Sandy Stratman, Colleen Meredith and himself to discuss more employees to get the practices on the ground.

Sandy Stratman invited the Commission to their Employees Annual Meeting that would be held at the Training Conference.

6. Department of Natural Resources

Kurt Boeckmann stated that the Nutrient Loss Reduction Strategy went out for public comment on September 17, 2014 and runs until October 31, 2014. He informed the Commission that the strategy was out on the web. He stated they received a lot of input from agriculture stakeholders and soil and water conservation districts. He stated the document was promulgated by EPA, but is not a document that EPA needs to approve or disapprove. He stated that EPA asked all the Mississippi River Basin states to develop a strategy to address the hypoxia issue in the gulf.

Next, Mr. Boeckmann updated the Commission on the Our Missouri Waters RCPP.

H. ADJOURNMENT

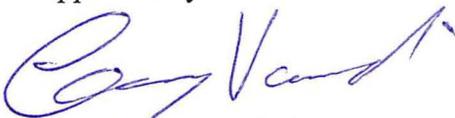
H. Ralph Gaw made a motion to adjourn the meeting at 4:05 p.m. Thomas Bradley seconded the motion. When asked by the chair, Thomas Bradley, H. Ralph Gaw and Gary Vandiver voted in favor of the motion and the motion carried unanimously.

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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