

MONTGOMERY SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
April 8, 2022

Due to an anticipated building closure, the regular monthly meeting of the Board of Supervisors, Montgomery Soil Conservation District (MSCD) was held remotely on the GoToMeeting virtual platform.

People Present:

Robert Butz, Chair
Tim McGrath, Treasurer
Linda Lewis, Supervisor
Doug Tregoning, Supervisor
Chris Miller, Associate Supervisor
Jeremy Criss, Director OAG
Mike Scheffel, OAG
Kelly Nichols, Extension
Sam Engler, Acting District Conservationist (NRCS)
John Zawitoski, District Manager (MSCD)
Kathleen Sigwart, MDA
Karen Walker, Office Service Coordinator (MSCD)

District Chairman, Robert Butz called the meeting to order at 9:00 whereby John announced that Adam Lyon was on leave and would not be attending today. The Chairman invited Kelly Nichols to present the report for Extension.

Agency Reports:

EXTENSION REPORT: Kelly Nichols - U of MD Extension shared her regrets for not being able to send out her report before the meeting but would forward the report later to everyone. Before presenting some highlights, she mentioned the entomologist of Delaware, David Owens, has been scouting some fields and has spotted a high population of alfalfa weevils. Kelly noted that there are not many dairy farmers in Montgomery County, and she asked how much alfalfa is grown here. Doug responded that it is less than 75 acres and Kelly shared the growers may want to do some scouting for the pests. Next, Kelly announced the 1st Agronomy Newsletter was done and it will be published monthly. In addition, there is a Fruit and Vegetable Newsletter. Kelly provided links to both newsletters: To view issues or subscribe, visit go.umd.edu/vegfruitnews or go.umd.edu/agronomynews.

Kelly then provided a reminder of the Dicamba training and shared the links are in the report.

BASF, Bayer, and Syngenta all offer online trainings. (See below for the entire links.) Note that you only need to do one to satisfy EPA's training requirements. Dicamba training needs to be completed every year.

BASF: <https://www.engeniaherbicide.com/training.html>

Bayer: <https://www.roundupreadyxtend.com/stewardship/Pages/default.aspx>

Syngenta: <https://www.syngenta-us.com/herbicides/tavium-application-stewardship>

Paraquat training is required for applicators who are mixing, loading, applying, or handling paraquat. Visit <https://npsec.us/paraquat>, and then click the blue Online Training button; you will need to create a free account to access the training. Paraquat training needs to be completed every three years.

She noted that David Myers, the Ag Agent from Arundel County will be providing online training for nutrient voucher credits. Lastly, she mentioned she is gearing up for some field research and mentioned the comparison of manure injection verse broadcast. She mentioned CEWA is happening and if they are available to work with some 4th graders, she welcomes their presence.

OFFICE OF AGRICULTURE: Jeremy Criss then provided his report for the OAG. Jeremy first reported on the Status of **Bill 40-21- Individual Water Supply and Sewage Disposal Systems - Amendments (McCartney-Green)**. He noted that all Agricultural Groups opposed the Bill 40-21 during the November 30, 2021, Public Hearing. The Transportation and Environment- T&E Committee work session is still pending. The Council is working on the CIP and Operating Budgets through April. Jeremy indicated that there is really no update on this item, and he does not expect any action on this item until after the budget is adopted.

Jeremy then reported on **ZTA 21-07 Height and Density Allocations for MPDUs-Affordable Housing**. As a follow up from Council Member Riemer request to the Office of Legislative Oversight (OLO) for a status on the use of both TDRs and BLTs, the OAG met with the staff of the OLO and MNCPPC to begin discussions on the data sets that are kept for TDRs. The OAG responded back to MNCPPC regarding there preliminary findings that only 500 TDRs = 2,500 acres still are retained on properties in the TDR Sending Area. **The OAG does not support his finding.** The OAG found properties totaling 8,000 acres = **1,602** TDRs that are **NOT** encumbered by TDR easements. This figure does not include the properties that still have retained TDRs even though they are encumbered by TDR easements. Jeremy wanted the Board to know this is the first time a councilmember has chosen to have OLO in charge of actual review and status of TDR's and BLT. In the past this was done through the PHED Committee, and he provided details on the process.

Jeremy's next item was a follow up on **Bill 16-21-Environmental Sustainability- Building Energy Use Benchmarking and Performance Standards**. He indicated that there have been three T&E Committee work sessions on Bill 16-21. The T&E Committee will probably not exempt any buildings from this Bill 16-21. The T&E Committee stated that they would like all buildings 25,000 square feet and larger including churches to be covered by this Bill 16-21. The AAC letter to the County Council recommended that Bill 16-21 should be amended, and Montgomery County should follow the lead of Washington State and exempt all existing and new agricultural buildings. Jeremy is anticipating a big battle on this item with the County Executive before it goes to the full council.

Jeremy reported that the **Beginning Farmer Course** started in February and ended on April 8th. The OAG presented during this final training to review the County permitting and licensing requirements. Jeremy thanked both Kelly and Chuck for putting the program together.

Jeremy then provided an update on the **Rustic Roads Master Plan Update**. The OAG is preparing a power point presentation titled The Rustic Roads Through the Eyes of the Farmer that will feature pictures of Rustic Roads along with testimonials from farmers regarding their views of the Rustic Roads program and MCDOT maintenance and improvements. There are only five farmers that have responded so far. The APAB has prepared a very informative letter outlining the concerns the Board has with the Rustic Roads. The OAG has reviewed the Planning Board Briefing document and it contains recommendations to minimize drainage ditches along the Rustic Roads and it provides recommendations and guidelines for foliage and tree maintenance along Rustic Roads. Jeremy provided additional background information on this matter and noted the last time the Master Plan update was in 2002 and only additional roads were added to the plan. He also felt the problem is with DOT and the lack of maintenance not the Master Plan. Jeremy shared information from the preliminary draft and noted that he would forward the draft as comments are due today. Jeremy noted the draft does not encourage drainage ditches and prefers vegetation to grow to the edge of the pavement. Jeremy said the policy prohibits farmers from moving their equipment along these roads.

It was mentioned that representatives from MNCPPC would be attending agricultural group meetings during May and that this included the District Board of Supervisor Meeting. Hopefully the representatives can attend the May 13th Board of Supervisors Meeting. The Chairman, Robert Butz stated if we take the premise that the existing language for tree trimming responsibilities on Rural and Rustic Roads is insufficient should we consider making a declarative statement on what tree trimming should be? Maybe 10' back from the road edge or up to 18' and Robert noted this would be the starting point for negotiations. He also noted that if the

negotiations failed our standards would be on record. Jeremy responded that Robert's comments are excellent and added that DOT needs to reinstate clearing and grubbing. The chairman, John and Jeremy will work on providing a letter to the planning board. Jeremy provided two links to information. The first link is to the original 1996 Rustic Roads Functional Master Plan and a link to the MNCPPC website that contains information concerning the update process.

<https://montgomeryplanning.org/wp-content/uploads/2016/11/RusticRoadsFunctionalMasterPlan1996ocr300.pdf>
<https://montgomeryplanning.org/planning/transportation/highway-planning/rustic-roads/rustic-roads-master-plans/>

Jeremy then briefed the Board on Ag Land Preservation Matters. Jeremy indicated that the **Maryland Agricultural Land Preservation Foundation (MALPF)** will accept easement applications on July 1, 2022, and there are some limited opportunities for funding in Round Two which require matching funds from the County. Anyone interested in exploring this opportunity, please contact Mike Scheffel in the OAG to understand the requirements and the deadlines. Jeremy then briefed the Board on the **County Council Recommendation on the FY23 Ag Land Preservation CIP**. Jeremy indicated that on March 29, 2022, the County Council recommended an increase of \$500K in Current Revenue for FY23 to cover the on-going Planning, Design and Supervision-PDS expenses that are not related to CIP that we have been trying to migrate back to the Operating Budget since 2010. The PHED Committee recommended these PDS expenses should be removed from the CIP in FY24. The OAG has shown the CE and the County Council the amounts of local funding allocated to Ag Land Preservation in Frederick, Howard, Carroll and Baltimore Counties that range from \$2.0 million to \$5.5 million per year.

Jeremy then announced that he and many other farmers attended the **National Agricultural Day and County Council Proclamation** on March 22, 2022. He indicated that Council members Rice, Navarro, and Friedson sponsored a Proclamation for National Agricultural Day. At the beginning of the County Council Work Session, leaders of the agricultural groups were invited along with the farmers that participate with the Farm to Food Bank Program to recognize the important role agriculture plays in the County.

Lastly, Jeremy reported on the details of the **County Executive FY 23 Operating Budget Recommendations** released on March 15, 2022. The OAG proposed a new Business Development Specialist – The BDS position will reinstate the BDS position that Kristin Fisher once held and prior to 2010 and the MSCD proposed a new Engineering Position-Technical assistance on small ponds etc. Jeremy then reported on some important staff changes impacting the OAG and Extension: County Staff updates: Cathy Yingling UM-Extension resigned March 31, 2022. Extension Updates: Alga Piechocinski-UM Extension-4H retiring April 30, 2022; Linda Walters-UM Extension-Master Gardeners retiring July 2022, Rick Walter, UM-Extension Director retiring October 2022

Upcoming Meetings and Events:

New and Beginning Farmer Training-OAG-April 7, 2022; Montgomery Soil Conservation District-April 8, 2022; Agricultural Preservation Advisory Board-April 12, 2022; CE update with MAP, MCFB, OAG-April 14, 2022; Agricultural Advisory Committee-April 19, 2022; PHED Committee-OAG FY23 Operating Budget-April 25, 2022; Montgomery County Farm Bureau Board of Directors- May 3, 2022; Western MD Trucking Forum-SHA-May 10, 2022

SECRETARY/ TREASURER'S REPORT

Approval of the March Minutes was next on the agenda and the Chairman shared that all the Supervisors received a copy of the minutes. A motion was made by Linda Lewis and second by Tim McGrath and passed approving the March 11, 2022, Board of Supervisors Minutes.

Following the approval of the minutes, the Chairman invited Karen to share the Financial Treasurer's Report. She indicated that the checkbook and bank statement have been reconciled and noted that the MDA Financials reflect some expenses incurred for employee training. Karen then indicated that she plans to complete and present the Supervisors with their end of Fiscal Year reimbursements/per diems for the next board meeting.

Karen mentioned the MDA books will be closing soon and she is trying to expense out all funds approved for this Fiscal Year. She noted the Chesapeake Bay Trust Fund Report will come due on April 10th, but this report has already been completed and submitted to MDA. Karen was pleased to report that MSCD is on track with timing and accuracy concerning all financial matters and asked if there were any questions. Having no questions, a motion was made by Doug Tregoning and second by Tim McGrath and passed approving to file the financial reports.

After the approval to file the financial reports, the Chairman asked Karen to address the donation request for MASCD and NACD. Because she did not have the details, John shared information on the matter and noted that both MASCD and NACD will host a joint summer meeting. Because it will be a combined meeting there will be additional expenses. John shared the sponsorship information provided by MASCD and noted there are 5 levels, and the range is from \$250 to \$5000. John shared that some districts have already provided sponsorship. John feels comfortable in providing a \$250 - \$1000 sponsorship if the board is so inclined. The Chairman asked if a defined budget for this event was presented in the Board of Directors Meeting on March 29th? John responded that no official budget was presented but there was discussion about additional costs that would be incurred. The Chairman shared he is on the MASCD Budget committee, and he is reluctant to provide funding without having a detailed budget. The Chairman noted that expenses will be higher, but with other agencies participating the revenue will be higher too. Doug agreed with the Chairman and noted there needs to be a defined asked before level of sponsorship is determined. John said that he would reach out to Jen Nelson and let her know we generally want to support events like this, but we would like to know the general needs.

District Activities Report and Program Update

John noted Sam Engler is still the Acting District Conservationist, but we expect to hear an official announcement from NRCS soon. John invited Sam to share information on the status of the permanent position and to provide details on the Activities Report. Sam shared all the interviews for the position have been done. Human Resources is working through the paperwork and an official announcement will not be made until the paperwork is complete.

Sam then asked if there were any questions on the Activities Report and shared there were 2 Request for Assistance (RFA). John provided the details on the RFAs. The first RFA is James O'Connell and his 109 acres off Barnesville Road. He plans to retire, and to work the farm and would like the District's Assistance for a conservation plan. The next RFA is an equine operation owned by Caroline Scace. She has 23 acres and is looking for conservation plan that will include grazing, pasture management and other BMPs. John noted that both RFAs are in line with the district's mission, and we should work with them. John shared other details on the Activities Report and noted that both Kathleen and Ibraheem are progressing in writing conservation plans. Travis is working with Kathleen on several pending conservation plans and Ibraheem aided J. Harne in developing the conservation plans that are being submitted for approval. John shared these plans will be addressed in the Executive Session. Having no questions, a motion was made by Tim McGrath and seconded by Doug Tregoning and passed approving the Activities Report.

New Business - District Managers Report: Since agenda Item A was discussed within the financial report portion of the meeting, the chairman had John address Item B. under New Business. John shared the MASCD Board of Directors (BOD) met on March 29, 2022, and Robert was available to attend part of the meeting. John shared details on the slides and noted the MSCD has provided 4 submittals for MASCD Service Award and noted the attendance award submittal is due on May 1st and the Education and MAFC Awards are due on May 6th and MSCD will provide a submittal for these awards. In the BOD meeting, there was a discussion on small ponds and charging a fee. John shared details on the discussion and noted there was no clear guidance on the fees. District can charge a fee for E&S but not Storm Water Management.

John then shared the information that was presented on the Envirothon and noted it will be in-person and a 1-day event in Howard County. Unlike last year, there will only be 1 team participating and it will be the winner from MSCD local competition that will be held on May 25th.

John shared details and slides on the strategy to achieve the WIP Goals presented by MDA. He indicated MDA would be scheduling one on one meetings with Districts and Supervisors to discuss WIP progress and the next 3 years of the WIP III. John shared some of his concerns on how to reach the goals given the timing of additional resources and the pandemic of the last two years. He indicated the District is working hard and trying to find avenues to address the WIP. Some things are simply out of the District's Control. John shared that he felt the District's efforts in getting stormwater management approved for Ag Structures needs to be captured for credit in our local WIP. Currently, these efforts receive no credit.

John then reported that the 2021 Annual Report has been completed and provided to the Supervisors in their meeting packet materials. John indicated that he would like to get it published by end of April first on the MSCD Website and then again in the upcoming June Newsletter. John asked for any comments or additional input from the Supervisors within the next week or so. If no additional comments are received, John will move ahead and publish the Annual Report.

John provided an article that was published in the "*Atlantic*" Concerning the War in Ukraine and the impact it has having in world food supplies. Russia and the Ukraine are major Wheat producers, providing the majority of Wheat to the middle east and parts of Africa. This is leading to global Wheat shortages and increase Wheat commodity prices. John indicated this may have an impact on the Cover Crop Program and potentially the WIP. John shared that cover crop participants may decide not to kill the cover crop and keep it for commodity. John shared details on the war and how it is impacting agriculture. The Chairman invited Doug to share his thoughts on the potential food shortage and the challenges farmers are facing. Doug remarked the farmers with good cover crop stands are considering not to kill it down but keep it for commodity. Because Ukraine and Russia wheat growing season runs the same pattern as ours, we will not make decisions about next year's wheat projections until the fall planting. However, Doug noted that Ukraine is facing challenges with planting corn. Ukrainian farmers have a challenge in getting herbicide, insecticide, fuel, fertilizer etc. Doug is unsure on how the Ukrainian wheat season will turn out and he is not sure how much corn will get planted. Doug shared the Ukrainian Agriculture Minister has reported that a million acres of spring crops have been planted however, Doug said the government controls the media and he is unsure if the million acres planting is valid. Doug also mentioned Ukraine is important factor for sunflowers and that impacts the oil market and soybeans. Doug mentioned that the supply shortage and the war has created a real possibility for food shortage.

After Doug shared his information on the war-food shortage, the Chairman circled back to the MDA WIP Strategy item. The Chairman wanted to know if the district was in position to achieve the WIP goals and wonder if the Board needed to provide additional support on the matter. John responded with the Board approval of the Practice Keeper Software, MSCD is in a good position to get a good handle on updating those expiring conservation plans. John then provided details on the software buildout and noted it may be available in about 5 weeks. John also mentioned that MSCD can write conservation plans but MSCD has no control over BMP's. Material costs and supply side issues continue to impact BMP implementation and at least in the short term (1 – 2 years) this will impact BMP implementation, even with increased levels of cost share assistance.

John reported on the new Cover Crop + Program (Pilot for 2022) – MDA is trying to build on the success of the traditional program. This program is for a longer season, multi-species, max of 500 acres per operator and the agreement is for 3 years. Sign up will coincide with the traditional cover crop sign up. The chairman asked if a fact sheet was available for the Cover Crop + Program and noted this information should go into our newsletter.

Tim asked if more dollars were involved, and John responded yes that the operator will be locked into a higher rate.

Old Business Information Items: John provided a copy of the last bill matrix with certain bills highlighted. Both House and Senate Bills that would have transferred pesticide regulation from MDA to MDE were defeated. A bill to include clearing forests as an ag activity exempt from Erosion and Sediment Control was also defeated. The Bill concerning on farm food composting looks like it will not pass this session. All in all it was an incredibly active session and the District was on top of all legislation throughout the entire session and provided assistance to other County agencies and Districts during the session.

NRCS Memorandum of Agreement – NRCS has fully executed the MOA, and they have been advised of our continued concerns with the UCA. In an email from NRCS received last week, they are dusting off the UCA and preparing to address our comments. We are awaiting an updated draft UCA.

District Conservationist Vacancy – Update Acting State Conservationist McAfee, announced during the BOD meeting on March 29th that NRCS was ready to make a selection for the vacant DC position.

Update on Practice Keeper Initiative - We have executed the agreement with GeoDecisions as well as task order 1, which is the build for our practice keeper planning tool. It will be a 5 to 6 week build and they will be providing training to our planners. We are in the process of setting up the initial meeting to begin the build.

Reappointment Recommendation – Doug Tregoning - All the required paperwork has been submitted to the State Soil Conservation Committee for Doug’s reappointment as the Extension representative on the Board. The SSCC will take up Doug’s appointment at the April meeting. John will attend this meeting in the event there are any questions by the SSCC.

Rustic Roads Master Plan Update - This item was covered in detail in Jeremy’s report. In short MNCPPC will attend our May 13th meeting to discuss the master plan update and address any concerns or comments we may have on the plan. A copy of the latest draft is in your packets. The plan is for them to attend the May Board of Supervisors Meeting.

Chairman Correspondence: The chairman, Robert Butz had no correspondence to share.

ADJOURNMENT AND NEXT MEETING

The meeting officially adjourned at 10:14 a.m. and the next scheduled Board of Supervisors Meeting is May 13, 2022.

Regards

Karen Walker, Administrative Assistant

<u>MEETINGS ATTENDED</u>	<u>PERCENTAGE</u>
Butz	92%
Butts	100%
McGrath	100%
Linda Lewis	100%
Doug Tregoning	100%
*Linthicum	58%
*Joe Lehman	70%
*Chris Miller	70%

*Associate Member