

MINUTES OF THE STATE CONSERVATION COMMISSION

1. The State Conservation Commission meeting was called to order by Rod Vorhees, Chairman and Area V Commissioner at 1:32 p.m., Monday, January 31, 2022, at the Kansas Agribusiness Retailers Association, 816 SW Tyler, Topeka, Kansas.

2. **ATTENDANCE:**

Elected Commissioners:

Ted Nighswonger, Area I Commissioner
Andy Larson, Area II Commissioner
Sam Sanders, Area III Commissioner
John Wunder, Area IV Commissioner
Rod Vorhees, Area V Commissioner

Ex-Officio & Appointed Members:

Karen Woodrich, State Conservationist, Natural Resource Conservation Service
Terry Medley, P.E., Water Structures Program Manager, Division of Water Resources, Kansas
Department of Agriculture
Peter Tomlinson, Ph.D., Associate Professor, Extension Specialist for Environmental Quality
Agronomy Department, Kansas State University
Dan Devlin, Director, Kansas Center for Agricultural Resources and the Environment (KCARE), K-
State Research and Extension
Susan Metzger, Senior Executive Administrator to the Dean and Director of Ag Kansas State
University, Associate KCARE/KWRI Director

Division of Conservation, Kansas Department of Agriculture Staff:

Andrew Lyon, Executive Director
Steve Frost, Assistant Director, Administrative Manager
Dave Jones, Water Quality Program Manager
Hakim Saadi, Watershed Programs Manager
Cathy Thompson, Program Consultant
Marsha Setzkorn-Meyer, Conservation District Program Coordinator
Christy Koelzer, Administrative Specialist

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Guests:

Kelsey Olson, Deputy Secretary, Kansas Department of Agriculture

Dan Meyerhoff, Executive Director, KACD

Amanda Scott, President, KACD-EO

Earl Lewis, Chief Engineer, Division of Water Resources, KDA

Carla Wikoff, Agricultural Program Specialist, Kansas Farm Service Agency

Laura Munsch, Marketing Angle

3. CERTIFICATION OF ELECTION:

A motion was made by John Wunder to certify the election to the Conservation Commission for a two-year term beginning January 1, 2022: Area I – Ted Nighswonger, Area III – Sam Sanders, and Area IV – Rod Vorhees. The motion was seconded by Ted Nighswonger. Motion carried.

4. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON OF THE COMMISSION:

A motion was made by Ted Nighswonger to nominate Rod Vorhees to serve as Chairperson and John Wunder to serve as Vice Chairperson. The motion was seconded by Sam Sanders. Motion carried.

5. ADDITIONS TO AND APPROVAL OF AGENDA:

Additions:

3. Certification of Commissioner elections

4. Election of Chairperson and Vice Chairperson

6. New Business

b. WR and NPS

A motion was made by Ted Nighswonger to approve the agenda as amended. The motion was seconded by John Wunder. Motion carried.

6. MINUTES OF THE PREVIOUS MEETING:

A motion was made by Ted Nighswonger to approve the November 21, 2021, minutes as emailed. The motion was seconded by John Wunder. Motion carried.

7. UNFINISHED BUSINESS:

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a. On-Site Waste Practice Proposal – Lyon, Jones

- i. Andrew Lyon presented a proposal for FY 2023 On-Site Waste Revisions (Attachment A). Revisions include allowing only full system replacements, replacing all current components with Complete System Replacement, a project limit of \$2,000, and reducing the number of system types on the benefits of treatment in CSIMS to simplify the payment process for districts. The contract process will be more efficient, and the cost-share amount would be even across the state. John Wunder suggested increasing the project limit to \$2,500 to accommodate inflation.

A motion was made by Ted Nighswonger to raise the project limit to \$2,500 and adopt the On-Site Waste Revisions as proposed. The motion was seconded by Sam Sanders. Motion carried.

b. NACD Annual Meeting in Orlando, FL February 12-16, 2022 – Lyon

- i. Andrew Lyon informed the commissioners that himself, John Wunder and Sam Sanders will be attending the NACD Annual Meeting. NASCA will have a breakfast with FFA students each morning to discuss ways to enter agricultural professions.

8. NEW BUSINESS:

a. Wildfire Initiative Discussion – Lyon

- i. Carla Wikoff informed the commissioners the federal emergency conservation program is responding to the wildfires that occurred in 10 counties on December 15. Fencing is a key need.
- ii. Karen Woodrich informed the commissioners that EQUIP funds are helping with livestock burial and reapplication of soil conservation practices.
- i. Andrew Lyon informed the commissioners that DOC could use state funding for recovery efforts. District managers have expressed interest in planting cover crops to provide forage for grazing. DOC could also restore a previously applied practice.
- ii. Dave Jones informed the commissioners that after the December cancellation, most of the remaining WR funds were re-allocated with underfunded contracts receiving priority. Almost 200 contracts were funded in the WR re-allocation. Unallocated funds remain in the NPS program as there was not an additional sign up for NPS funds. A portion of the remaining NPS funds will be used for security enhancements required for CSIMS. \$100,000 could be made available statewide for cover crops for forage as well as other practice types that fulfill needs. Areas declared in emergency status would be eligible and served on a first come first served basis.

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A motion was made by John Wunder to approve a \$100,000 NPS cost-share initiative to first come first serve in emergency areas for eligible practices. The motion was seconded by Ted Nighswonger. Motion carried.

b. WR and NPS

i. WR and NPS funds were covered in the Wildfire Initiative Discussion.

9. UPDATES:

a. Comments from Guests:

i. Dan Meyerhoff (KACD) informed the commissioners the Water Committee will be releasing a bill, but details aren't known at this time. The training agreement with NRCS retired employees to provide training to current staff is going well. Troy Munsch is developing a three-day training course for new district managers. A Local Work Group Agreement will assist in facilitating meetings with Local Work Groups. These meetings will be scheduled in March and April and will have virtual components available. A Kansas Leadership Center grant has made 60 scholarships available for supervisors, district managers and partners to attend KLC's leadership training programs. KACD will provide the books for those registering for the class.

ii. Amanda Scott (KACD-EO) provided a written update (Attachment B).

b. Agency Updates:

i. Karen Woodrich (USDA, NRCS) provided a written update (Attachment C).

ii. Terry Medley (KDA, DWR) provided a written update (Attachment D).

iii. Dan Devlin (KSU, KCARE) informed the commissioners that he will be retiring June 10. Cotton is an alternative crop they have been working with and have found revenue is greater with irrigated cotton than irrigated corn. Dan met with the Cotton Board last week and they are predicting cotton will be increasing in Kansas so there is opportunity for conservation in the future. They have been making advancements with high protein and specialty wheat yields and will release their own K-State hybrids.

iv. Earl Lewis (KDA, DWR) informed the commissioners that KDA will know more about the bill when it comes out.

c. DOC Staff Updates:

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- i. Andy Lyon informed the commissioners that he will provide weekly updates on the bill as he learns more. The Governor's budget recommended a fully funded state water plan to the legislation. This increases aid to conservation districts to a 1:1 match. WR cost-share is \$2.7 million and NPS is \$1.86 million.
- ii. Dave Jones informed the commissioners that DOC doesn't historically encumber on-site waste, abandoned well plugging, and nutrient management practices. Once encumbered, if the contract is canceled, DOC loses those funds. If a contract is not encumbered and canceled, the landowner could sign up the following year. These contracts would need to be paid or cancelled by May 20, 2022.

A motion was made by John Wunder to not encumber on-site waste, abandoned well plugging, and nutrient management and contracts need to be canceled or paid by May 20. The motion was seconded by Sam Sanders. Motion carried.

- iii. Hakim Saadi informed the commissioners that SAKW is having its annual meeting on February 1 and 2.
 - iv. Steve Frost informed the commissioners that adding Rattlesnake Creek to CREP has been approved. He is waiting on rental rates so more to come. Following the WTAP enrollment last fall, one will be funded in the Tribune target area. DOC has provided sponsorship for No-Till on the Plains, Soil Health U, and the Playa Lakes Workshop. Soil Health U will allow districts to listen to podcasts throughout the year.
 - v. Cathy Thompson informed the commissioners she is working on the rollover process for CSIMS automation, and the programmer is working on final CSIMS updates.
 - vi. Christy Koelzer informed the commissioners she is working on preparations for Annual Mine Reports for the Land Reclamation program in March.
 - vii. Marsha Setzkorn-Meyer provided a written update (Attachment E).
- d. Elected Commissioner Area Updates:
- i. Ted Nighswonger (Area 1) informed the commissioners the wind did damage to his trees. There is a shortage of fence posts after the wildfires.
 - ii. Andy Larson (Area II) informed the commissioners they had eight to 12 inches of snow, and nearby there was as much as 21 inches. More snow is expected.
 - iii. Sam Sanders (Area III) no comments.

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- iv. John Wunder (Area IV) provided a written update (Attachment F).
- v. Rod Vorhees (Area V) provided a written update (Attachment G).

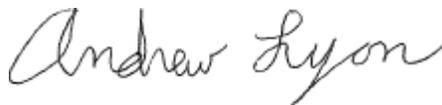
10. CONSERVATION DISTRICT COMMUNICATION STRATEGY:

- a. Laura Munsch, Marketing Angle, provided a presentation on Digital Presence.
 - i. Discussion included the use of websites versus social media, time investment in making social media posts, training for staff, costs, and continuity of access during staff turnover.
 - ii. Amanda Scott informed the commissioners that she used a professional marketing company to develop her website. She utilizes it for posting her cost-share documents which allows for accessibility while not in the office. She uses Facebook for outreach and to share news and events.
 - iii. DOC wants to share the good things that are happening in the districts. Further discussion is needed to figure out the best approach for providing the tools and training district managers need to get started. Dan Meyerhoff suggested that KACD could assist. Andy Lyon recommended that Dan gather more information for further discussion at the next meeting.

11. ADJOURNMENT:

A motion was made by John Wunder to adjourn the meeting. The motion was seconded by Ted Nighswonger. Motion carried.

The meeting was adjourned at 5:05 p.m.



Andrew Lyon
Executive Director

Proposed FY 2023 On-Site Waste Revisions

- Allow only full system replacements (partial system replacements will not be allowed moving forward).
- Replace all current components with (Complete System Replacement)
- \$2,000.00 per system project limit. (Current range is \$1,000.00 to \$10,000.00 in the state) FY 2022 average OSW payment is \$2,266.65 per system.
- Reduce number of components to one. (Complete System Replacement)
- Reduce the number of system types on the benefits of treatment in CSIMS to simplify the payment process for districts.

Current List:

Connection to Public Sewage System
Conventional Absorption System
Drip Dosing System
Ezflow System
Geo-Flow System
Infiltration Chamber System
Lagoon System
Landowner Actual Cost
Landowner Actual Cost
Mound System
Presby Septic System
Quick4 Standard Chamber System
Rock, Plant Filter System
Sand Filter System

Proposed List:

Lagoon System
Absorption system(chambers, laterals, ez flow, etc.)
Alternative System(mound, sand filter, etc.)
Landowner Actual Cost
Connection to Public Sewage system

Kansas Association of Conservation Districts Employees' Organization

AMANDA SCOTT, President



January 2022

- The KACD-EO Executive Board is planning a Statewide Conference, May 10-11, 2022 in Salina.
- I have appointed Janel Odle from Rooks County to fill Sandi Scott's vacancy on the board.
- I will be attending the NACD Conference in Orlando on a 1st time attendee scholarship awarded by NACD.
- The KACD-EO Area Representatives continue to meet monthly with area District Managers.
- The KACD-EO Executive Board continues to attend the DOC Partnership monthly virtual meetings.
- I am participating on the Core Team for the Kansas Leadership Transformation Grant with KACD.
- I am participating the development of the District Employee training curriculum with partner agencies.
- I continue to:
 - Work with district managers to answer questions/concerns
 - Welcome new district manager
 - Keep the Picture Directory updated
 - Share educational opportunities with districts

As always, if anyone has any questions or concerns, please contact myself or any Area KACD-EO Representatives for assistance.

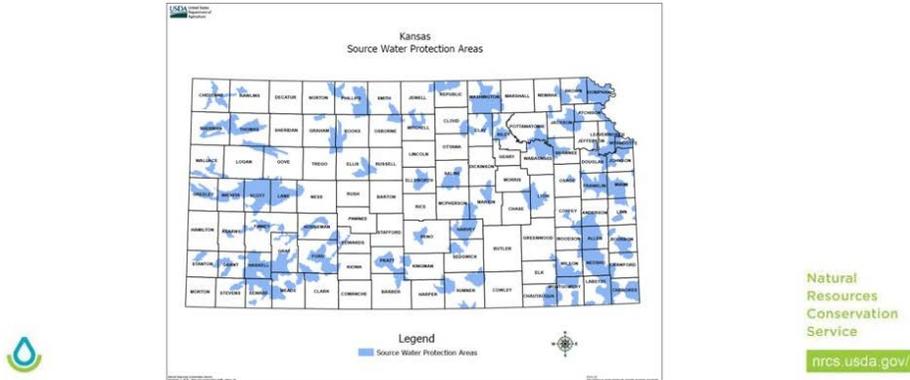
NRCS Report for SCC Meeting (Jan31, 2022), Topeka, KS (called in via Zoom)

- Wildfire/Windstorm Response from Dec 2021: EQIP emergency animal mortality signup to cover some of the costs of burial and/or rendering. Signup closed Jan 14th. Reapplication of any failed EQIP conservation practices (high tunnels, windbreaks, fence, sprinklers, pumping plants, watering facilities). Applications due Feb 25th. We continue with work with FSA on the Emergency Conservation Program (ECP); FSA is in process of making requests for funding from their national office based on county reports of damages and requests. FSA has more details on what is eligible for assistance.
- COVID-19; USDA continues to be in a max telework posture in our offices. We have weekly changes to staffing permissions on a county basis. All KS offices are at 25% staffing and no visitors (as of Friday 1/28/22). Re-entry back to the “new normal” is pending COVID trends; USDA is supposed to be issuing revised estimates on when the return to the office will start to be phased in. On January 21, 2022, the supreme court in TX, issued a temp. injunction to the President’s Exec Order 14043 which requires all federal employees to be vaccinated. This means that we have paused any disciplinary actions toward unvaccinated employees. It does not change any other guidance or direction on our operational status: employees must continue to wear masks and follow CDC guidance, and any partner, visitor, contractor must provide vax status or provide negative test prior to entry into USDA facility.
- We have issued guidance on USDA’s new telework/remote work policies that will take effect once we are back in the office in the “new normal”. All staff are eligible for ad-hoc telework up to different numbers of days depending on their job duties. Chief is committed to ensuring that customer-facing employees are “on-site” to service customers and partners, while maintaining personal/work-life balances.
- Hiring: We have hired 4 new Area-level business tools coordinators, 4 new Area-level archaeologists, a state outreach coordinator, state agronomist, state water quality specialist, and a geologist. This is in addition to our continued efforts to add soil conservation technicians, district conservationists, soil conservationists and supervisory DCs. Once again, we had no applicants for the DC jobs in Anthony, Hoxie, Johnson, Kinsley, Leoti, Lyons and Scott City. We will re-evaluate the type of position and decide how to proceed with these vacancies.
- Initial EQIP & CSP batching periods closed in November. EQIP Grazing Lands Health and Water Quantity ranking pools are now based on Major Land Resource Areas (MLRA’s); we are trying to make more resource-based funding decisions.

- Grazing Lands Health
 - Ranking category will be MLRA groups.
- Water Quantity
 - Ranking category will be MLRA groups.



EQIP – increased payment rates to address water quality & quantity resource concerns impacting drinking water sources in KS. KS Source Water Priority Areas



Practices include field borders, riparian forest buffers, filter strips, irrigation water mgmt, access control, nutrient mgmt and wetland restoration.

- We are assessing and ranking now, hoping to complete EQIP contract obligations no later than May 2 and CSP obligation by late summer. We will assess backlogs in March, and IF we are 80%+ obligated we may have an opportunity to request additional funds if there are any available from other states.
- Climate Smart Ag & Forestry: EQIP-Conservation Incentive Contracts (CIC): is a new part of EQIP. Kansas focus is on soil health in cropland. Payments for eligible practices will be made as annual incentive payments (instead of as a practice payments) as soon as practicable after Oct 1. Contracts are limited to \$200k. Applications are being accepted now until Feb 25th.

Stakeholder Outreach: DWR held stakeholder outreach on 12 and 19 November 2021 regarding the proposed changes to the Obstructions in Streams Act, K.S.A. 82a-301 et. Seq. Approximately 20 people attended each session. Proposed changes in eliminate the requirement that safety inspections by conducted by a licensed professional engineer, ability to assess civil penalties, establishment of an emergency structure fund, adding a dry detention road fill exemption and adding a low head dam exemption.

House Committee on Water: As part of the committee's efforts to educate new members and refresh their understanding of the various water agencies, on Wednesday 12 January, Earl Lewis gave the committee an overview of KDA-DWR's roles, responsibilities and funding. On 31 January Earl addressed the committee regarding dam safety issues.

Association of State Dam Safety Officials (ASDSO): Terry Medley attended the ASDSO board of directors meeting 12 - 13 January. Much of the discussion was about IIJA and funding as well as the new USACE levee safety program.

Staffing: The program has a hired a senior administrative specialist, but the individual has not been able to come to work yet. The stream team has 1 vacant engineering position. The submitted enhancement package would include restored funding for 1 stream team engineer and 3 dam safety engineers.

**District Manager Update
1/31/2022 SCC Commission Meeting**

New Employee Training (after 1/01/2022)

Cindy Shaul, Rawlins County

Retirement

Sandi Scott, Ellis County District manager retired 01/14/2022

New Hires –

New District Managers

<u>Area</u>	<u>County</u>	<u>Name</u>	<u>Start Date</u>
1	Ellis	Linda O’Neal	1/18/2022
2	Ford	Josh Weil	1/10/2021
2	Scott	Samantha Wright	1/24/2022
2	Grant	Julia Traster Rowe	1/11/2022
4	Riley	Scott Carmichael	02/01/2022

Vacant -

Jewell County

On the weather front, we had a mild fall and early winter. There was a lot of field work able to get done, along with conservation work. Since the first of November to today, we have only received 4/10 of an inch of precipitation.

Most conservation districts have been able to go back to in person annual meetings. It has been rather tricky with the 25% office capacity.

One of the items I have been thinking about recently is the issue of priorities. Most state and federal priorities started out as local concerns. I think back to the early 1970's and how my parents when visiting with the neighbors were concerned with Lake Perry. They felt that terraces, waterways, farm ponds, and other conservation practices should have been put into place BEFORE the lake was built. Even back in the early 70's, they were concerned with sedimentation in our reservoirs. This was before the Water Plan Fund and some other state agencies existed. Therefore, local conservation districts, the KACD board, and the State Conservation Commission are important. Conservation districts are made up of local individuals that hear and see the need to help identify issues. In turn, the KACD board along with the State Conservation Commission help bring those local issues to the state and federal level. Then, many of these concerns become state and federal issues.

Also, I will leave you with a couple of quotes by the biologist, H.B.N. Hynes, "In every respect, the valley rules the stream." As Heidi Mehl, manager of the Kansas Healthy Streams Initiative at the Nature Conservancy said, "Therefore, if we want to understand and protect our streams and rivers, we must understand the land use patterns surrounding them and what is driving those patterns in various cultural contexts."

Respectfully Submitted,

John H. Wunder
Area IV Commissioner

CONSERVATION LEGISLATION

by Rod Vorhees

What should be included in the 1990 Farm Bill Conservation Provisions? --

A national level committee convened to make these important decisions.

To impress on all members the importance of this Attendance is required, it is illegal to miss. The environment is the focus, now let business commence. Take a stand on each issue, get off of the fence.

"Good people, the water is polluted, and the air you can see, Because the ozone is depleted--I MOVE we plant some more trees."

The lackadaisical calm of the day is no more, The Committee is anxious, for debate is in store.

"I have a motion," cries the chair with delight,
 "Does anyone second, and THEN we can fight."
 Discussion begins, then chaos breaks out,
 "It's not all that simple," was a popular shout.

One die-hard conservationist did solemnly swear,
 "Without the terrace, there isn't a prayer."
 "NO, grass is the answer, get rid of the plow,
 get rid of the combine, and bring back the cow."
 "Grazing is DESTRUCTIVE," an activist interjected,
 "Our natural environment I DEMAND be protected."
 "Your way off the mark, that is not conservation,
 We must become a Low Input Sustainable Ag nation."
 "To protect animal rights or improve wildlife habitat,
 Non-point source pollution we first must combat."
 "Take my advice, your WORDS are pollution,
 Regenerative management is the only solution."
 "Go organic,"---"Recycle"---"stop ALL chemical use"---
 "No-till"---"NO MORE"---"Let's call a truce."
 "Let's table the motion, it's now crystal clear,
 The problem's too big to be solved by us here."
 The environment is global, not national, state, or city,
 Reconvene next year with the "International Committee."

And so they adjourned with dismay and disgust,
 Who had the right answer, whom could you trust?
 But alas, there is a lesson to all this confusion.
 When will they learn, there is not a single solution?
 For what works well one way, one year, on one farm,
 May, in fact, someplace else, do irreparable harm.

But, some still seek stewardship through legislation.
 I say, "It takes **education**, and a **land ethic**,
 to get **conservation**."