

MONTGOMERY SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
March 10, 2023

Approved
4-14-2023

The regular monthly meeting of the Board of Supervisors, Montgomery Soil Conservation District (MSCD) was held Friday, March 10, 2023, in person and virtually on the GoToMeeting platform.

People Present:

Robert Butz, Chairman
Tim McGrath, Treasurer (virtually)
Linda Lewis, Supervisor
Doug Tregoning, Supervisor (virtually)
Joe Lehman, Associate Supervisor
Chris Miller, Associate Supervisor
Tom Linthicum, Associate Supervisor
Adam Lyon, MDA (virtually)
Jeremy Criss, OAG (virtually)
Mike Scheffel, OAG
Natalia Salazar, OAG
Kelly Nichols, Extension
Sam Engler, District Conservationist (NRCS)
John Zawitoski, District Manager (MSCD)
Kathleen Sigwart, (MDA) (virtually)
Karen Walker, Office Service Coordinator (MSCD)

The Chairman Robert Butz, called the meeting to order at 9:00 am and the District Manager, John Zawitoski invited Adam Lyons to present his agency report.

Agency Reports:

MARYLAND DEPARTMENT OF AGRICULTURE (MDA) – Adam Lyon, MDA Patuxent Area Coordinator presented his report and noted the biggest item involves aiding Extension with Nutrient Management Planning (NMP). The University has some vacancies, and it has created a backlog in providing NMP's for cooperators. Extension reached out to MDA and the District with a list of cooperators that have contacted Extension about needing an updated Nutrient Management Plan. Resource Conservation Assistant Secretary, Hans Schmidt, mentioned this issue at the Winter MASCD Meeting and Adam noted that Frederick and Allegany SCDs are actively writing plans under their own business license. However, Baltimore went a different route and is offering cost share assistance program to have a private consultant write the plan. Adam shared Extension has provided a list for Montgomery and there are a couple of cooperators that will need SCD assistance in providing NMP. Although the nutrient management situation has dominated MDA's time, MDA is preparing for another recruitment. MDA Secretary Atticks has made it a priority to get the remaining planners and technicians positions filled and there is an opportunity to hire for some regional positions as well. MDA is preparing to hire an outreach and training coordinators for District Operations.

Adam then explained the quarantine area for the spotted lantern fly has expanded. Adam listed all new areas and noted the quarantine went into effect March 6th and it restricts the movement of regulated articles that could contain the pest and its eggs. Adam placed the link in reference to the spotted lantern fly in the chat so everyone would have access to the information and know all the requirements. Adam then provided an update

first is the correct action. Adam wanted to make it clear that plans will still be written for equine and livestock operations, but crop farmer plans will be done first. Associate Supervisor, Tom Linthicum, NMP has expired, and he wanted to know if he will receive payment from last year's cover crop program. Adam responded yes; Tom will receive payment from last year's program. After all the comments were made in reference to NMP and Cover Crop, John noted to Chairman Butz, to share with Secretary Atticks that MDA has partnered with the county to hire an engineer. Since the District Operations Program Manager, Byron Petrauskas, wants to hire state engineers this may be an opportunity for MDA to provide support beyond the 2-year commitment.

EXTENSION – Kelly Nichols - U of MD presented her report to the Board. The first item concerned staffing updates. Kelly invited the new Area Extension Director, Lynn Rubin Traversa, to the Board Meeting and asked all to introduce themselves to Lynn. After all the introductions, Lynn thanked Kelly for the invitation to the meeting and she provided some of her employment history. She is the Extension Director for Montgomery, Howard and Frederick and the representative for Central Maryland Cluster. She will be representing the clusters in all kinds of ways and the more opportunities she has to meet with members of the agriculture community the better she will understand the situation and to advocate their needs. She is aware of the Nutrient Management situation, and she had a long conversation on the matter in the Frederick Office. She is getting better at understanding the issue and in her own way she will do her best to advocate a way to alleviate the pressure and stress. She invited the Board Members to share any pressing issues they wanted to share and noted she would pass the information on to the University. All welcomed Lynn back and on board.

Kelly then announced the other hires: Catherine Savage, 4-H Educator and Shawn Saco, Home Horticulture Administrative Assistant that works with Steve Dubik and the Master Gardeners. Kelly said there is a need to fill the Nutrient Management position and she has been told all vacant positions are with HR. Kelly is excited the Pesticide training will be offered in Spanish and that is a big accomplishment.

Kelly reported on Insects to Watch Out for in 2023. With the warm winter, will there be insects that we need to watch out for? Aphids may be in higher numbers. There are a lot of insects that could show up early with warm winters; however, how they react to cold snaps will play a factor.

Kelly then provided some information about Nutrient Management Plan writing training and the Pesticide Private Applicator Exam: if you are interested in attending a class to write your own nutrient management plan, please let me know. This would be an all-day class where you could bring your farm information with the goal of having most of your plan written by the end of the day. Kelly will be coordinating with MDA an offering for the private applicator exam here at the Montgomery County Extension Office sometime over the next month. If you would like to take the exam, please let her know.

OFFICE OF AGRICULTURE: Jeremy presented the report for OAG, and he apologized for not being able to attend in person. Jeremy shared some good news regarding PFAS. The County Attorney reported on February 21st the County Executive cannot proceed with his plan to band applying biosolids on farm ground without getting state enabling legislation and consent from the Maryland Department of Agriculture.

- Update on the PFAS Article on the Wells #2 and #3 in Poolesville taken offline because they detected Forever Chemicals-PFAS. These wells are located towards the center of town and in residential and commercial areas. Jeremy then summarized the Timeline of events surrounding this PFAS issue:

January 3, 2023: Community Meeting in the Town of Poolesville

January 9, 2023: Ag Community Leaders and Ag agency staff meeting to develop a proactive strategy

January 26, 2023: Webinar conducted by Bloom representatives on PFAS testing etc.

January 30, 2023: Meeting between PEER, MCA, SCA, OAG, DEP, CEX to review PFAS test results

January 31, 2023: Letter from PEER, MCA, SCA to the CE and Council President on PFAS

project including amendments to the Public Benefits Point System to encourage the use of both TDRs and BLTs.

- **UME Staff updates**-Lynn Rubin is the New UME Area Extension Director. Chuck Schuster has done an excellent job of serving as the interim AED; Shawn Saco is the New UME Master Gardeners administrative assistant; Catherine Savage is the New UME 4H Agent Associate.
- **FY 23 Operating Budget for the OAG:** -The County OHR has offered the job for the New MSCD Engineering Position-Technical assistance on small ponds. Jeremy indicated that John would provide an update on the engineering position.
- Jeremy provided information concerning the **Farm Tire Recycling Program for Montgomery County**. The County DEP and DOT are scheduling a farm tire recycling program on Earth Day Weekend for both Saturday and Sunday 9:00 to 2:00 pm. The Saturday April 22, 2023, location will be the Crabbs Branch Road-MCDOT Depot-Salt Storage facility and the Sunday April 23, 2023, location will be the Poolesville Depot on Jerusalem Road. Jeremy shared that a flyer is being developed to let folks know what documentation is needed and the type of tires that will be accepted.

Upcoming Meetings and Events: New and Beginning Farmers Training-**February 2- April 6, 2023**; Montgomery County Farm Bureau Board of Directors-**March 7, 2023**; On-Farm Composting Workshop-**March 9, 2023**; Montgomery Soil Conservation District Board of Supervisors-**March 10, 2023**; Agricultural Preservation Advisory Board-**March 14, 2023**; Agricultural Advisory Committee-**March 21, 2023**

After Jeremy presented his report, Tim had a comment in reference to the septic bill. Tim noted there has been 2 or 3 single family homes listed in the AR Zone on less than an acre with existing well and septic systems that do not meet the modern standards. Tim noted that it is a challenge to get a new septic system on less than an acre in Montgomery County and homeowners need to know the septic requirements. Jeremy thanked Tim for the information. Tom then shared an FYI that his wife Paula was in Annapolis with the MD Farm Bureau and the legislation on the state level for the PFAS issue appears to be dead. Also, Tom asked Jeremy if he had the opportunity to read the 2 Frederick Post PFAS articles that he sent him. PFAS has been found in the Brunswick water supply and the Navy is trying to mitigate the PFAS that was found at Camp David. Jeremy shared he was aware that House Bill 319 and Senate Bill 158 were still in committee. Jeremy shared that he is aware that 137 community water systems have been tested by MDE around the state. This testing included areas in Westminster where PFAS was found in the water systems. MDE is working to mitigate the matter and he noted that PSAF is in everything.

Jeremy shared that the OAG has posted information concerning PFAS Frequently asked questions on the OAG web site. Incorporated into the minutes below is a FAQ concerning PFA's and Biosolids:

Do biosolids contain PFAS (AKA "forever chemicals") and should I apply them on my agricultural fields or garden?

Because per- and poly-fluoroalkyl substances (PFAS) are found everywhere in the environment and in our bodies, they make their way into biosolids (treated sewage sludge). Because of their high nutrient value and organic matter content, biosolids are sold to farmers and residents for application to agricultural fields and gardens. The levels of PFAS in a biosolid product depend largely on whether the wastewater treatment plant it was produced in receives industrial wastes. Bloom, the biosolid product generated at the Washington, DC Blue Plains Advanced Wastewater Treatment Plant and used in Montgomery County, has low levels of PFAS relative to other biosolids and some common food items and daily use products. The scientific research carried out so far suggests that biosolids with low PFAS levels, such as Bloom, can be safely applied to agricultural fields and gardens. However, out of an abundance of caution the Office of Agriculture has recommended to county farmers that they voluntarily suspend the application of all biosolids on their fields until further studies are carried out. Biosolids can be legally applied to agricultural and residential properties in accordance with [state nutrient management regulations](#). Like all other commercial nutrient sources, biosolids are registered

New Business

MDA/District Nutrient Management Pilot Program-UME has asked MDA and SCDs to assist with certain plan updates to help farmers stay in compliance with NM while U of MD extension is able to get numerous NM positions filled. The priority is to help keep farmers in compliance with NM as these farmers have or will become out of compliance this spring. Without an updated plan, these farmers would be ineligible to apply to the upcoming cover crop program. Given the District has several planners who are certified, and MDA will be providing assistance to the District for those planners not certified for reviewing and approving plans, it seems this is the right route to go to bring our farmers into compliance.

Because of the timing of expired plans, nutrient application needs and the compliance issue, we have begun to implement the District Assisted NM Planning process to help our farmers who are out of compliance. John indicated that he hopes the Board will see the utility of the request and concur that this approach is the best avenue to solve this problem. After John shared the details of the plan to address nutrient management, he noted that he wanted the Board's approval for obtaining a business license to do the work. A motion was made by Linda Lewis and second by Doug Tregoning for MSCD to obtain the business license to write nutrient management plans. Tim inquired if an EIN number is required to get the license. John shared that MSCD has an EIN number and provided some background history on MSCD EIN.

SSCC Information to Districts on Financial Matters - Alisha Mulkey sent out an email concerning tax status and investment restrictions for District's when they reached out to a lending institution. She provided the following guidance:

- Soil Conservation Districts (Districts) are political subdivisions of the state, i.e., independent units of government.
- Districts exercise limited powers (authorities) as outlined in Md. Code Ann., Agric. [§ 8-306\(a\)](#)
- As an entity of state government, Districts are tax exempt.
- Districts are limited on their investments based on the Md. Code Ann., Local Government [§ 17-101](#) - see (b)(4) specifically naming Districts in the scope. Investments are limited to an *interest-bearing time deposit account or savings account at a federally insured bank or federally insured savings and loan association in the State*;
- All SCD fund sources are considered public funds. These include fees collected, money collected through fundraising activities, funds received from county, state or federal sources to deliver or administer programs or activities and donations. **Public funds must be spent for programs and activities that are consistent with the SCD's mission to promote and support soil conservation and the protection of natural resources.**

John provided the information to let the Board of Supervisors and assured the Board that the District is in compliance with the guidance provided by the SSCC.

Summary of the Patuxent Workgroup Annual Mtg - This annual meeting was held on March 3rd for Policy

Patuxent Reservoir Watershed: Agricultural Activity

- Soil Conservation Districts continue to provide technical and financial assistance to develop Conservation Plans and assist farmers to install Best Management Practices (BMPs).
 - 26 BMPs installed in FY 22
 - Including almost 2500 acres of cover crop
 - 211 Conservation Plans are active on farm land, covering more than 21 sq miles in the PRW
- BMP verification status for Howard and Montgomery counties
 - Howard has had 67% of their WIP BMPs field assessed. 78% meet standards.*
 - Montgomery has had 76% of their WIP BMPs field assessed. 77% meet standards.*
 - These are practices that are still functioning well after the maintenance life for which they were designed. Demonstrates dedication of farmers to maintain them. Majority of those not meeting standard due to no longer being present or not functioning as intended (due to change in operation or development of land).

Board members and staff. Most of the meeting focused on the efforts of the TAC in doing GIS Mapping, summarizing the Annual Report and data involving salt intrusion into the drinking water from Winter Road Treatments. Not surprisingly, the testing has shown a decrease over the past two years. Directly correlated to new treatment methods and less frozen weather events. Of interest on the Ag side, we presented the following chart of Ag Progress and status results of BMP verification so far.

If we don't follow this proposed course, we can submit the budget as we normally do. MDA would cover the \$7,500 and the District would cover the \$1,100 from local funds.

John then asked for the Boards advice. We could easily accommodate 4 virtual meetings a year as some supervisors already take advantage of the virtual option.

After John shared the details of the proposed budget, Chairman Robert Butz asked John for his recommendation. John recommended MSCD host 4 virtual meetings and that would decrease the milage expense. The Chairman is in support of 4 virtual meetings and noted the District has funds to make up the \$200 difference. John thanked the Supervisors for providing the direction and he will submit the proposed budget to the state. John noted we should expect the FY24 MDA MOU around April or May for approval. The Chairman said we can address the matter once the document is received.

John then shared that the MASCD Board of Directors Meeting is March 28th, and it will be in person and virtual. The meeting is generally held in Annapolis and Robert shared he would check his calendar and plans to attend virtually.

Old Business

BMP Verification – Latest Round Completed- MDA has just completed our latest round of BMP verification and we are now reconciling the BMPS and their status in Conservation Tracker. As we discussed under the Patuxent Annual Meeting, 77 percent of the BMPs have been field assessed and 76 percent are still meeting standards. Most of what no longer is meeting standards are farms where the operation has changed and is no longer serving the purpose it was intended for. This is excellent news for the WIP. John said he is proud of MSCD staff providing support for the verifier and noted other Districts are not providing her assistance.

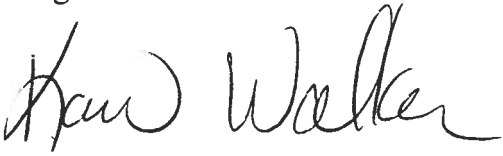
Engineering Position Update - We met with the Department of Environmental Protection (DEP) on 2/2/23 to get their support to increase the WQPC fund allocation to the District, budgeted for the engineering position increased above the mid-range Salary. Our only candidate we interviewed is seeking a compensation level comparable to what he is currently making in Baltimore County. DEP supported this request as they indicated running into similar issues when they tried to hire engineers. This is an important position for both the District and DEP as many projects that DEP has sent to MDE for approval have been there for almost a year or more.

With DEP's support, this enabled the District to make a formal request to the County OHR Director to approval a salary increase above the mid-range. On Tuesday OHR approved this request and have authorized OHR to extend the offer to the candidate. The offer will be in the 124K a year range. At this amount, the candidate will be at the top of the grade and will only be eligible for general wage adjustments. OHR did reach out earlier last week to inform the candidate that the County was working through the compensation adjustment approval. The candidate wrote back and indicated he was still interested in the position. John shared details and history about the positions and noted the candidate will start on March 27th or April 10th.

MACS Program Training for Staff 3/29 @MDA - Just as a FYI, most of the Staff will be in Annapolis on 3/29 to attend a full day of MACS training. With all the new staff as well as program changes, it's a good refresher even for our most seasoned staff. John plans to attend and Karen will be in the office to cover phones and to coordinate inquiries.

Follow-up email from our visit with Del. Love - Following our MASCD winter meeting Legislative visits, John followed up with a thank you email to each legislator we met with and recapped our main discussion points during our visit. During our visits, Del. Love couldn't meet with us directly and we met with her Chief of Staff. Delegate Love followed up on our email to provide insights into the discussion she had with her chief of staff following our visit with her. It was good to get the Delegates feedback. I have included the context of her exchange with us in your packets. John is proud of the success MSCD has had in meeting with members of

Regards



Karen Walker, Administrative Assistant

MEETINGS HELD

2	Butz
2	Butts
2	McGrath
2	Linda Lewis
2	Doug Tregoning
2	*Linthicum
2	*Joe Lehman
2	*Chris Miller

MEETINGS ATTENDED

50%
50%
100%
100%
100%
100%
100%
100%

*Associate Member